

HUMAN RIGHTS WATCH

World Report 2017

Armenia

Events of 2016

Armenia's human rights record remained uneven in 2016. Authorities used excessive and disproportionate force against peaceful protesters, assaulted journalists, and pressed unjustified criminal charges against protest leaders and participants. Ill-treatment in custody remained a persistent problem, and investigations have been ineffective.

Other concerns include domestic violence, often perpetrated with impunity, violence, and discrimination based on sexual orientation and gender identity, and unnecessary restrictions on access to pain medications for people with life-limiting illnesses.

Excessive Use of Police Force

In July, Armenian authorities used excessive force against peaceful protesters demonstrating support for a radical group opposed to the government, and assaulted journalists reporting on the demonstrations. Authorities arbitrarily detained dozens of protest leaders and participants, pressing unjustified criminal charges against them and denying some of them basic rights of detainees.

Protests erupted after armed men from the radical opposition group, "Founding Parliament," seized a police station in the capital Yerevan on July 17, killing one policeman and taking several hostages. Before the gunmen surrendered on July 31, public support for them and disaffection with the government grew into a protest movement. The protests were largely peaceful, with isolated incidents of violence from participants.

On July 29, police fired stun grenades into peaceful crowds in the neighborhood of the seized police station, causing demonstrators to sustain first and second degree burns and fragmentation wounds. Police did not attempt less violent crowd control means, and did not make any meaningful effort to warn crowds to disperse or about their plans to use force.

Police and unidentified people in civilian clothes acting with them, then charged towards the protesters, punching, kicking, and using wooden clubs and iron bars to beat some protesters, before detaining many of them.

Police warned several journalists to move away from the main crowd before using force. While most journalists complied, police fired several stun grenades in their direction, injuring at least eight. Police and unidentified men also beat some journalists and damaged and seized their equipment.

Authorities opened an investigation into police actions on July 29, sacked the Yerevan police chief, suspended four officers pending the investigation, and reprimanded 13. At time of writing, the investigation was ongoing.

Arbitrary Detentions and Ill-Treatment

In July and August, authorities arbitrarily detained dozens of people linked to the protests, beating many of them, and pressing unjustified criminal charges against some.

Police held some detainees for up to 12 hours without documenting the detention, and on at least two occasions arbitrarily held groups of people in a gymnasium on an interior troop base. Authorities primarily relied on police testimony to press criminal charges against at least 40 people for allegedly “organizing mass disorder,” which carries a penalty of up to 10 years’ imprisonment. Courts relied on general and abstract reasons to send many of the detainees to pretrial detention. On appeal, courts released some protest leaders from detention on their own recognizance.

Authorities denied many detainees their basic rights, including prompt access to a lawyer of their choosing and the opportunity to inform a relative of their detention and whereabouts. Police also beat many detainees, in some cases severely, and did not allow some to get prompt medical care for their injuries. At time of writing, an investigation was pending into illegal detentions and beatings by police.

In a separate case, on January 1, police arrested opposition activist Gevorg Safaryan for allegedly assaulting a police officer, amid a scuffle during a public event organized by “Founding Parliament” members. Sarafyan denies he attacked the officer. A court approved Safaryan’s pretrial detention despite no evidence that he posed a flight risk or risk to the investigation. Local human rights groups consider his prosecution politically motivated. Safaryan’s trial was continuing at time of writing.

In June, authorities arrested “Founding Parliament” leader Jirair Sefilyan and six other members on charges of planning an armed coup. Sefilyan denied the accusations as politically motivated.

The gunmen involved in the July armed takeover of the Yerevan police compound demanded Sefilyan’s release and the president’s resignation, initially in exchange for release of hostages. After the men surrendered, authorities charged them with seizure of state buildings, hostage taking, and illegal arms possession. Authorities also arrested several other “Founding Parliament” members, including on suspicion of aiding and abetting the gunmen. Among them is a US citizen of Armenian descent, Garo Yeghukyan, who participated in peaceful protests following the seizure of the police station, and considers the charges politically motivated. Yeghukyan remained in pretrial detention at time of writing.

Women’s Rights

Despite evidence that violence against women remains common and sustained pressure from women’s rights groups and activists, Armenia has no law criminalizing domestic violence and has not ratified the Council of Europe’s Convention on Prevention and Combating Violence against Women and Domestic Violence. The Coalition to Stop Violence Against Women published a report documenting 30 cases of women killed by intimate partners and family members between 2010 and 2015. The report notes that domestic violence is grossly underreported and largely perpetrated with impunity. Coalition members receive more than 2,000 calls about domestic violence each year.

Palliative Care

Authorities continue to discuss reforming complicated and time-consuming prescription and procurement procedures that create unnecessary obstacles in accessing essential opioid medications. Current regulations obstruct delivery of adequate palliative care, condemning most patients with life-limiting illnesses to unnecessary suffering. Lack of oral opioids, tight police controls on injectable opioids, and restrictive policies on procurement, prescription, and disbursement are inconsistent with many World Health Organization palliative care recommendations.

Sexual Orientation and Gender Identity

Activists reported that lesbian, gay, bisexual, transgender, and intersex (LGBTI) people face discrimination, harassment, and violence. The government has not addressed hate speech or discrimination against LGBTI people. Gender identity and sexual orientation are not included as protected grounds in anti-discrimination or hate speech laws, limiting legal recourse for many crimes against LGBTI people.

Following the October 2015 Rainbow forum, organized by Armenian LGBTI-friendly groups to discuss protection and promotion of minority rights, anonymous people targeted some participants with intimidation and threats, mostly on social media, including to burn and kill them. Authorities refused to launch a criminal investigation into the threats, citing lack of evidence.

In June, the LGBTI rights group, PINK Armenia, published a survey revealing that 90 percent of the population is hostile to LGBTI people and support limits on their rights. In July, PINK Armenia released a report documenting 46 cases of violence and discrimination against LGBTI people in 2015. The government has not taken meaningful steps to combat stereotypes and discrimination against LGBTI people.

Key International Actors

The observation mission of the Council of Europe's Parliamentary Assembly (PACE) called the December 2015 referendum to transform the government from a presidential to a parliamentary system "driven by political interests instead of the needs of the Armenian public." PACE criticized inaccurate voter lists, allegations of vote buying, abuse of administrative resources, an imbalanced media field, and the effective exclusion of people with disabilities in the absence of mobile voting.

The Organization for Security and Co-operation in Europe's representative on freedom of the media, Dunja Mijatović, called for an investigation into verbal and physical attacks on journalists at referendum polling stations.

In response to the July demonstrations, the European Union delegation, together with heads of mission of EU Member States in Armenia, called on the authorities to avoid using unnecessary force and for effective investigations into police actions, and urged demonstrators to protest peacefully. The United Nations in Armenia called for swift investigations and respect for peaceful assembly and free expression rights and criticized the use of force against journalists.

In a September Human Rights Council speech, United Nations High Commissioner for Human Rights Zeid Ra'ad al-Hussein criticized the authorities' denial of full access for his staff, preventing full engagement with the government and civil society.

In a report to the Human Rights Council in March, Maud de Boer-Buquicchio, UN special rapporteur on the sale of children, child prostitution, and child pornography, acknowledged Armenia's progress in combatting trafficking in persons, reducing placement of children in residential care, and limiting intercountry adoptions. However, she stated that the extent of child trafficking is unclear in the absence of relevant legislation and child-friendly complaint mechanisms, and insufficient awareness-raising among parents, professionals, and society. She urged authorities to pass domestic violence and other relevant legislation and ensure the child protection system consistently acts in the best interests of the child.

Azerbaijan

Events of 2016

The government continued its thorough crackdown on dissenting voices in 2016, leaving a wide gap in Azerbaijan's once vibrant independent civil society. Authorities released 17 human rights defenders, journalists, and political activists imprisoned on politically motivated charges. But at least 25 government critics remained wrongfully imprisoned, including political activists and bloggers arrested in 2016. Restrictive laws continue to prevent nongovernmental organizations (NGOs) from operating independently.

Reports of torture and other ill-treatment persisted throughout the year.

The September 2016 constitutional referendum abolished minimum age requirements for presidential and parliamentary candidates, extended from five to seven years the presidential term of office, and expanded the power of the presidency.

The Extractive Industries Transparency Initiative (EITI) declined to restore Azerbaijan's full membership in the organization and gave the government four months to reform its laws limiting space for civil society or face suspension.

Prosecuting Government Critics

In March, President Ilham Aliyev pardoned 13 journalists, human rights defenders, activists, and bloggers who had been prosecuted on politically motivated charges in previous years. Their convictions have not been quashed, and some former detainees continued to face travel and work restrictions and risk detention if they resume their work. Some led NGOs, and these groups remained closed.

Also in March, courts converted the prison sentences of journalist Rauf Mirgadirov and human rights lawyer Intigam Aliyev to suspended terms and released both. In May, the Supreme Court similarly converted investigative journalist Khadija Ismayilova's prison term and released her. All three retain a criminal record and two faced foreign travel restrictions.

Ilgar Mammadov, leader of the pro-democracy opposition movement Republican Alternative (REAL), remained in prison despite the 2014 European Court of Human Rights decision on his case and repeated demands by the Council of Europe to release him. Others who remain behind bars include youth activist Ilkin Rustamzadeh, opposition Azerbaijan Popular Front Party (APFP) activist Murad Adilov, journalist Seymour Hazi, and blogger Abdul Adilov.

New Arrests and Convictions

In August, in the lead-up to the constitutional referendum, the government arrested eight activists on a range of false, politically motivated charges, including drug possession, hooliganism, incitement, and illegal business activity. The authorities also accused some activists of possessing banned or potentially illegally imported materials related to Fethullah Gülen, the US-based imam who Turkey accuses of organizing the failed July 2016 coup attempt there.

Among those arrested were Fuad Ahmadli, a well-known social media activist and senior APFP member and Faig Amirov, financial director for the leading opposition newspaper *Azadlig*. During searches following their arrests, police claimed to have found prohibited religious books and compact discs related to Gülen, but also pressed other criminal charges against them. Both were in custody at time of writing.

Police also arrested three REAL members: Natig Jafarli, the party's executive secretary, who had publicly criticized the constitutional referendum, and two other REAL activists campaigning against the referendum. A court jailed the latter two for a week for refusing to abide by a police order not to distribute campaign leaflets. In September, Jafarli was released pending trial.

Authorities continued to target leading and rank-and-file APFP activists, at least 12 of whom were either on trial or serving prison terms in 2016. Among those facing trial is Fuad Gahramanli, deputy APFP chairman, arrested in December 2015 on trumped-up charges of calling for the government's overthrow. The charges are part of the criminal conspiracy and terrorism case against religious activists in Nardaran, a Baku suburb known for its Shi'ia conservatism. Gahramanli was in pretrial custody at time of writing. In March, a court convicted Mammad Ibrahim, advisor to APFP chairman Ali Kerimli, on spurious hooliganism charges and sentenced him to three years in prison. Elvin Abdullayev, a youth activist and APFP member remained in prison since his January 2015 arrest on dubious drug possession charges. In June 2016, the Supreme Court reduced his prison sentence from six to two-and-half years.

Freedom of Media

Independent outlets faced harassment and closure, and critical journalists faced threats and intimidation aimed at silencing them.

In April, authorities launched a criminal investigation into alleged tax evasion and related economic infractions supposedly involving 15 journalists who cooperate with Meydan TV, a Berlin-based online independent Azeri-language media outlet that provides critical reporting on human rights, corruption, and similar issues. They were at liberty pending the investigation; at least seven of them face travel bans while under investigation. In December 2015 and April 2016, courts convicted three family members of Meydan TV's exiled journalists on trumped-up drug charges and paroled them in April 2016 after they had served less than a year.

In September, the state-run printing house refused to publish *Azadlig* due to the newspaper's failure to make a debt payment to the company following the detention of Faig Amirli. As a result, *Azadlig* had to indefinitely suspend its print edition.

In July, authorities first suspended and then revoked the broadcasting license of a privately owned, staunchly pro-government ANS television, following its announcement to broadcast an interview with Fethullah Gülen. The TV channels remained closed at time of writing.

Freedom of Association

Highly restrictive and punitive regulations on NGOs adopted in 2014 and 2015 make it almost impossible for independent groups to fund and carry out their work. In February 2016, new regulations went into force giving the Justice Ministry broad powers to conduct intrusive inspections of NGOs on a wide range of grounds.

In April, the Prosecutor's Office suspended the sweeping criminal investigation opened in 2014 against dozens of foreign donors and their grantees. Several organizations and their leaders that are members of Azerbaijan's coalition for the Extractive Industries Transparency Initiative (EITI) saw restrictions linked to the investigation lifted. The authorities unfroze their bank accounts, lifted travel bans against them, and stopped intrusive screenings at the Azerbaijani borders.

Despite the unfrozen bank accounts, several groups in the EITI coalition cannot access funding because authorities refuse to register their grant agreements. Azerbaijani regulations require NGOs to provide banks with proof of grant registration in order to access grant funds.

The bank accounts of at least a dozen NGOs that worked on human rights and government accountability remain blocked; the groups suspended their work or operate in exile.

Torture and Ill-Treatment

Torture and other ill-treatment continued with impunity. In August, police arrested Elgiz Gahraman, member of an opposition youth movement, and held him incommunicado for six days. Gahraman told his lawyer police beat and threatened him with sexual humiliation to force him to confess to false drug possession charges. Authorities failed to effectively investigate. Gahraman remained in custody at time of writing.

In May, police arrested youth activists Giyas Ibrahimov and Bayram Mammadov for spraying graffiti on a monument to former President Heydar Aliyev and demanded that they apologize on camera. When they refused, policemen beat and threatened to rape them with truncheons to force them to confess to drug possession. Authorities failed to conduct an effective investigation into the ill-treatment allegations. In October, Ibrahimov was sentenced to 10 years' imprisonment; Mammadov's trial was ongoing at time of writing.

In July, 18 of the 68 defendants in a high-profile trial counterterrorism case told a court that police had beaten them repeatedly to elicit confessions and testimony. The case concerns state allegations that Taleh Bagirzade, a religious activist who had previously been jailed on politically motivated charges, conspired with others to overthrow the government.

A November 2015 police raid to arrest Bagirzade in Nardaran, a Baku suburb, turned violent during unclear and disputed circumstances, with shootings leaving two police and seven civilians dead.

Bagirzade stated at trial that state agents beat him to induce testimony against two political opposition leaders. Authorities denied the allegations and did not thoroughly investigate.

Key International Actors

The United States, European Union, and Azerbaijan's other bilateral and international partners welcomed the release of government critics but failed to effectively leverage the potential of their relationships with the government to press for meaningful rights improvements.

In October, EITI, a prominent international coalition that promotes good governance in oil, gas, and other extractive industries, declined to restore Azerbaijan's full membership status in the organization, and gave the government four months to reform its restrictive NGO laws or face suspension.

Following its May 2016 visit, the United Nations Working Group on Arbitrary Detention noted receiving "a large number of testimonies [...] about torture and ill treatment" in custody. It also observed "dire conditions of living and high level of negligence in the institution for women," and expressed dismay "about the application of chemical restraints accompanied in the case of children with 'light' electroshocks" in one institution.

Following his September visit, the UN Special Rapporteur on human rights defenders, Michel Forst, urged the government to stop criminalization of human rights defenders for peaceful and legitimate activities, release all detained defenders, and rescind criminal and administrative sanctions against them and their families.

In its October concluding observations, the UN Human Rights Committee urged Azerbaijani authorities to end "the crackdown on public associations ... ensuring that they can operate freely and without fear of retribution for their legitimate activities."

In late 2015, Council of Europe Secretary General Thorbjørn Jagland launched an inquiry into Azerbaijan's failure to carry out the European Court of Human Rights' rulings. Jagland's special representative could not visit Azerbaijan throughout 2016, apparently due to the lack of government cooperation to facilitate the initiative.

In December 2015, bipartisan legislation was introduced in the US House of Representatives, calling on the Azerbaijani government to free all "political prisoners." The bill called for, among other things, visa bans on unnamed senior Azerbaijani officials responsible for the crackdown.

During her March visit to Baku, European Union High Representative for Foreign Affairs and Security Policy Federica Mogherini announced the EU's intention to speed up negotiations on a new partnership agreement with Azerbaijan, making little public mention of Baku's atrocious human rights record.

International financial institutions have continued or increased funding to the Azerbaijani government, including in the extractives industries, despite the worsening human rights situation.

Belarus

Events of 2016

Belarus' human rights friendly rhetoric was not supported by genuine human rights improvements in 2016. The death penalty remains in use. Officials continue to prosecute human rights activists and critical journalists on spurious charges. Legislative amendments further restricted freedom of expression by expanding the definition of "extremism" and by banning dissemination of certain types of information among children under the false pretense of protecting them. International observers recognized some progress during the September parliamentary elections, but called for additional reforms.

The European Union lifted sanctions, citing releases of political prisoners and improved elections. The European Bank for Reconstruction and Development ended restrictions on lending to state entities. Authorities continue to refuse to cooperate with the United Nations special rapporteur on Belarus.

In October, the government finalized an action plan to implement recommendations made by UN human rights treaty bodies and the Human Rights Council in the country's Universal Periodic Review. The government did not consult independent civil society, and the plan lacks specifics and does not adequately address civil and political rights.

Death Penalty

Belarus remains the only European country with the death penalty. There were no steps in 2016 to introduce a moratorium or abolish it.

Ivan Kulesh and Siarhei Khmialeuski were executed in November 2016. Siarhei Ivanou, sentenced in 2015 for murder, was executed in April, although his complaint about violations of his rights was pending before the United Nations Human Rights Committee.

Death sentences were issued to Henadz Yakavitski for murder, Siarhei Khmialeuski for three murders, and Siarhei Vostrykau for rape and two murders. All three sentences were upheld on appeal.

Human Rights Defenders and Critics

Although in 2015 Belarussian President Aliaksander Lukashenka pardoned six men sentenced in politically motivated trials, their criminal records were not expunged, preventing them from occupying governmental jobs or standing in elections; authorizing police to question them frequently; and preventing their international travel.

Elena Tonkacheva, a human rights lawyer and chair of the Legal Transformation Center who had been forced from Belarus in February 2015 with a three-year entry ban, appealed for it to be shortened, but the appeal was rejected in January 2016. A second appeal was also denied in October 2016.

Also in January, a Minsk court found youth activists Maksim Pekarski, Vadzim Zharomski, and Viachaslau Kasinerau guilty of criminal hooliganism and fined them US\$300-500 for public graffiti in August 2015. Local activists consider the decision to press criminal rather than administrative charges to be politically motivated. In March, an appeals court upheld the sentence.

Mikhail Zhamchuzhny, a founder of the prisoner's rights group Platform Innovation, was sentenced in 2015 to six-and-a-half years' imprisonment for allegedly disclosing official secrets after publishing information about police abuse he obtained from a police officer. In July, he complained that prison officials denied him access to necessary medical care and interfered with his filing an appeal against his sentence.

In April, a Minsk court found Aliaksandr Lapitski, 80, guilty of insulting President Lukashenka and other authorities after numerous letters appealing against his son's 2011 conviction and accusing the president of organizing the 2011 Minsk metro bombing. The court deemed Lapitski "legally incompetent" and sentenced him to forced treatment in a closed psychiatric institution for up to one year. He began serving his sentence in November, after losing all appeals.

In September, the Prosecutor's Office denied a request by the Turkmenistan government to extradite Chary Annamuradov, a former dissident and journalist, who traveled to Belarus for a vacation. Annamuradov fled persecution in Turkmenistan in 1999 and received asylum in Sweden in 2003.

Freedom of Assembly

From January to April, police did not disperse unsanctioned assemblies or detain participants, but continued to levy administrative charges and heavy fines against them.

In late April, Minsk traffic police and riot police dispersed a monthly event of the apolitical Critical Mass cycling movement, and detained six people, including one nongovernmental monitor. Police forced detainees onto the floor of a police bus, punched them, threw their bicycles on top of them, and brought administrative charges of disorderly conduct and violating traffic violations against them. Authorities brought additional criminal charges against Stanislau Kanavalau and Dzmitry Paliyenka for allegedly resisting police and grabbing their uniforms. Kanavalau was released, while Paliyenka stayed in pretrial detention until October, when a court convicted him and handed him a suspended two-year prison sentence.

Freedom of Expression and Attacks on Journalists

In early 2016, authorities resumed targeting freelance journalists cooperating with unregistered foreign media, a practice suspended since August 2015 after President Lukashenka publicly promised to examine the cases. Law enforcement officials in southern Belarus' Homel region brought 10 administrative cases against Kanstantsin Zhukouski and Larysa Shchyrakova for cooperating with Poland-based Belsat television channel, and fined them US\$250-350.

Police detained Zhukouski and Aliaksei Atroshchanka in June as the journalists prepared a video about a business where workers complained about low wages in Loyeu, Homel region. Zhukouski alleged police beat him, and filed a complaint. In response, authorities charged and fined him for disorderly conduct, insulting police, and petty hooliganism.

In January, Minsk police beat and detained Pavel Dabravolsky as he filmed how police detained two activists holding a "No to Political Prosecution!" banner outside a court. Dabravolsky sustained

minor injuries. An internal police inquiry found that the use of force was justified. Dabravolsky was fined for contempt of court and disobeying police orders. Dabravolsky claimed he did not resist police.

In an August closed hearing, a Minsk court found nine publications from 1863x.com, a news and analytical website often critical of the government, to be “extremist” in nature, alleging some content contained pornography and incited ethnic hatred, but relied exclusively on a state expert’s analysis. The site’s administrator, Eduard Palchys, and his lawyer had to sign a non-disclosure agreement prohibiting them from speaking publicly about the trial. After the criminal investigation opened last year, Palchys fled, but Russian authorities detained him in January 2016 and extradited him in May. Palchys remained in detention until October, when he was convicted in a closed trial and sentenced to one year and nine months of supervised parole, including restrictions on his movements.

Through August, the Information Ministry blocked at least six websites for allegedly distributing information about illegal narcotics, and was able to block websites without judicial review. None of the website owners received warnings first. The ministry also issued at least twelve warnings to eight media outlets and four news websites through June. After two warnings, the ministry may request a court-ordered closure.

In April, parliament hastily adopted a bill expanding the definition of “extremist activity” and introduced new offenses, including “creation of an extremist group” and “financing the activities of an extremist group.” Activists warned that the law’s vague definitions may be misused to suppress legitimate speech.

Parliament adopted a vaguely worded bill in May on “protecting children from information harmful for their health and development.” These provisions may be used to restrict dissemination of neutral or positive information about lesbian, gay, bisexual, and transgender (LGBT) people as “discrediting the institution of the family.”

Freedom of Association

Authorities continue to enforce criminal code article 193.1 criminalizing involvement in an unregistered organization and at the same time arbitrarily deny registration to nongovernmental groups and political parties.

In March, the Supreme Court deemed lawful the Justice Ministry’s fourth refusal to register the Human Rights Association “For Fair Elections.” The group’s founders believe this fourth denial since 2011 was arbitrary and politically motivated.

The Supreme Court in April dismissed an appeal against the Justice Ministry’s sixth refusal to register the Belarusian Christian Democratic Party. Also in April, the Justice Ministry for the fifth time refused to register “Tell the Truth,” an opposition political movement. No political party has been registered since 2000.

Parliamentary Elections

International observers monitoring the September parliamentary elections noted some improvements, but urged further reforms. The Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights (OSCE/ODIHR) found the elections “were efficiently organized but a number of long-standing systemic shortcomings remain.”

The Parliamentary Assembly of the Council of Europe (PACE)’s pre-electoral statement called for reforms “to ensure a thoroughly competitive political environment.” The EU echoed these concerns. The UN special rapporteur on Belarus said the “elections proved a clear lack of political will to promote and protect human rights in Belarus.”

Key International Actors

Belarus continued political “rapprochement” with European governments and institutions. These actors strengthened their relations despite a lack of tangible rights improvements.

The government continued to oppose and refused to cooperate with UN Special Rapporteur on Belarus Miklos Haraszti, appointed in 2012. In June, the UN Human Rights Council renewed the rapporteur’s mandate for another year.

In February, the EU lifted sanctions on 170 individuals and 3 companies, citing release of “all the remaining political prisoners” and 2015 presidential elections free from violence.

The EU’s special representative for human rights, Stavros Lambrinidis, visited in March and had meetings with officials, political party representatives, and nongovernmental groups, and called on Belarus to end the death penalty at an international conference but did not publicly condemn other human rights abuses.

In June, the EU and Belarus held their third human rights dialogue, the first to occur in Minsk. Topics included freedoms of expression, assembly and association; elections; the death penalty, torture and ill-treatment; and disability rights. The concrete outcomes were not known at time of writing.

The European Bank for Reconstruction and Development reviewed its Belarus strategy in September and removed restrictions on support for state projects. The bank noted that “the situation of human rights in the country has not undergone a systemic change and remains a subject of concern,” but claimed Belarus had a “constructive role” in the region and authorities showed “more openness” to discussing human rights.

The EU, the Council of Europe’s secretary general, PACE rapporteurs, and ODIHR’s director repeatedly criticized the application of the death penalty in Belarus and called for a moratorium.

Georgia

Events of 2016

Georgia’s ruling party swept to an overwhelming victory in October 2016 parliamentary elections. The state security service’s unfettered access to telecom operators’ networks compromised the right to privacy. Lack of accountability persisted for abuses committed by

law enforcement. Other areas of concern included media freedoms and the rights of lesbian, gay, bisexual, and transgender (LGBT) people.

The International Criminal Court (ICC) ordered an investigation into war crimes and crimes against humanity committed during the August 2008 war in Georgia.

Parliamentary Elections

The ruling Georgian Dream (GD) party won an overwhelming victory in the October 8 parliamentary elections, giving it full control over the formation of a new government. International observers, led by the Organization for Security and Co-operation in Europe (OSCE), concluded that the elections were “competitive, well-administered and fundamental freedoms were generally respected.”

However, they also noted procedural violations during the vote count in almost one-third of all polling stations and violent altercations in four. Local monitoring groups highlighted some cases of vote-buying, alleged political intimidation, and campaigning by unauthorized persons, but found these had no effect on the overall outcome.

Three violent incidents during the week before the vote marred an otherwise peaceful pre-election process. On October 4, an explosion hit the car of a prominent member of parliament from the opposition United National Movement (UNM) party, injuring five. An October 2 shooting during an outdoor campaign meeting for an independent candidate wounded two people. On October 1, three GD activists were assaulted while campaigning. Investigations into all three incidents were pending at time of writing.

Right to Privacy

In April, the Constitutional Court ruled unconstitutional legislation that allows state security services to have direct, unrestricted access to telecom operators’ networks to monitor communications and ordered the authorities to reform surveillance regulations by March 2017. Legislation adopted in 2014 had imposed restrictions on surveillance operations by law enforcement but left in place the security agencies’ operation of “black box” surveillance devices in telecommunications service providers’ networks. The court found this system allows mass collection of personal information in real time without effective oversight.

The online publication of several illegally recorded personal phone conversations of opposition party members and their supporters in the run-up to the election seemed aimed at influencing the vote. Among the recordings were private conversations between former President Mikheil Saakashvili and fellow UNM party members, and a call between a pro-opposition television director and an opposition party leader. The State Security Service denied involvement, and the Interior Ministry opened an investigation.

In March, unknown persons threatened to release sex tapes implicating two cabinet members, an opposition figure, and a television journalist if they did not quit their jobs by March 31. The threats were made through YouTube videos of secretly recorded videos purportedly showing their private lives, with blurred out faces, which were quickly removed. Authorities launched an investigation.

Torture and Ill-Treatment, Police Abuse

Georgia does not have an independent effective mechanism for investigating crimes committed by law enforcement officials.

In July, the Georgian Young Lawyers' Association (GYLA), a leading human rights group, published a report analyzing 22 cases they litigated in the past two years concerning alleged torture and ill-treatment by law enforcement officials. GYLA concluded that in most cases the investigations were ineffective. In several cases, officials retaliated against the victims who had filed complaints by pressing administrative and criminal proceedings against them.

GYLA received at least 62 allegations of torture and ill-treatment in 12 months since November 2015; 45 of them concerned abuse by police, and 17 by prison staff. According to GYLA, authorities failed to effectively investigate those allegations.

In August, Demur Sturua, 22, committed suicide, leaving behind a note stating that a local policeman was coercing him to inform on local cannabis growers. The autopsy showed that Sturua had bodily injuries, which the prosecutor said were inflicted by the policeman prior to Sturua's death. The Prosecutor's Office filed criminal charges against the policeman, and the investigation was pending at time of writing. Georgia's public defender said the case exemplified the consequences of Georgia's "repressive drug policies."

Concerns about Politicized Justice

Several criminal cases against former officials raised questions about selective justice and politically motivated prosecution. In May, a court found five former Defense Ministry and general staff officials guilty of mispending GEL 4.1 million (roughly US\$1.8 million) arising from a closed 2013 tender for the laying of fiber-optic cable, and sentenced them to seven years in prison.

For several months following the defendants' arrest in 2014, authorities denied defense lawyers full access to evidence, claiming it consisted of classified documents. The court did not establish any mercenary motives behind the mispending charges. The public defender filed an amicus brief in support of the defendants' Constitutional Court claim that the definition of mispending in the criminal code is vague and allows for arbitrary interpretation. The men were arrested in 2014, which led to sacking of then-Defense Minister Irakli Alasania.

In June, the European Court of Human Rights (ECHR) issued a ruling in the case of ex-minister of interior and the UNM leader Vano Merabishvili, saying that while his initial pretrial detention in May 2013 was lawful, the remand renewal four months later lacked reasonable grounds. The court said Merabishvili's continued detention "was...treated by prosecuting authorities as an additional opportunity to obtain leverage" over investigations into unrelated cases, including one against ex-president Saakashvili. In October, the ECHR Grand Chamber agreed to hear the Georgian government's appeal of the ruling.

Sexual Orientation and Gender Identity

In August, President Giorgi Margvelashvili blocked a referendum bid on defining marriage as a union of a man and a woman, saying that the issue is already covered in the civil code. Prime Minister Giorgi Kvirikashvili vowed to pursue a constitutional definition of marriage after the October elections, arguing that this would help counter alleged Western efforts to spread same-sex

marriage “propaganda” in Georgia. Local rights groups feared this effort would further marginalize the LGBT community and intensify anti-LGBT prejudice.

Authorities declined a request by LGBT activists to hold an event to mark International Day Against Homophobia and Transphobia (IDAHO) on Tbilisi’s main thoroughfare, stating it was already booked for a procession by Orthodox groups to mark Family Day, an annual event established by the Orthodox Church in 2014. Activists refused to celebrate IDAHO in the alternative venue offered.

The Women’s Initiatives Supporting Group (WISG), a local LGBTI rights group, said it documented almost 20 cases of attacks against transgender people in 2016. In October, a transgender woman was beaten and stabbed in what rights groups suspected was a hate crime. Police arrested a suspect on attempted murder charges, and the public defender urged authorities to examine a possible hate motive.

Freedom of Media

The ownership dispute over Georgia’s most-watched television broadcaster, Rustavi 2, continued in 2016 and raised concerns about ongoing government interference with media. In June, the Tbilisi Court of Appeals upheld a lower court ruling in favor of Kibar Khalvashi, who owned Rustavi 2 from 2004 to 2006 and sought to reclaim his shares. Khalvashi alleged that in 2006, then-UNM government leaders forced him to sell the shares. Rustavi 2’s current owners appealed the appeals court decision, alleging Khalvashi’s lawsuit is a government-orchestrated move to take over the opposition-minded station. In September, the Supreme Court found the appeal admissible. A decision was pending at time of writing.

Key International Actors

The Association Agreement between the European Union and Georgia went into force on July 1, strengthening political and economic ties between the two. The agreement requires Georgia to fulfill extensive commitments in the areas of democracy, human rights, and the rule of law. The EU pledged €100 million (\$107.8 million) per year to support Georgia’s reform agenda, including in areas relating to human rights and the rule of law.

Following her February visit, the United Nations special rapporteur on violence against women issued a report highlighting widespread violence against women both in private and public spheres, caused by “entrenched patriarchal attitudes and gender stereotypes.”

She noted ongoing and disquieting levels of domestic violence, including femicide/killings of women, and police failure to provide adequate protection in reported cases as well as the persistent belief that such violence is a private matter. She also raised concerns about the high number of child and forced marriages resulting from lax enforcement of laws prohibiting such marriages and social attitudes and practices that foster the practice. Georgia has signed but not yet ratified the Council of Europe Convention on Violence against Women and Domestic Violence (Istanbul Convention).

The US-Georgia bilateral working group on democracy and governance under the strategic partnership charter met in June in Tbilisi. The US delegation underlined the importance of a peaceful pre-election environment and reiterated concerns over the Rustavi 2 ownership dispute. The April US Department of State’s annual human rights report noted among other things “significant shortcomings in the administration of justice, including pressure on judiciary in selected cases.”

In January, the ICC authorized its prosecutor to open an investigation into war crimes and crimes against humanity allegedly committed in the lead up to, during, and after the August 2008 war between Russia and Georgia over South Ossetia.

Russia

Events of 2016

The government in 2016 further tightened control over the already-shrinking space for free expression, association, and assembly and intensified persecution of independent critics. Parliament adopted laws expanding the power of law enforcement and security agencies, including to control online speech. The parliamentary vote in September resulted in the ruling party, United Russia, gaining a constitutional majority in the State Duma, the parliament's lower chamber. Russia continued to support rebels who commit abuses in eastern Ukraine. Russia's actions in occupied Crimea created a human rights crisis.

The Russian-Syrian coalition committed war crimes during a month-long aerial bombing campaign of opposition-controlled territory in Aleppo in September and October 2016.

Freedom of Association

The authorities used a 2012 law to demonize as “foreign agents” dozens of nongovernmental organizations (NGOs), including leading rights groups and independent think tanks. At time of writing, the “register of foreign agents” by Russia's Ministry of Justice includes 148 NGOs. Between 2012 and 2016 at least thirty groups closed rather than accept the label.

In June, authorities for the first time criminally prosecuted an activist under the law, charging Valentina Cherevatenko, chair of Women of the Don, a human rights and peace-building group, with “malicious evasion” of registration as a “foreign agent.” If found guilty, she faces up to two years' imprisonment.

In February, a court dissolved AGORA, an association of lawyers defending civil and political activists, after the Justice Ministry alleged AGORA violated the “foreign agents” law and undertook work beyond its mandate.

Authorities fined many groups for failing to display “foreign agent” labels on publications. In October 2015, an appeals court upheld a 600,000 ruble (\$10,000) fine against Human Rights Center "Memorial," a leading human rights group, for not labeling materials actually produced and published by a different group.

Russia's prosecutor general designated three more foreign organizations “undesirable” under the 2015 law authorizing bans on foreign or international groups that allegedly undermine Russia's security, defense, or constitutional order, bringing the total number of banned groups to seven. All

seven are American democracy promotion or civil society capacity-building organizations. Russians maintaining ties with “undesirables” face penalties ranging from fines to up to six years in prison.

Freedom of Assembly

Authorities increasingly refused to sanction public protests organized by government critics and political opposition and punished protesters participating in unsanctioned peaceful gatherings and single-person pickets.

In December 2015, a Moscow court sentenced peaceful protester Ildar Dadin to three years’ imprisonment, later reduced to two-and-a-half, for repeated breaches of public assembly regulations. Dadin is the first activist imprisoned under this criminal provision. In fall 2016, Dadin alleged beatings, threats, and degrading treatment by staff of the Segezha penal colony in northern Russia where he is serving his sentence. An investigation into his allegations was pending at time of writing.

Authorities launched similar proceedings against several others, including Vladimir Ionov, 76, an outspoken critic of Russia’s role in eastern Ukraine. Ionov fled Russia in August.

New Restrictive Laws

In December 2015, parliament passed a law empowering Russia’s Constitutional Court to determine whether international human rights bodies’ rulings, including the European Court of Human Rights (ECtHR) judgments, contradict the Russian Constitution and could therefore be deemed “non-executable.” A ruling deemed “non-executable” will not be implemented unless the constitution is amended. In April, the court found unconstitutional a July 2013 ECtHR ruling finding the absolute ban on prisoner voting a violation of the right to choose one’s government.

In December, parliament adopted amendments requiring media outlets, broadcasters, and publishers to report funding from all international sources, including Russian NGOs designated as “foreign agents,” or face fines.

In June, parliament adopted legislation holding internet search engine owners with more than 1 million daily users accountable for content appearing on their sites and requiring Russian-language search engines and those advertising for Russian audiences be owned by Russian companies or citizens. Dunja Mijatović, the Organization for Security and Co-operation in Europe representative on freedom of the media, said the vaguely worded legislation would “result in governmental interference of online information and introduce self-censorship in private companies.”

A June law empowers law enforcement agencies to place on watch lists individuals allegedly engaging in “anti-social behavior,” or “actions that run contrary to commonly accepted norms of behavior and morality.”

In July, President Vladimir Putin signed into law counterterrorism and counterextremism amendments known as the “[Yarovaya Law](#),” after their key author. The law requires that cellular and internet providers store all communications data for six months and all metadata up to three years for potential access by security services. The law also bans religious activities outside of “specially designated places,” such as officially recognized religious institutions; criminalizes “failure to report a crime” without specifying when such a requirement would apply; increases penalties for vaguely defined “public justification of terrorism” online; and severely penalizes “inducing, recruiting, or otherwise involving” others in so-called mass unrest.

Prosecutions for Online Speech

From mid-2014 through 2016, Russian courts delivered at least five guilty verdicts, with at least 15 cases pending, on criminal separatism charges for material posted online. Most charges pertained to remarks about Crimea being part of Ukraine, not Russia.

For example, in May, officials charged and placed under a travel ban Ilmi Umerov, formerly a local official in Crimea and deputy chairman of the Crimean Tatars' elected representative body, the Mejlis, after his March interview criticizing Russia's occupation of Crimea. In August, authorities forcibly confined Umerov to a psychiatric hospital for three weeks. At time of writing, his case was pending.

In May, a court sentenced Andrei Bubeev to two years and three months in prison for extremist and separatist calls based on two posts on Vkontakte, Russia's largest social network: a photo with a toothpaste tube saying "Squeeze Russia out of you," and an article "Crimea is Ukraine."

In November, Russia's Supreme Court recommended that law enforcement authorities exercise good judgement and take into account relevant context, when launching criminal extremism cases based solely on reposts in social media.

North Caucasus

Armed confrontations between Islamist insurgents and law enforcement agencies continued in the North Caucasus, particularly in Dagestan. Russia media continued to report on North Caucasus residents leaving Russia and joining the Islamic State (also known as ISIS) as well as on cases of detentions of North Caucasus residents allegedly affiliated with ISIS.

Salafi Muslim communities in Dagestan were subject to intense scrutiny and harassment as law enforcement largely equated them with insurgents or their collaborators. Authorities placed Salafis on watch lists, repeatedly detained and questioned many of them without specific grounds; raided Salafi mosques; and carried out mass detentions of believers. They closed several Salafi mosques, including in Makhachkala, Dagestan's capital.

Chechnya's strongman, Ramzan Kadyrov, asserted that Salafis have no place in Chechnya, instructing police to punish those who stray from Sufi Islam, traditional for the region. Police raids against Salafis were widespread. Authorities also pursued collective punishment, including punitive house burnings, against relatives of alleged insurgents.

Ahead of September elections for the head (governor) of Chechnya, local authorities targeted critics and those deemed disloyal to Kadyrov, including through abductions and enforced disappearances, ill-treatment, death threats, and threats of violence against relatives.

Chechnya's authorities also attacked critical journalists and human rights defenders. In March, a group of masked men believed to be Chechen officials' proxies, attacked a minibus carrying Russian and foreign journalists traveling to Chechnya, beat the journalists, and burned the bus.

The following week, thugs apparently acting as Chechen authorities' proxies physically attacked the leader of Joint Mobile Group for Human Rights Defenders in Chechnya (JMG). JMG withdrew its team from Chechnya for security reasons.

In May, Chechen police arbitrarily detained and threatened a Russian journalist researching a punitive house-burning. In September, following an unfair trial, a Chechnya court sentenced 23-year-old local journalist Zhalaudi Geriev to three years' imprisonment on fabricated drug possession charges, apparently in retaliation for his work with Caucasian Knot, known for critical coverage of Chechnya.

In Beslan, North Ossetia, during events commemorating victims of the September 2004 school hostage-taking, police roughed up and detained several activists wearing T-shirts and holding a sign saying: "Putin is the Slaughterer of Beslan." Thugs apparently acting as proxies of local law enforcement attacked journalists Elena Kostyuchenko, of *Novaya Gazeta*, and Diana Khachatryan of *Takie Dela*. Doctors diagnosed Kostyuchenko with a brain contusion afterwards.

Sexual Orientation and Gender Identity

Authorities continued to implement discriminatory policies and laws against lesbian, gay, bisexual, and transgender (LGBT) people.

In March, police found journalist and theater critic Dmitry Tsilikin dead in his St. Petersburg apartment from stab wounds. The perpetrator, arrested a week later, confessed that he planned to blackmail Tsilikin about his homosexuality, but killed him during a confrontation. The police did not categorize the killing as a hate crime.

In January, a court in Murmansk, northwestern Russia, found LGBT activist Sergei Alekseenko guilty of violating the discriminatory "gay propaganda" law which prohibits allowing children access to positive information about LGBT relationships. The court called several publications on the website of an LGBT organization formerly run by Alekseenko "gay propaganda" and fined him 100,000 rubles (US\$1,300).

Authorities continued legal action against Deti-404, an online support group for LGBT children. In April, a court in the Siberian town of Barnaul ruled to ban the website. As of November, Deti-404's website remained blocked.

In September, a court in Siberia ruled to block BlueSystem.ru, a highly popular LGBT news site. As of November, the site was blocked.

Palliative Care

According to Russian experts, 1 million Russians need effective pain treatment, and at least 300,000 die annually without it. A July government roadmap sets out plans to improve access to and quality of pain relief, including for children. However, access to morphine, an inexpensive and effective pain remedy, remains overly restricted.

Disability Rights

In March, the European Court of Human Rights found the government violated the right to family life of Vitalii Kocherov and his daughter, Anna. In 2007, St. Petersburg authorities placed Anna, born while Kocherov and Anna's mother lived in a state institution, in an orphanage shortly after birth and denied Kocherov parental rights, citing his intellectual disability. The family was reunited.

Reports of serious physical and emotional abuse against children and adults with disabilities in state institutions persist. For example, prosecutors monitoring an institution in Ulyanovsk region in July found that an employee had punished a 13-year-old boy with an intellectual disability by burning him with an iron. Authorities opened a criminal investigation. In June, the Ministry of Labor and Social Affairs proposed reforms intended to improve conditions in institutions for adults with disabilities but has no immediate plans to expand community-based living for adults with disabilities.

Federal curricular standards on primary education for children with disabilities, mandatory for all educational institutions, including mainstream schools, went into effect in September. The standards require a more individualized approach and reasonable accommodations based on children's educational requirements and aim to increase inclusion of children with disabilities in mainstream schools, but children may continue to be placed in specialized classrooms, special schools, or receive home education. The number of children with disabilities enrolled in education increased although many, including those living in institutions, do not receive a quality and inclusive education.

Russia and Ukraine (see also Ukraine chapter)

The government provides political and material support to rebels in eastern Ukraine, but Russian authorities took no measures to rein in abuses by rebels. Russia's actions in occupied Crimea created a human rights crisis. (See Ukraine chapter for details.)

In March, a court in southern Russia found Nadezhda Savchenko—a military pilot and a member of Ukraine's parliament—guilty of premeditated murder in the deaths of two Russian journalists in a 2014 shelling attack in eastern Ukraine. In an unfair trial the court sentenced her to 22 years' imprisonment. In May, authorities exchanged Savchenko for two Russian servicemen captured by Ukrainian authorities.

Oleg Sentsov, a Ukrainian filmmaker from Crimea, continued to serve a 20-year prison sentence in a penal camp in Yakutia, northern Russia. A court convicted Sentsov in 2015 on politically motivated charges of running a "terrorist organization" in Crimea.

Russia and Syria (see also Syria chapter)

Russia continued combat in Syria, mainly through air strikes. Civilian casualties increased, including from unlawful aerial attacks. While it is challenging to determine whether Russian or Syrian aircraft conducted any particular attack, Russia, because it plays an active role in joint military operations, shares responsibility for violations even when its aircraft were not directly involved.

Unlawful attacks included attacks on schools and hospitals, the use of air-dropped cluster munitions, and use of incendiary weapons in populated areas. Despite repeated official denials, convincing evidence indicates that Russia used both cluster munitions and incendiary weapons in attacks on opposition-controlled areas.

In September, airstrikes hit a [United Nations](#) aid convoy and a Red Crescent warehouse in Aleppo. Only [Syrian](#) and [Russian](#) air forces are known to be active in this part of Syria. Russia denied responsibility for the attack.

At a special session held in October, the UN Human Rights Council adopted a resolution calling for an end to aerial bombardments and mandating the Syria Commission of Inquiry to conduct a “comprehensive, independent special inquiry into the events in Aleppo.”

Russia presented a series of hostile amendments that would have removed all references to aerial bombardments, suppressed reference to the responsibility of the Syrian government “and its allies,” limited the focus of the special inquiry to only the actions of opposition and terrorist groups, and removed references to the International Criminal Court. All were rejected.

Despite its involvement in the conflict, Russia has not offered to resettle any Syrian refugees, but only to provide scholarships for 300 students. As of April 2016, only two Syrian asylum seekers in Russia had been granted asylum since the conflict began in 2011, and another 1,300 temporary asylum. About 2,000 reportedly have some other form of legal basis for residence, but thousands more live in limbo.

Foreign Policy

Russia played an increasingly obstructive role at the UN Human Rights Council. It opposed the long-standing practice of NGOs proposing language during negotiations on resolutions and presented more than 30 amendments to a Norwegian resolution on human rights defenders that were designed to strip previously-agreed resolution language. Russia also used procedural tactics such as points of order to attempt to block the appointment of UN Human Rights Council experts. In October, the UN General Assembly declined to re-elect Russia to the Human Rights Council for 2017, likely reflecting deep concern over how its aerial bombardments have been carried out in Syria.

In December 2015, Russia voted for a UN Security Council resolution that called on all parties to the conflict in Syria to “immediately cease any attacks against civilians and civilian objects,” but in October 2016 vetoed a resolution that would have demanded safe delivery of humanitarian assistance to people trapped in Aleppo and an end to unlawful attacks on the city. Russia’s staunch support for the government of Bashar al-Assad government and opposition to an arms embargo in South Sudan made progress on issues like sanctioning the Syrian government or taking meaningful steps on South Sudan nearly impossible.

For nine months, Russia suppressed the publication of a report by the Security Council’s sanctions monitoring panel for Darfur, which found the Sudanese government in violation of international law. The report was eventually published in September. The Russian delegation also blocked the UN from appointing new experts to the Darfur sanctions monitoring panel.

Key International Actors

In January 2016, International Criminal Court judges authorized the court’s prosecutor to conduct an investigation into crimes allegedly committed during the August 2008 Russia-Georgia conflict over South Ossetia. On November 15, the ICC’s Office of the Prosecutor, in its annual report, characterized the armed conflict in eastern Ukraine and Russia’s occupation of Crimea as international armed conflicts to which Russia is a party.

The next day, President Putin issued an order to notify the UN that Russia was withdrawing its signature from the Rome Statute, the founding treaty of the ICC. The European Union high representative for foreign affairs and security policy issued a statement to express regret over Russia’s decision “not to become a party to the Rome Statute.”

Russia's role in the Syria conflict, sanctions against Russia for occupying Crimea, and engagement with the Russian authorities to end hostilities in eastern Ukraine dominated the agenda of key international actors. Some raised concerns about the human rights crackdown.

In September, the EU External Action Service's spokesperson urged the authorities to stop branding NGOs "foreign agents," and said the law is "clearly aimed at restricting their independence and threatening their very existence." Also in September, the EU made a similar statement at the UN Human Rights Council.

In June, the European Commission for Democracy through Law (Venice Commission) stated that the law enabling Russia's Constitutional Court to block European Court rulings "is in direct conflict with Russia's international obligations ... and should be removed." The commission also found the law on "undesirable" organizations interferes with freedom of expression and assembly, and should be significantly amended.

The US commission on international religious freedom condemned the "Yarovaya Law" and warned that "under the guise of confronting terrorism, [it] would grant authorities sweeping powers to curtail civil liberties, including ... religious practices."

Numerous international actors criticized the deteriorating human rights situation in Russia-occupied Crimea, particularly the crackdown on Crimean Tatars. The European Parliament called for an "immediate reversal" of the April ruling of the Crimean Supreme Court banning the Mejlis. The Council of Europe urged the government to re-open Crimea to its monitoring mechanisms. The US called on Russia to "advocate for the dignity and rights of the people of Crimea, and to hold human rights violators to account."

In July, the UN high commissioner for human rights urged the government to ensure investigations into all allegations of disappearances and killings in Crimea and provide "direct and unfettered access to the Crimea for the High Commissioner's office and other international human rights monitoring mechanisms."

Turkey

Events of 2016

On July 15, 2016, elements of the military attempted to carry out a coup d'état against President Recep Tayyip Erdoğan and the Justice and Development Party (AKP) government. The attempted coup left at least 241 citizens and government law enforcement dead. During the attempted coup fighter jets bombed Turkey's parliament. In the aftermath, the government declared a state of emergency, jailed thousands of soldiers and embarked on a wholesale purge of public officials, police, teachers, judges, and prosecutors. Most of those jailed, dismissed, or suspended were accused of being followers of the US-based cleric

Fethullah Gülen. The government, with the support of main opposition parties, accuses the Gülen movement of masterminding the coup and labels it a terrorist organization. However, the crackdown also extended to the pro-Kurdish opposition party, with two leaders and other MPs arrested and placed in pretrial detention, along with many of its elected mayors, denying millions of voters their elected representatives.

The war in Syria continues to impact Turkey, which hosts an estimated 2.7 million Syrian refugees. There have been regular bomb attacks in Turkey by individuals allegedly linked to the Islamic State (also known as ISIS). Authorities blamed ISIS for a June attack in which three suicide bombers targeted Istanbul airport killing 45, and an August attack on a Kurdish wedding party in Gaziantep that killed 57.

In August, Turkish military forces entered the ISIS-occupied Syrian border town of Jarablus and attacked Syrian Kurdish forces in the area, apparently because of their links to the Turkey-based armed group the Kurdistan Workers' Party (PKK). The PKK and a related armed group, the Kurdistan Freedom Falcons (TAK), stepped up attacks in 2016, including a March suicide attack killing 37 in central Ankara, and a June attack in Istanbul killing 11, as well as regular attacks on military and police targets.

Crackdown after the Attempted Coup

The crackdown that followed the coup attempt was symptomatic of the government's increasing authoritarianism. Under the state of emergency, the president presides over the cabinet, which can pass decrees without parliamentary scrutiny or possibility of appeal to the constitutional court. Many decrees passed contain measures that conflict with basic human rights safeguards and Turkey's obligations under international and domestic law.

These include provisions allowing for dismissal from public service without an investigation, confiscation of property without judicial review, police custody of up to 30 days, and the reintroduction of incommunicado detention in which detainees can be denied access to a lawyer in the first five days of custody, giving rise to heightened risks of ill-treatment.

Turkey temporarily derogated from (asserted the right to place extraordinary restrictions on) many of the protections in the European Convention on Human Rights and International Covenant on Civil and Political Rights, although it is prohibited from derogating from core obligations, including the absolute prohibition on torture or ill-treatment of detainees.

The weakening of safeguards against abuse in detention under the state of emergency was accompanied by increased reports of torture and ill-treatment in police detention, such as beating and stripping detainees, use of prolonged stress positions, and threats of rape, as well as threats to lawyers and interference with medical examinations. While many allegations arose in relation to members of the military and police detained in connection with the coup, they were not the only groups who reported ill-treatment post-coup, and Kurdish detainees in the southeast had reported similar abuses over the past year.

The scale of dismissals and prosecutions in connection with the coup and weakened safeguards gave rise to serious concerns that the legitimate prosecution of those suspected of involvement in the coup attempt is being conducted without due process.

Over 100,000 public officials and civil servants have been dismissed or suspended. These include around 28,000 teachers alleged to be Gülen supporters and labelled by the government to be part of a terrorist organization.

Many detainees—including teachers, police, public officials—are placed in pretrial detention despite a lack of evidence of criminal wrong-doing or compelling grounds for custody. At least 2,200 judges and prosecutors were jailed pending investigation, reportedly because their names appeared on a list of alleged Gülen supporters. With 3,400 permanently dismissed for the same reason, their assets frozen, over one-fifth of Turkey’s judiciary has been removed. Around 11,000 teachers in the southeast who were mainly members of the left-leaning Eğitim Sen trade union were also suspended.

Freedoms of Expression, Association, and Assembly

Government-led efforts to silence media criticism and scrutiny of government policy in Turkey involved five main trends: the prosecution and jailing of journalists; takeover of media companies—including the daily *Zaman* newspaper—by appointing government-approved trustees and seizing assets and the closing down of media; removal of critical television stations from the main state-owned satellite distribution platform and their closure; physical attacks and threats against journalists; and government pressure on media to fire critical journalists and cancel their press accreditation. Blocking of news websites critical to the government also increased. Turkey made the highest number of requests to Twitter of any country to censor individual accounts.

In January 2016, over 1,000 university lecturers who signed a petition criticizing government policy in the southeast and calling for a return to political negotiations with the PKK, were harshly targeted by Erdoğan in speeches and then subjected to a criminal investigation for “insulting” the Turkish state. The investigation had not been concluded at time of writing. Some universities dismissed signatories of the petition, and 68 were fired by decree in September and October.

International pressure, including from the UN Secretary General, helped to secure the release of some journalists from unjustified detention, including Reporters Sans Frontières (RSF) representative Erol Onderoğlu in June. However, following the coup attempt such pressure appeared to have less effect.

Following the coup attempt, the government closed down by decree over 160 media outlets, most linked to the Gülen movement or Kurdish media. The number of journalists in pretrial detention on the basis of their writing and journalistic activities surged to 144 by mid-November, making Turkey once again a world leader in jailing journalists. Presenting no evidence of criminal wrongdoing, authorities detained many reporters and columnists employed by media outlets allegedly linked to Gülen. Among those jailed pending investigation were veteran journalists and commentators who have been prominent government critics such as Nazlı Ilıcak, Şahin Alpay, Ahmet Altan, and Mehmet Altan.

Authorities detained journalists and writers on charges of links with the PKK but again presented no evidence to support the charges. Among this group were novelists Necmiye Alpay and Aslı Erdoğan. Authorities closed down the pro-Kurdish daily *Özgür Gündem* in August and placed dozens of journalists who had participated in a solidarity campaign with the newspaper under investigation for “spreading terrorist propaganda.”

Cumhuriyet daily newspaper editor Can Dündar and the Ankara bureau chief Erdem Gül were convicted in May and sentenced to over five years’ imprisonment for revealing state secrets by publishing evidence of arms being sent to Syria. Dündar and Gül have appealed the verdict. Dündar

is outside Turkey. In November, authorities arrested Murat Sabuncu who became *Cumhuriyet* editor after Dündar, as well as nine writers and board members from the newspaper.

Using state of emergency powers, in November the government suspended by decree the activities of 370 nongovernmental associations, among them a children's rights group, three lawyers' associations with a human rights focus, and women's rights and humanitarian organizations in the southeast.

Authorities frequently impose arbitrary bans on public assemblies and violently disperse peaceful demonstrations. For the second year running, the Istanbul governor's office banned the annual Istanbul Gay and Trans Pride marches in June 2016, citing concerns about security threats and public order.

Escalating Conflict in the Southeast

The breakdown in 2015 of a two-and-a-half-year ceasefire with the PKK and the Turkish government's peace process with the PKK's imprisoned leader Abdullah Öcalan triggered a rapid escalation of violence in 2016.

Intense security operations in the period January to May in towns in the southeast where the city militias linked to the PKK had become entrenched resulted in displacement of up to 400,000 residents. Amidst heavy clashes, hundreds of residents, police, soldiers and PKK-linked militants died.

In Cizre security forces' attacks killed and injured unarmed residents including children and destroyed civilian homes. Around 130 wounded militants and unarmed activists sheltering in three basements surrounded by the security forces were killed in circumstances which the state has neither explained nor effectively investigated.

Blanket curfews continued for many months during security operations in Cizre and other towns and neighborhoods, impeding access for journalists and human rights investigators. Authorities demolished large areas of the majority Kurdish cities of Diyarbakır, Şırnak, Nusaybin, and Yüksekova.

In June, the government introduced a law making any prosecution of the military and public officials, including the police, engaged in counterterrorism operations dependent on administrative permission. The law effectively grants immunity from prosecution to the security forces for abuses committed in the recent operations in the southeast in violation of Turkey's duty to investigate such abuses.

In May, the government secured the lifting of the parliamentary immunity of 148 deputies, 53 of them members of the pro-Kurdish Peoples' Democracy Party (HDP) facing investigation on terrorism charges. In August, the government introduced a decree appointing trustees to take over 28 municipalities (24 of them in the southeast), removing elected mayors and council members from office. By mid-November, 53 had been dismissed and 39, including Gültan Kışanak and Fırat Anlı, co-mayors of Diyarbakır, arrested pending investigation. In November, nine HDP members of parliament including party leaders Selahattin Demirtaş and Figen Yüksekdağ were arrested and placed in pretrial detention.

Refugees and Migrants

Turkey continued to host large numbers of refugees, asylum seekers, and migrants, primarily from Syria, but also from Afghanistan, Iraq, and other countries. The number of asylum seekers transiting to Greece fell after the March EU-Turkey migration deal (see European Union chapter). Despite increased aid and some efforts by authorities, most refugees and asylum seekers lack effective protection, education, or formal employment, with high rates of child labor and a particularly precarious situation for non-Syrians. Hundreds of thousands of Syrian children are still not attending school. A January decree allowing some Syrians to apply for work permits has had little effect to date.

Turkey's border gates and entire land border with Syria remain closed although people seriously injured in fighting are admitted to Turkey for medical treatment. Syrian refugees attempting to cross into Turkey at unofficial crossing points are summarily pushed back into Syria and some asylum seekers and smugglers attempting the crossing have been shot dead or beaten by Turkish border guards.

Women's Rights

Following its July review of Turkey, the UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) made many recommendations to the government to address gender inequality and remove obstacles for women and girls to access education, employment, justice, and reproductive health. It noted particular obstacles for Kurdish women and women and girl refugees and asylum seekers. The committee called on authorities to ensure full access in state hospitals to legal abortion services that many currently do not offer. It also noted concerns about changes to the ministry responsible for women, and the increasing emphasis on women's role in the family rather than women's rights and gender equality.

Despite the Turkish government's ratification of the Council of Europe Convention on Violence against Women and Domestic Violence (Istanbul Convention), violence against women remains a serious concern, including deaths due to domestic violence and so-called "honor" killings.

Key International Actors

There was international support for the Turkish government in the face of the coup attempt, although the Turkish government criticized what it saw as late and weak responses by the European Union and United States.

The EU-Turkey migration deal and desire for Turkey to host asylum seekers who would otherwise travel to the EU, reinforced the EU's reluctance to use its declining leverage with Turkey. In their relationship with Turkey, the EU and its member states largely appeared to prioritize strategic interests over the promotion of human rights, while issuing repeated statements expressing concern over the growing crackdown. The European Commission progress report described negative developments over the year yet failed to capture the severity and extent of the human rights crisis in Turkey.

With the Obama administration primarily focused on seeking Ankara's cooperation in the fight against ISIS and other armed militant groups, human rights were also not a primary focus of relations in 2016.

The United Nations Office of the High Commissioner for Human Rights, Zeid Ra'ad al-Hussein, spoke out against curbs on media freedom and human rights abuses committed in the context of security operations in the southeast, pressing for a UN fact-finding team to investigate the latter. The Turkish government extended an invitation to Zeid himself, while repeatedly blocking a fact-finding mission. Zeid strongly condemned the coup attempt in Turkey while urging Turkey “to refrain from turning the clock back on human rights protections.”

After the coup attempt, UN Secretary-General Ban Ki-moon urged Turkish authorities to do their utmost to ensure that the constitutional order and international human rights law are fully respected in line with Turkey's international obligations, including freedom of expression, freedom of movement and peaceful assembly, independence of the judiciary and of the legal profession, right to fair trial, and strict adherence to due process.

The UN Committee against Torture, in its April review of Turkey, expressed serious concern about “numerous credible reports of law enforcement officials engaging in torture and ill-treatment of detainees while responding to perceived and alleged security threats in the southeastern part of the country.”

After the Turkish government postponed his planned October visit, outgoing UN Special Rapporteur on Torture Juan Mendez issued a statement expressing deep disappointment about a decision saying it “sends the wrong message” in light of the thousands of arrests after the coup attempt. The visit was scheduled again for late November under the mandate of the incoming rapporteur. In August, a group of 19 UN experts and three UN working groups issued a joint call to emphasize to Turkey that “one cannot avoid, even in times of emergency, obligations to protect the right to life, prohibit torture, adhere to fundamental elements of due process and non-discrimination, and protect everyone's right to belief and opinion.”

In October, the Council of Europe's commissioner of human rights issued a *memorandum* on the serious human rights implications of the measures taken under *Turkey's state of emergency*.

Ukraine

Events of 2016

The situation in eastern Ukraine remained tense in 2016 despite the Minsk II Agreements forged a year earlier that called for a ceasefire and withdrawal of heavy weapons by all sides. Civilians in both Ukrainian and Russia-backed separatists' detention were subjected to serious abuses. Abuses in conflict-affected areas remain largely unaddressed. The government did not adequately respond to attacks on journalists by nationalist groups. In Crimea, Crimean Tatars face further persecution for their peaceful opposition to Russia's occupation of the peninsula.

Hostilities in Eastern Ukraine

The 2015 Minsk II Agreements significantly reduced hostilities, but frequent skirmishes and exchanges of artillery fire continued during the year.

According to the United Nations Human Rights Monitoring Mission in Ukraine (UNHRMMU), mortar, rocket, and artillery attacks between April 2014 and May 2016 killed over 9,000 people and injured more than 21,000—including civilians and combatants on all sides—in Donetsk and Luhansk regions. The UNHRMMU reported a 66 percent increase in civilian casualties from May to August compared to earlier in 2016, and documented 28 civilian deaths in the summer, many of which resulted from shelling and landmines.

Cruel and Degrading Treatment and Arbitrary Detention

Ukrainian government authorities and Russia-backed separatists in eastern [Ukraine](#) detained dozens of civilians for collaborating with the other side and held them in prolonged, arbitrary detention, depriving them of contact with lawyers and family. Most of those detained suffered torture or other forms of ill-treatment; some were denied needed medical attention. Both sides have been implicated in sexual violence, although few cases have been fully documented due to victims' reluctance to come forward.

Human Rights Watch, jointly with Amnesty International, found that 18 people had been held in secret detention on the Security Service of Ukraine (SBU) premises in Kharkiv through the end of July, one for as long as 16 months. Thirteen were later released: at time of writing five remained in detention. The SBU denied allegations of secret detention. The military prosecutor's office pledged to investigate. At time of writing, the investigation had yielded no tangible results.

In the self-proclaimed Donetsk People's Republic (DNR) and Luhansk People's Republic (LNR), local security services operate in a total vacuum of rule of law, which deprives people in their custody of their rights and leaves them without recourse to any remedies.

Accountability for Conflict-Related Abuses and Political Violence

In July, parliament passed a controversial amnesty law, absolving combatants involved in the "security operations" in eastern Ukraine of criminal responsibility for non-grave crimes. In August, President Petro Poroshenko vetoed the law.

In July, authorities arrested the head of Aidar battalion, Valentin Liholit, on charges of abduction, robbery, and other violent crimes against civilians. At Liholit's remand hearing, Aidar battalion members blocked the court building, while several members of parliament disrupted the hearing inside, demanding his release. The court released him, pending further investigation.

Also in July, a former member of the Tornado police battalion was sentenced to six years' imprisonment for torture and rape. Twelve other former members of the battalion, including the commander, were under investigation for sexual violence, robbery, and other violent crimes. At an August court hearing, Tornado supporters clashed with law enforcement, injuring 27 law enforcement officers.

Authorities have made some progress toward accountability for abuses during the 2014 Maidan protests by government forces against protesters. In June, authorities charged four members of the Berkut riot police battalion with killing 3 protesters and injuring 35. At time of writing, the investigation was ongoing.

Trials continued in connection with the 2014 political violence in Odesa. In May and June, when courts ruled to release “pro-federalism” defendants from pretrial detention, “pro-unity” activists temporarily blocked the courts and threatened to harm the defendants. On both occasions police eventually rearrested the defendants. “Pro-unity” activists were not held accountable for disrupting court proceedings, and in one case, some were invited to testify against the defendant.

Freedom of Expression and Media

The government continued to take controversial steps restricting media freedom, justifying them mostly by the need to counter Russia’s anti-Ukraine propaganda.

In May, Ukrainian authorities banned 17 Russian journalists and media executives from entering Ukraine.

Inter, a television station widely perceived as pro-Russia, was attacked several times in 2016. The most serious attack occurred in early September, when a group of protesters tried to set Inter’s building on fire. Several staff had to be evacuated and treated for carbon monoxide poisoning; one sustained a spinal injury. Several days prior to the attack, Interior Minister Arsen Avakov, through his Facebook page, accused the channel of being anti-Ukrainian.

Media ownership structure remained opaque, despite a 2015 law promoting media ownership transparency. Most television channels are believed to be controlled by oligarchs, and President Poroshenko continued to own Channel 5.

Nationalist groups attacked journalists for their work in eastern Ukraine. In May 2016, the website Myrotvorets published the names and personal data of hundreds of journalists and others who had been accredited by the DNR press center, accusing them of “cooperat[ing] with terrorists.” Authorities launched an investigation, but top government officials applauded the publication. Several reporters received threats after the data dump.

The Ukrainian Institute of Mass Media, an independent monitoring group, recorded 113 physical attacks against journalists in Ukraine in the first part of 2016.

In July, a car bomb killed Pavel Sheremet, a prominent investigative journalist. At time of writing, investigative authorities had not identified suspects. The trial of suspects in the 2015 killing of Oles Buzina, a journalist known for his pro-Russian views, continued.

In a positive development, in July, an appeals court acquitted journalist and blogger Ruslan Kotsaba, who had been previously convicted on treason charges for calling for boycotting conscription.

Sexual Orientation and Gender Identity

Since 2014, the government has introduced several progressive policies supporting lesbian, gay, bisexual, and transgender (LGBT) people, but anti-LGBT sentiment remains strong among high-level government officials and the public.

In March 2016, about 200 anti-gay, far-right supporters attacked a venue in Lviv hosting a LGBT equality festival, eventually causing the event to be cancelled. The Kyiv LGBT Pride march held in June took place without the violence against participants that had marred it in previous years. Ultra-nationalist groups had threatened to make the march a “bloody mess.” Around 6,000 police officers protected the 1,500 march participants.

The first LGBT Pride march took place in Odesa in August. Local authorities initially attempted to ban it, but relented when organizers changed the route. Police arrested four ultra-nationalists who attempted to disrupt the event.

A new draft of the amended labor code does not include an anti-discrimination provision that would protect LGBT people in the workplace.

Crimea

Russia continued to prosecute people for publicly opposing its occupation of Crimea, further shrinking space for free speech and freedom of association.

Under the pretext of combating extremism or terrorism, authorities harassed and took arbitrary legal action against some Crimean Tatar activists in apparent retaliation for their peaceful opposition to Russia’s occupation. In February 2016, authorities arrested human rights defender Emir Usein Kuku on charges of terrorism and involvement in Hizb ut-Tahrir, a Muslim political organization that is banned in Russia but not Ukraine. At time of writing he was in custody pending trial. In October, the Crimean Office for Juvenile Affairs approached Kuku’s 9-year-old son and asked him questions about Kuku, implying that his father was neglecting his parental duties while in detention. Since 2014, fourteen people were detained on charges of involvement in Hizb ut-Tahrir; in September, four were sentenced to prison terms ranging from five to seven years.

In April, the Supreme Court in Crimea ruled to shut down Mejlis, the Crimean Tatars’ elected representative body, on grounds of involvement in “extremist” activities. In September, Russia’s Supreme Court upheld the ruling.

Akhtem Chiygoz, a deputy chairman of Mejlis arrested in 2015 on charges of allegedly organizing mass disturbances, remained in custody; his trial was ongoing at time of writing. Another Mejlis deputy chairman, Ilmi Umerov, was charged with separatism for stating in a media interview that Crimea should be returned to Ukraine. In August, Umerov was confined in a psychiatric hospital for evaluation. He was released on September 7 and at time of writing was at liberty, pending trial.

In April, Russia’s Federal Security Service in Crimea arrested journalist Nikolai Semena and searched his home, confiscating computer equipment. He is currently banned from leaving Crimea and faces criminal separatism charges for articles criticizing Russia’s occupation.

In May, Ervin Ibragimov, a Mejlis member, went missing. Security camera footage showed a group of men forcing him into a van and driving away. His passport was later found in Bakhchisaray. An investigation was ongoing.

Key International Actors

The European Union and the United States issued statements recognizing the territorial integrity of Ukraine. The US State Department called for an investigation into Pavel Sheremet’s death and

criticized the Russian court's ban of Mejlis. It also called for an end to human rights abuses in Crimea.

In February, the United Nations Children's Fund reported that 1 in 5 schools had been damaged in the armed conflict. Some 215,000 children have been displaced, significantly affecting their access to education. UNICEF called on all parties to the conflict in eastern Ukraine "to ensure safe movement and unhindered humanitarian access to help children in need."

The Parliamentary Assembly of the Council of Europe (PACE) sent rapporteurs to Ukraine in February and April to meet with key leaders to discuss the conflict and the human rights situation in eastern Ukraine while also assessing access to legal remedies for human rights violations since the onset of the war in eastern Ukraine. In October, PACE adopted a resolution highlighting the lack of remedies for victims of abuses in Ukrainian territories "under effective control" by Russia.

On August 11 and 12, the UN Committee on Elimination of Racial Discrimination reviewed Ukraine's compliance with the International Convention on the Elimination of All Forms of Racial Discrimination. The committee expressed concerns over "underdeveloped" institutional framework for dealing with minority issues, noted a rise in hate speech by public figures and racist propaganda by such groups as Right Sector, Azov Civilian Battalion, and the Social National Assembly.

The Organization for Security and Co-operation in Europe's (OSCE) Special Monitoring Mission to Ukraine released several statements raising concern about civilian casualties in eastern Ukraine due to the conflict, as well as about the plight of internally displaced persons (IDPs). The chief monitor of the OSCE Special Monitoring Mission in Ukraine declared violence to be a "violation of children's rights" and emphasized the importance of abiding by a ceasefire at the beginning of the school year on September 1.

In May, the UN torture prevention body had to suspend a visit to Ukraine to inspect detention conditions due to travel restrictions in several locations under SBU authority, but returned in September to complete the visit after Ukrainian authorities granted full access.

In September, the UN high commissioner for human rights expressed concern over lack of protection for civilians living in the conflict-affected area, access to basic services and humanitarian aid, freedom of movement, and limited accountability for human rights violations.

Although Ukraine is not a member of the International Criminal Court (ICC), it has accepted the court's jurisdiction over alleged crimes committed on its territory since November 2013. The ICC prosecutor's preliminary examination as to whether it should open an investigation into abuses committed during the armed conflict remained ongoing. In June, parliament adopted a constitutional amendment package that would permit ratification of the ICC treaty, but included a transitional provision that delays the relevant amendment from taking effect for three years.

In November, the ICC's Office of the Prosecutor, in its annual report, characterized the armed conflict in eastern Ukraine and Russia's occupation of Crimea as international armed conflicts to which Russia is a party. The laws of international armed conflict would continue to apply, the report concluded, and the situation in Crimea and Sevastopol amounts to an ongoing state of occupation under those laws.