

- Adel Othmani was sentenced to death in October after being convicted of the Marrakesh café bombing.
- Five men convicted of terrorism-related charges in the “Belliraj Cell” case in July 2009 were released under the general royal pardon issued on 14 April. The case had been marred by procedural irregularities, including failure to investigate defendants’ allegations of torture.

## Transitional justice

The authorities failed to implement key recommendations made by the Equity and Reconciliation Commission in its November 2005 report. Victims continued to be denied effective access to justice for gross violations of human rights committed between Morocco’s independence in 1956 and the death of King Hassan II in 1999.

## Death penalty

Moroccan courts continued to hand down the death penalty. The last execution took place in 1993. Five death row prisoners had their sentences commuted to prison terms under an amnesty issued by the King in April.

## Polisario camps

The Polisario Front took no measures to end impunity for those accused of committing human rights abuses in the 1970s and 1980s at the Tindouf camps controlled by the Polisario Front in Algeria’s Mhiriz region.

In October, three aid workers – an Italian woman, a Spanish woman and a Spanish man – were abducted by an armed group from a Polisario-run refugee camp. They had not been released by the end of 2011.

## Amnesty International visits/reports

📄 Moroccan authorities criticized for cracking down on Témara protests (MDE 29/004/2011)

📄 Morocco: Investigate torture allegations (MDE 29/008/2011)

# MOZAMBIQUE

## REPUBLIC OF MOZAMBIQUE

Head of state:	Armando Guebuza
Head of government:	Aires Bonifacio Baptista Ali
Death penalty:	abolitionist for all crimes
Population:	23.9 million
Life expectancy:	50.2 years
Under-5 mortality:	141.9 per 1,000
Adult literacy:	55.1 per cent

**Law enforcement officers committed human rights violations against migrants and asylum-seekers. A police officer was convicted of a murder committed in 2007, but no compensation was given to the family. Several cases were recorded of the unlawful use of force by police, some resulting in death. Torture and other ill-treatment in prisons continued to be reported.**

## Background

In February, Mozambique’s human rights record was assessed under the UN Universal Periodic Review (UPR) and the UN Human Rights Council’s final report was adopted in June. Mozambique accepted 131 recommendations made during the UPR and stated that many had already been or were in the process of being implemented. These included recommendations to investigate all cases of arbitrary detention, torture and other ill-treatment; to investigate excessive use of force by the police; and to bring perpetrators to justice.

In March, former Minister of Interior Almerino Manhenje was sentenced to two years’ imprisonment by the Maputo City Court for mismanagement of funds and abuse of power. The charges related to unlawful budgetary decisions and mismanagement of expenses while he was Minister of Interior in 2004. The former Director and Deputy Director of the financial department of the Ministry were also sentenced to two years in prison in the same case.

In April, guards from the main opposition party, the Mozambique National Resistance (Resistência Nacional Moçambicana, Renamo), shot at police officers at an airport in Sofala which was being renovated for a visit by President Guebuza. They demanded that all work stop until the ruling party, the Front for the Liberation of Mozambique (Frente de Libertação de Moçambique, Frelimo) agreed to hold

talks with Renamo. Afonso Dhlakama, president of Renamo, threatened to create unrest aimed at overthrowing Frelimo.

In September, 25 judges were selected for the Superior Appeal Courts, set up to relieve the Supreme Court, which was previously the only court of appeal. Systems for the functioning of the new courts had not been put in place by the end of the year.

Scores of people, mainly elderly, were killed after being accused of witchcraft. The highest reported incidence of such killings occurred in the southern province of Inhambane where at least 20 elderly people were killed between August and September.

## Refugees, migrants and asylum-seekers

Border and law enforcement officials were responsible for human rights violations against undocumented migrants and asylum-seekers. Thousands of undocumented migrants and asylum-seekers – mainly Somalis and Ethiopians – entered the country through Tanzania between January and July. Many reported that border officials and police beat them, stole their property, stripped them naked and abandoned them on islands in the Rovuma River. Others said the boats they arrived in were overturned by marine police.

■ An asylum-seeker from the Horn of Africa arrived at Mocimboa de Praia, Cabo Delgado province, by boat with around 300 people. As law enforcement officials attempted to push the boat back into the sea, it overturned and at least 15 people drowned. The asylum-seeker was rescued and later deported to Tanzania, but managed to re-enter Mozambique using a different route. He was found and beaten by law enforcement officials before finally arriving at Maratane refugee camp in Nampula, having walked some 695km from the border.

■ On 29 April there were reports that at least four Somali asylum-seekers were killed by Mozambique law enforcement officials and their bodies thrown into the Rovuma River as they attempted to cross into Mozambique from Tanzania. Despite requests from UNHCR, the UN refugee agency, no investigation appeared to have been carried out.

## Excessive use of force and unlawful killings

As in previous years, police used excessive force and sometimes firearms against criminal suspects. Many

instances resulted in grievous bodily harm or death. A police officer was convicted for the killing of a man in November 2007. However, the majority of past cases of human rights violations by police remained unresolved, including in relation to excessive use of force during demonstrations in 2009 and 2010 when police used live ammunition.

■ On the evening of 14 January, Angelo Juiz Nhancuana was drinking in Maputo city when his uncle arrived with two police officers, demanding that he be arrested for stealing a computer. Angelo Nhancuana agreed to go with the police, but refused to be handcuffed. One of the police officers hit him over the head with his pistol and shot him through the arm when he fell. Angelo Nhancuana was in hospital for a month and was informed that the police had no case to answer as the weapon was fired accidentally. The case was reopened after intervention from Angelo Nhancuana's lawyer.

■ In the early hours of 5 March, police shot and killed Hortêncio Nia Ossufo in his home in Muatala, Nampula. Claims by police that they had attempted to immobilize Hortêncio Ossufo as he tried to escape were contradicted by an eyewitness who said he was deliberately killed in a case of mistaken identity.

■ On 22 March, a police officer was sentenced by the Inhambane Provincial Court to four years' imprisonment for killing Julião Naftal Macule in November 2007. None of the other nine police officers who took part in the operation were charged.

## Torture and other ill-treatment

There were continued reports of torture and other ill-treatment of prisoners, including after attempted escapes.

■ On 24 September, two prisoners died from their injuries at the Quinta do Girassol detention centre in Zambezia province after being beaten by a prison guard with sticks, stones and bricks. The prisoners had apparently been recaptured while trying to escape.

## Justice system

Access to justice continued to be a challenge for the majority of citizens due to the costs and other obstacles. Despite a law which exempts indigent people from paying court fees, many judges continued to insist on payment of such fees even from those with a certificate of poverty.

## Amnesty International visits/reports

Amnesty International delegates visited Mozambique from 26 September to 1 November.

Mozambique: Amnesty International urges investigation into cases of extrajudicial executions, arbitrary detention, torture and ill-treatment and excessive use of force (AFR 41/002/2011)

# MYANMAR

## REPUBLIC OF THE UNION OF MYANMAR

Head of state and government:	<b>Thein Sein (replaced Senior General Than Shwe, former head of state, in March) abolitionist in practice</b>
Death penalty:	
Population:	<b>48.3 million</b>
Life expectancy:	<b>65.2 years</b>
Under-5 mortality:	<b>71.2 per 1,000</b>
Adult literacy:	<b>92 per cent</b>

**The government enacted limited political and economic reforms, but human rights violations and violations of international humanitarian law in ethnic minority areas increased during the year. Some of these amounted to crimes against humanity or war crimes. Forced displacement reached its highest level in a decade, and reports of forced labour their highest level in several years. Authorities maintained restrictions on freedom of religion and belief, and perpetrators of human rights violations went unpunished. Despite releasing at least 313 political prisoners during the year, authorities continued to arrest such people, further violating their rights by subjecting them to ill-treatment and poor prison conditions.**

## Background

Myanmar's Parliament, elected in November 2010, convened on 31 January and voted in Thein Sein as President of a government formed on 30 March. It was the first civilian government in decades. In July and August, opposition leader Daw Aung San Suu Kyi travelled outside Yangon for the first time since 2003. She met with Labour Minister Aung Gyi four times during the year and with President Thein Sein in August. Beginning that month, the government

carried out a series of limited political and economic reforms. It released at least 313 political prisoners; slightly relaxed media censorship; passed an improved labour law; and established the National Human Rights Commission. In September, the government suspended construction of the controversial, China-backed Myitsone Dam in Kachin state, citing domestic opposition to the project. It also reportedly ceased demanding that ethnic minority armed groups become official Border Guard Forces. In November, the National League for Democracy re-registered as a political party, and its leader Aung San Suu Kyi announced her intention to run for Parliament in the 2012 by-elections. Parliament also passed a law that month allowing peaceful protests under certain conditions.

## Internal armed conflict

The armed conflict in Kayin (Karen) state and Tanintharyi region that began in late 2010 escalated during the year. In March, conflict between the Myanmar army and various ethnic minority armed groups intensified in Shan state. In June, the army broke a 17-year ceasefire with the Kachin Independence Army (KIA) in Kachin state. Smaller conflicts continued or resumed in Kayah (Karenni) and Mon states.

In all of these conflicts, the Myanmar army launched indiscriminate attacks causing civilian casualties, at times directly attacking ethnic minority civilians. Credible accounts of the army using prison convicts as porters, human shields and mine sweepers emerged from Kayin state and adjacent areas of Bago and Tanintharyi divisions. In Kachin state, sources reported extrajudicial executions, children killed by indiscriminate shelling, forced labour, and unlawful confiscation or destruction of food and property. Shan civilians were tortured, arbitrarily detained and forcibly relocated. Soldiers reportedly sexually assaulted Kachin and Shan civilians. In August, ethnic armed groups, including some that had committed abuses, rejected the government's offer of talks between individual armed groups and the relevant regional administration rather than talks between an alliance of such groups and the federal government. However, several groups agreed to ceasefires with the army during the year. In September, the army intensified fighting in Kachin and Shan states, violating human rights law and