

HUMAN RIGHTS DEFENDERS

Human rights defenders continued to report physical attacks and harassment by law enforcement authorities and private corporations. These human rights defenders included students with disabilities acting as whistleblowers exposing discrimination and sexual abuse in a school, and journalists trying to report human rights issues such as gender-based violence. Existing laws failed to protect them from harassment and unjustified interference with their privacy.

TORTURE AND OTHER ILL-TREATMENT

Impunity and under-reporting of torture and other ill-treatment of individuals in detention, including people with disabilities and foreign nationals, continued in the absence of an independent, dedicated investigation mechanism. The new Criminal Procedure Code becoming effective in July did not re-establish the previously disbanded independent investigation unit, despite advocacy efforts by civil society.

FREEDOM OF EXPRESSION

On 1 July, a new Administrative Offence Act came into effect, allowing for increased administrative fines including when false information was published that could damage the reputation of individuals or business entities. A media professionals' organization criticized the law for being vague and overly broad, and feared it could be excessively used to suppress freedom of expression. Media companies staged a media blackout on 26 April to protest against the law, which was subsequently passed with reduced fines.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Authorities failed to protect traditional herders from the operations of mining companies that negatively affected their livelihoods, traditional culture, and access to land and clean water. The influx of mining companies and transporting trucks in the Dalanjargalan subdivision of Dornogovi province caused heavy dust which severely degraded pastures and threatened the health and safety of

livestock and people. Media workers filmed mining company representatives intimidating journalists and herders. Following his visit to Mongolia in September, the UN Special Rapporteur on human rights and the environment called for consultation with local communities before mining permits were issued, and for improved standards to ensure safe operation.

RIGHT TO HOUSING AND FORCED EVICTIONS

Residents in the *ger* areas of the capital, Ulaanbaatar, continued to live with the possibility of forced eviction due to urban redevelopment, without updated information on redevelopment plans, genuine consultation or adequate compensation. Residents complained that the new local government elected in June 2016 had failed to implement redevelopment plans agreed with the previous government; the new government claimed it lacked funds. These plans included the provision of essential components of adequate housing such as safe drinking water, sanitation and energy.

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1. Mongolia: Death penalty confined to history as new criminal code comes into effect ([ACT 50/6646/2017](#))

MONTENEGRO

Montenegro

Head of state: **Filip Vujanović**

Head of government: **Duško Marković**

Past murders and attacks on journalists and media workers were not resolved. The Constitutional Court found that investigations into alleged torture and ill-treatment failed to meet international standards. The funding of NGOs was threatened and human rights defenders were subjected to smear campaigns by media supportive of the government.

BACKGROUND

Montenegro joined NATO in June. Serious concerns continued about criminal

proceedings against 14 men, including Russian intelligence officers and opposition leaders, who were indicted in May for “violent overthrow of the government” and “preventing NATO accession” on election day in October 2016.

LACK OF ACCOUNTABILITY

The State Prosecutor’s Office reportedly reviewed seven war crimes cases, in which all but four defendants had been acquitted, to determine whether grounds existed to reopen proceedings. In September, the government reported it would pay the victims EUR1.35 million in compensation.

Proceedings opened in September against Vlado Zmajević, who was arrested in Montenegro in 2016 and indicted – originally by Serbia – for war crimes in Kosovo.

TORTURE AND OTHER ILL-TREATMENT

In June and again in July, the Constitutional Court found that the State Prosecutor’s Office had failed to conduct effective investigations into the alleged torture and ill-treatment during demonstrations in November 2015 of Branimir Vukčević and Momčilo Baranin, and Milorad Martinović, respectively.

Proceedings against prison officers indicted in 2016 for abusing prisoners continued to be delayed by their lawyers, with no verdict by December.

FREEDOM OF EXPRESSION

In June, the government proposed to amend the Law on Gatherings to prohibit protests in front of Parliament. NGOs feared that amended legislation on sources of NGO income would potentially reduce their funding, and allow the government to decide whether new NGOs could be registered.

JOURNALISTS

Civil society members of a commission charged with monitoring investigations into violence against journalists continued to be denied security clearance to classified documents.

Investigative journalist Jovo Martinović, detained in 2015, was released in February after international appeals, but proceedings –

alleging his membership of a drug-trafficking gang that he had been investigating – continued at the end of the year.

In October, the Constitutional Court awarded journalist Tufik Softić EUR7,000 in compensation for the ineffective investigation into the 2007 attack on his life, continued threats and his fear of another attempt on his life.

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

In April, activists proposed a model law on gender identity. In August, members of the NGO LGBT Forum Progress were attacked; one was hospitalized.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

In January, the government cut by 25% a lifetime benefit, provided under the 2016 Law on Social and Child Protection, to mothers with three or more children who gave up employment. Protests followed, including a 14-day hungerstrike in March. In June, the government abolished the benefit completely. Although the law was potentially discriminatory, beneficiaries feared that, with insufficient support to enable them to return to work, the lost benefit would have a drastic impact on their family income.

REFUGEES AND ASYLUM-SEEKERS

Almost 1,000 Roma and Egyptian refugees who fled Kosovo in 1999 remained at Konik camp outside the capital, Podgorica, awaiting resettlement into adequate EU-funded apartments, 120 of which were completed in November.

Around 800 Roma and Egyptians remained at risk of statelessness, their applications for regular status pending. Some 379 had only three years’ temporary residence. In May, the government withdrew a procedure to determine statelessness from a draft Law on Foreigners.

Four men convicted in May of grave offences against general safety, for overloading a boat in 1999, resulting in the deaths of 35 Roma refugees, were sentenced

in December to between six and eight years' imprisonment.

MOROCCO/ WESTERN SAHARA

Kingdom of Morocco

Head of state: **King Mohammed VI**

Head of government: **Saad-Eddine El**

Othmani (replaced Abdellah Benkirane in March)

Journalists and protesters calling for social justice and political rights were imprisoned, often following unfair trials. Judicial authorities did not adequately investigate reports of torture in detention. Impunity persisted for past human rights violations. Migrants continued to face excessive force and detention. Courts imposed death sentences; there were no executions.

BACKGROUND

Significant and sustained social justice protests took place in Morocco's northern Rif region. In January, Morocco rejoined the African Union. In February, Morocco submitted a request to join ECOWAS. In March, King Mohammed VI appointed Saad-Eddine El Othmani as head of government following a government reshuffle. In April, the UN Security Council extended the mandate of the UN Mission for the Referendum in Western Sahara (MINURSO) for another year without human rights monitoring.¹ In September, the UN Human Rights Council adopted recommendations following a review of Morocco's human rights record under the UN UPR process.²

FREEDOMS OF EXPRESSION AND ASSOCIATION

The authorities used Penal Code provisions on insult and on incitement to protest or rebellion to prosecute and imprison journalists, bloggers and activists who criticized officials or reported on human rights violations, corruption or popular

protests. In the second half of the year, prosecutors investigated at least one protester for "false reporting" after he claimed that the police had tortured him. Courts also convicted and imprisoned journalists and activists on vague and overly broad state security and terrorism offences in what amounted to punishment for their criticism of the authorities.

Between May and August, security forces arrested and detained eight journalists and bloggers over critical coverage or online commentary of the protests in Rif.

Prosecutors charged them with protest-related, state security offences. Hamid El Mahdaoui was convicted of inciting others to take part in an unauthorized protest and sentenced to three months' imprisonment and a fine of 20,000 dirhams (around USD2,100), increased to one year's imprisonment on appeal.

Seven people, including journalists, activists and the academic Maati Monjib, remained on trial on charges including "threatening state security" for promoting a mobile application for citizen journalism that protected users' privacy. Journalist Ali Anouzla remained on trial on trumped-up charges of "advocating, supporting and inciting terrorism" for an article he had published on the website lakome.com in 2013.

The authorities imposed restrictions on some organizations in Morocco and Western Sahara perceived to be critical of the authorities. Restrictions included continuing obstruction of the registration of associations, banning the activities of associations, and expelling foreign nationals invited by such associations.

FREEDOM OF ASSEMBLY

Authorities tried and imprisoned hundreds of activists involved in social or environmental justice protests on assembly-related charges. Courts also used trumped-up criminal charges for offences under ordinary law and charges under vaguely defined state security and terrorism provisions to try protesters.

In February, gendarmes violently arrested peaceful environmental protesters including