

Freedom in the World 2020

The findings of *Freedom in the World 2020* include events from January 1, 2019, through December 31, 2019.

Freedom in the World 2020

The Annual Survey of Political Rights & Civil Liberties

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Freedom in the World 2020

A LEADERLESS STRUGGLE FOR DEMOCRACY

Sarah Repucci

Democracy and pluralism are under assault. Dictators are toiling to stamp out the last vestiges of domestic dissent and spread their harmful influence to new corners of the world. At the same time, many freely elected leaders are dramatically narrowing their concerns to a blinkered interpretation of the national interest. In fact, such leaders—including the chief executives of the United States and India, the world’s two largest democracies—are increasingly willing to break down institutional safeguards and disregard the rights of critics and minorities as they pursue their populist agendas.

As a result of these and other trends, Freedom House found that 2019 was the 14th consecutive year of decline in global freedom. The gap between setbacks and gains widened compared with 2018, as individuals in 64 countries experienced deterioration in their political rights and civil liberties while those in just 37 experienced improvements. The negative pattern affected all regime types, but the impact was most visible near the top and the bottom of the scale. More than half of the countries that were rated Free or Not Free in 2009 have suffered a net decline in the past decade.

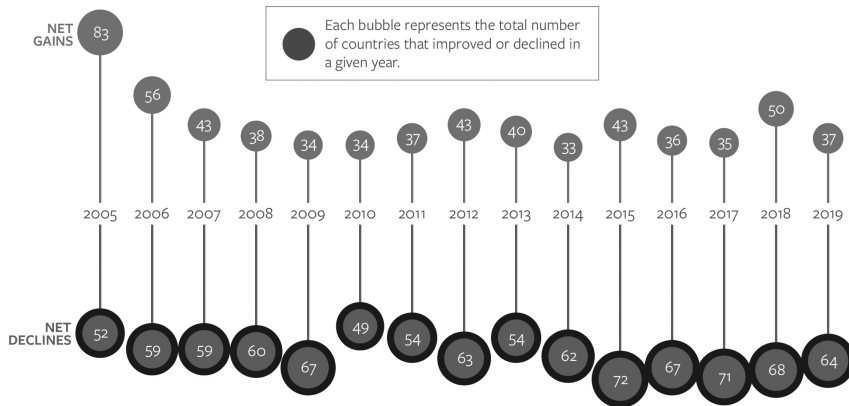
Ethnic, religious, and other minority groups have borne the brunt of government abuses in both democracies and authoritarian states. The Indian government has taken its Hindu nationalist agenda to a new level with a succession of policies that abrogate the rights of different segments of its Muslim population, threatening the democratic future of a country long seen as a potential bulwark of freedom in Asia and the world. Attacks on the rights of immigrants continue in other democratic states, contributing to a permissive international environment for further violations. China pressed ahead with one of the world’s most extreme programs of ethnic and religious persecution, and increasingly applied techniques that were first tested on minorities to the general population, and even to foreign countries. The progression illustrated how violations of minority rights erode the institutional and conventional barriers that protect freedom for all individuals in a given society.

The unchecked brutality of autocratic regimes and the ethical decay of democratic powers are combining to make the world increasingly hostile to fresh demands for better governance. A striking number of new citizen protest movements have emerged over the past year, reflecting the inexhaustible and universal desire for fundamental rights. However, these movements have in many cases confronted deeply entrenched interests that are able to endure considerable pressure and are willing to use deadly force to maintain power. The protests of 2019 have so far failed to halt the overall slide in global freedom, and without greater support and solidarity from established democracies, they are more likely to succumb to authoritarian reprisals.

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14 YEARS OF DEMOCRATIC DECLINE

Countries with net declines in their aggregate *Freedom in the World* score have outnumbered those with gains for the past 14 years.



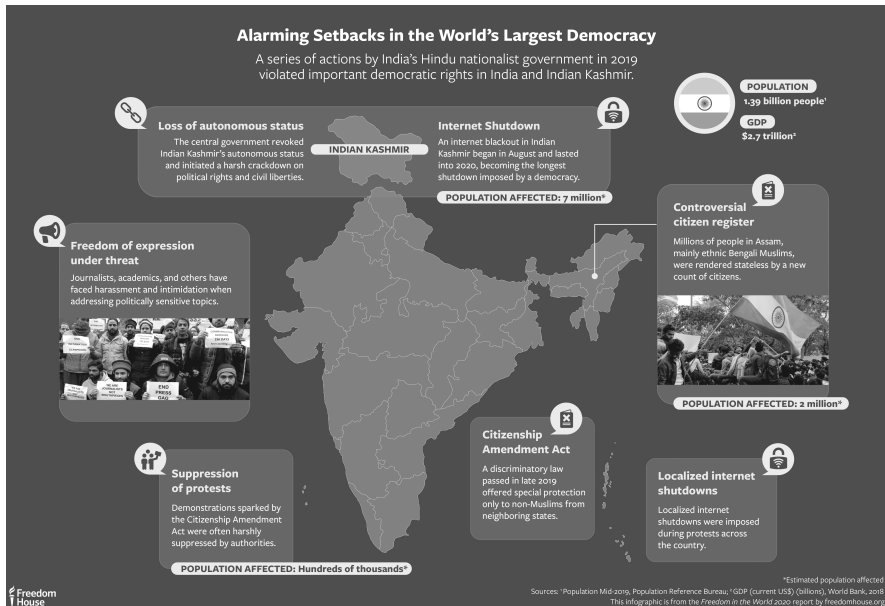
INDIA'S TURN TOWARD HINDU NATIONALISM

Almost since the turn of the century, the United States and its allies have courted India as a potential strategic partner and democratic counterweight to China in the Indo-Pacific region. However, the Indian government's alarming departures from democratic norms under Prime Minister Narendra Modi's Bharatiya Janata Party (BJP) could blur the values-based distinction between Beijing and New Delhi. While India continues to earn a Free rating and held successful elections last spring, the BJP has distanced itself from the country's founding commitment to pluralism and individual rights, without which democracy cannot long survive.

Several of India's neighbors have persecuted religious minorities for many years. But instead of stressing the contrast with its own traditions and seeking to propagate them abroad, India is moving toward the lower standards of its region. Just as Chinese officials vocally defended acts of state repression against Uighurs and other Muslim groups before international audiences in 2019, Modi firmly rejected criticism of his Hindu nationalist policies, which included a series of new measures that affected India's Muslim populations from one end of the country to the other.

The first major step was the central government's unilateral annulment of the semiautonomous status of Jammu and Kashmir, India's only Muslim-majority state. Federal authorities replaced the state's elected institutions with appointees and abruptly stripped residents of basic political rights. The sweeping reorganization, which opponents criticized as unconstitutional, was accompanied by a massive deployment of troops and arbitrary arrests of hundreds of Kashmiri leaders and activists. Restrictions on freedom of movement and a shutdown of mobile and internet service made ordinary activities a major challenge for residents. As a result, Indian Kashmir experienced one of the five largest single-year score declines of the past 10 years in *Freedom in the World*, and its freedom status dropped to Not Free.

The government's second move came on August 31, when it published a new citizens' register in the northeastern state of Assam that left nearly two million residents without citizenship in any country. The deeply flawed process was widely understood as an effort to exclude Muslims, many of whom were descended from Bengalis who arrived in Assam



during the colonial era. Those found to be undocumented immigrants were expected to be placed in detention camps. However, the Bengali population that was rendered stateless included a significant number of Hindus, necessitating a remedy that would please supporters of the ruling BJP.

That remedy was provided by the third major action of the year, the December passage of the Citizenship Amendment Law, which expedites citizenship for adherents of six non-Muslim religions from three neighboring Muslim-majority countries. In effect, India will grant Hindus and other non-Muslims special protection from persecution in Bangladesh, Pakistan, and Afghanistan, but Muslims—including those from vulnerable minority sects or from other neighboring states like China and Sri Lanka—will receive no such advantage. Home Affairs Minister Amit Shah has pledged to repeat the Assam citizens' register process nationwide, raising fears of a broader effort to render Indian Muslims stateless and ensure citizenship for non-Muslims.

These three actions have shaken the rule of law in India and threatened the secular and inclusive nature of its political system. They also caused the country to receive the largest score decline among the world's 25 largest democracies in *Freedom in the World 2020*. Tens of thousands of Indians from all religious backgrounds have taken to the streets to protest this jarring attack on their country's character, but they have faced police violence in return, and it remains to be seen whether such demonstrations will persuade the government to change course.

BEIJING'S TOTALITARIAN ATROCITIES AND GLOBAL AMBITIONS

One of the year's most appalling examples of domestic repression—made more frightening by the absence of a coordinated international response—was the Chinese Communist Party's ongoing campaign of cultural annihilation in Xinjiang. Mass violations of the basic freedoms of millions of Uighurs and other Muslim minorities in the region, which were first

brought to light in 2017, continued in 2019, with hundreds of thousands of people sentenced to prison or detained for forced indoctrination. The crackdown also included forced labor, the confinement of detained Muslims' children in state-run boarding schools, and draconian bans on ordinary religious expression.

Beijing claimed in December that the mass detentions had ended, but evidence from leaked government documents and victims' relatives contradicted the assertion. Even if it were true, conditions for residents would not be greatly improved. The deployment of tens of thousands of security officers and state-of-the-art surveillance systems enable constant monitoring of the general population, converting Xinjiang into a dystopian open-air prison.

These policies have contributed to China's ranking as one of the 15 worst-performing countries in *Freedom in the World 2020*, and one of only 11 countries that Freedom House flagged for evidence of ethnic cleansing or some other form of forced demographic change.

The Communist Party's totalitarian offensive in Xinjiang is the product of decades of experience in persecuting ethnic and religious minorities, combining coercive measures and technological developments that were previously applied to Tibetans, Falun Gong practitioners, and others. There are already signs that similar techniques will be expanded to China's entire population. Examples in 2019 included a requirement for telecommunications companies to perform facial scans on all new internet or mobile phone subscribers, and reports that local authorities nationwide were purchasing equipment for mass collection and analysis of citizens' DNA. Chinese officials are routinely promoted and transferred based on the perceived effectiveness of their repressive efforts, meaning both the technology and the personnel tested in Xinjiang are likely to spread across the country.

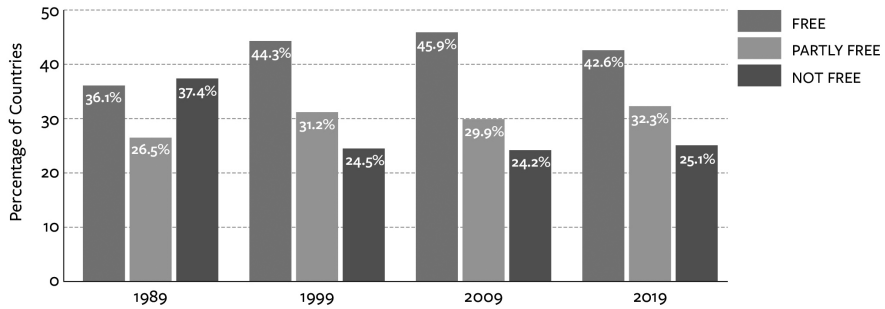
The United States and other democracies have made some important diplomatic statements against the repression in Xinjiang, and the Trump administration has imposed sanctions on specific Chinese entities associated with the campaign. But in general the world's democracies have taken few steps to rally international opposition or apply meaningful collective pressure to halt China's rights abuses, and elected leaders in Europe and elsewhere have often been tepid in their public criticism. Many undemocratic governments have been similarly mute or even supported Beijing, including those in countries that have received Chinese loans and other investments. The pattern of de facto impunity bolsters China's broader efforts to demand recognition as a global leader and aids its relentless campaign to replace existing international norms with its own authoritarian vision.

One aspect of this more assertive foreign policy that gained prominence in 2019 was Beijing's apparent interventions in democratic elections. As with past Russian intrusions in the United States and elsewhere, China was suspected of sponsoring the spread of disinformation to create confusion around candidates and policies ahead of Taiwan's January 2020 elections. The strategy may have backfired in this instance; domestic fears about Chinese encroachment helped the incumbent president defeat a more Beijing-friendly rival. Earlier, Chinese authorities were accused in November of seeking to fund a businessman's election to Australia's Parliament, and New Zealand's intelligence chief spoke publicly about potential foreign influence on domestic politicians in April, a few months after the country's opposition leader was accused of improperly hiding Chinese donations.

Beyond the context of elections, Freedom House research has shown that Chinese transnational censorship and propaganda activities are accelerating worldwide. For example, dozens of Swedish news outlets and journalists have been denounced by the Chinese embassy in that country for their reporting on China. Even a Russian newspaper was threatened with visa denials if it did not take down an article that mentioned China's weakening economy. Beijing has also used paid online trolls to distort content on global social media platforms that are blocked in China itself, with tactics including the demonization

FREEDOM IN THE BALANCE

After years of major gains, the share of Free countries has declined over the past decade, while the share of Not Free countries has risen.



of political enemies like Hong Kong’s prodemocracy protesters on Facebook and Twitter, and the manipulation of content-ranking systems on Google, Reddit, and YouTube. And the Chinese government is gaining influence over crucial parts of other countries’ information infrastructure through companies that manage digital television broadcasting and communications on mobile devices.

The past year featured a new wave of pushback against certain aspects of China’s global ambitions, with public resistance to the harmful effects of Chinese investment projects intensifying in host countries, and some politicians growing more vocal about protecting national interests against Beijing’s encroachment. Nevertheless, piecemeal responses are unlikely to deter the Chinese leadership in the long term.

AN UNSTEADY BEACON OF FREEDOM IN THE UNITED STATES

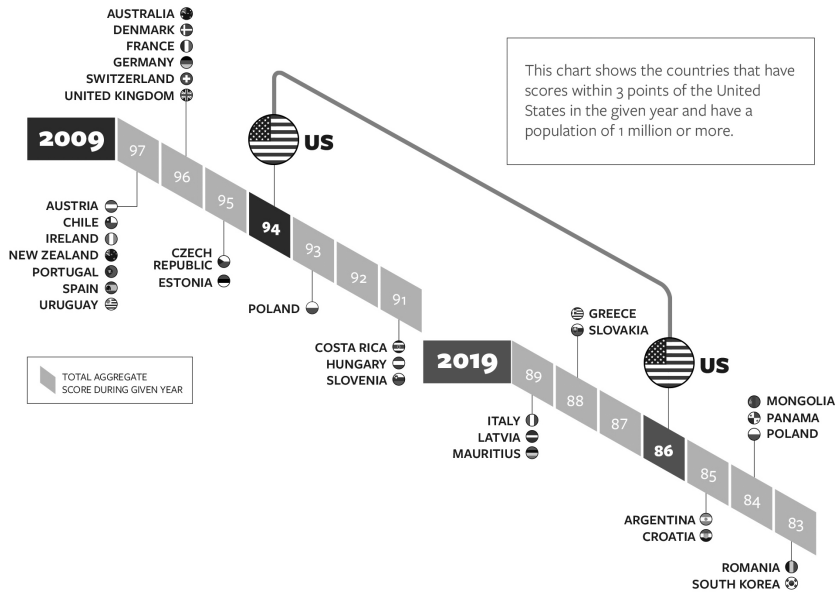
Democracy advocates around the world have historically turned to the United States for inspiration and support, and Congress has continued to fund programs to that end in practice. To date, however, the Trump administration has failed to exhibit consistent commitment to a foreign policy based on the principles of democracy and human rights. Although the president has been outspoken in denouncing authoritarian abuses by US adversaries in countries like Venezuela and Iran, and he reluctantly signed legislation supporting basic rights in Hong Kong after it passed almost unanimously in both the House of Representatives and the Senate, he has excused clear violations by traditional security partners such as Turkey and Egypt. He has also given a pass to tyrannical leaders whom he hopes to woo diplomatically, including Vladimir Putin of Russia and Kim Jong-un of North Korea. On multiple occasions during 2019, he vetoed bipartisan efforts in Congress to limit arms sales and military assistance to Saudi Arabia. Balancing specific security and economic considerations with human rights concerns has been difficult for every administration, but the balance has grown especially lopsided of late.

This problem has been compounded by efforts to undermine democratic norms and standards within the United States over the past several years, including pressure on electoral integrity, judicial independence, and safeguards against corruption. Fierce rhetorical attacks on the press, the rule of law, and other pillars of democracy coming from American leaders, including the president himself, undermine the country’s ability to persuade other governments to defend core human rights and freedoms, and are actively exploited by dictators and demagogues.

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HOW DOES THE UNITED STATES MATCH UP?

After declining by eight points in 10 years, the US has fallen below its traditional democratic peers.



Note: *Freedom in the World* aggregate scores are on a scale from 0 to 100, where 0 is least free and 100 is most free.

An ongoing decline in fair and equal treatment of refugees and asylum seekers is also particularly worrisome for a country that takes pride in its traditional role as a beacon for the oppressed. In 2019, new federal rules or policies allowed the blanket rejection of asylum claims for those who cross through Mexico from other countries to reach the southern US border, forced asylum seekers with credible claims to wait in Mexico while their applications are considered, and gave states and localities the power to block refugee resettlement in their jurisdictions, among other restrictions. Many of the administration's tactics appear to violate existing national and international law, leading to a plethora of court challenges. In a move that also drew lawsuits, President Trump declared a national emergency in order to redirect Defense Department funds to the construction of a wall along the southern border. The project was a core feature of his efforts to control migration and reduce the number of asylum claims, but Congress had refused to provide the necessary spending.

A more consequential circumvention of congressional authority lay at the heart of the impeachment process touched off in November by allegations that President Trump had abused his office in a bid to extract a personal political favor from Ukrainian president Volodymyr Zelenskyy. Trump temporarily blocked military aid that Congress had allocated to Ukraine and withheld a White House visit, while concurrently asking Zelenskyy to announce two investigations—one aimed at his potential 2020 election rival, former vice president Joe Biden, and another bolstering a debunked conspiracy theory meant to absolve Russia of interference in the 2016 election. The administration then ordered current and former officials to defy all congressional subpoenas for documents and testimony about the matter. These actions threatened important components of American democracy, including

congressional oversight of the executive branch and the fairness and integrity of electoral competition. The constitution's impeachment mechanism offers a powerful means of holding presidents and other senior officials accountable for major transgressions, but it remains unclear whether the process that began in 2019, which ended in acquittal, will ultimately be successful in restoring balance to the system. Indeed, with Republican lawmakers largely defending the president's actions and questioning the motives and fairness of House Democrats' efforts, the impeachment seemed to drive a wedge through the American public and political class, reinforcing the impression on both sides that elected representatives were placing partisan loyalty above the national interest and the constitution.

DIVISION AND DYSFUNCTION IN DEMOCRACIES

India and the United States are not alone in their drift from the ideals of liberal democracy. They are part of a global phenomenon in which freely elected leaders distance themselves from traditional elites and political norms, claim to speak for a more authentic popular base, and use the ensuing confrontations to justify extreme policies—against minorities and pluralism in particular.

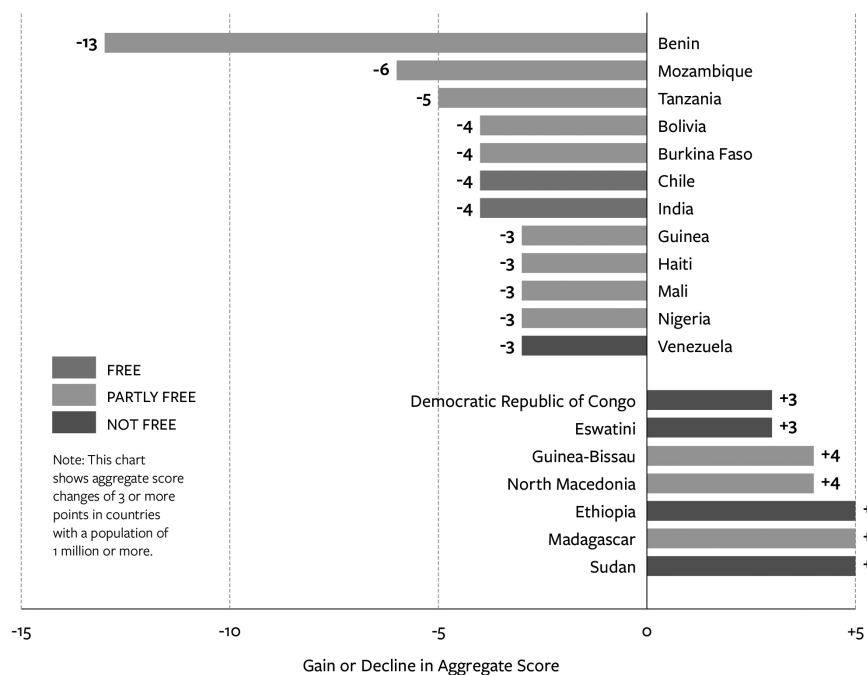
Israeli prime minister Benjamin Netanyahu was at the vanguard of nationalistic and chauvinistic populism when he returned to power a decade ago, but his antidemocratic tendencies gained prominence recently as his hold on the premiership came under threat. Netanyahu has taken increasingly drastic steps to maintain the loyalty of far-right groups, entrenching and expanding West Bank settlements at the expense of the moribund Palestinian peace process, banning foreign activists based on their opposition to such policies, and enacting a discriminatory law that reserved the right of self-determination in Israel to the Jewish people. He has countenanced no criticism, denouncing his perceived enemies in the parliament, civil society, the media, and law enforcement agencies over actions that were consistent with their legal and democratic functions. His struggle came to a head in 2019, when he was indicted on three separate corruption charges, refused to step down, and actively sought immunity even as he ran for reelection. Netanyahu governed Israel as a caretaker prime minister throughout the year, having failed to secure majority coalitions in two successive popular votes in April and September. Israel's score has slipped six points since 2009, an unusually large decline for an established democracy.

The trajectory of Spain's politics illustrates a related pattern in which centrist parties have lost ground to more extreme factions, which often pursue their particular interests at the expense of democratic norms and institutions. Over the course of two elections in 2019 and four in as many years, the country's two main parties—the center-left Socialists and the center-right Popular Party—have been hobbled by the rise of smaller, more radical groups. The far-right Spanish nationalist party Vox entered Parliament for the first time in April and doubled its support in repeat elections in November, becoming the third-largest group overall. It emerged partly in response to leftist parties from Catalonia that have pushed for the region's independence in defiance of the law. However, in addition to reductions in regional autonomy, Vox advocates various restrictions on immigration and Islam.

In Austria, the traditionally conservative People's Party swung toward the hard right when leader Sebastian Kurz endorsed restrictive asylum and integration policies in the wake of Europe's 2015 migration crisis. After taking office as chancellor in 2017, Kurz controversially chose the far-right Freedom Party as his coalition partner, though the government collapsed in 2019 after that party was ensnared in a scandal centered on its warm ties with Moscow. Snap elections in September resulted in the People's Party forming a new coalition with the moderate-left Greens, but it maintained its populist orientation on migration, with a policy agenda that included preventive detention for asylum seekers who are designated as

LARGEST ONE-YEAR GAINS AND DECLINES IN 2019

Gains in aggregate score reflect improvements in conditions for political rights and civil liberties.



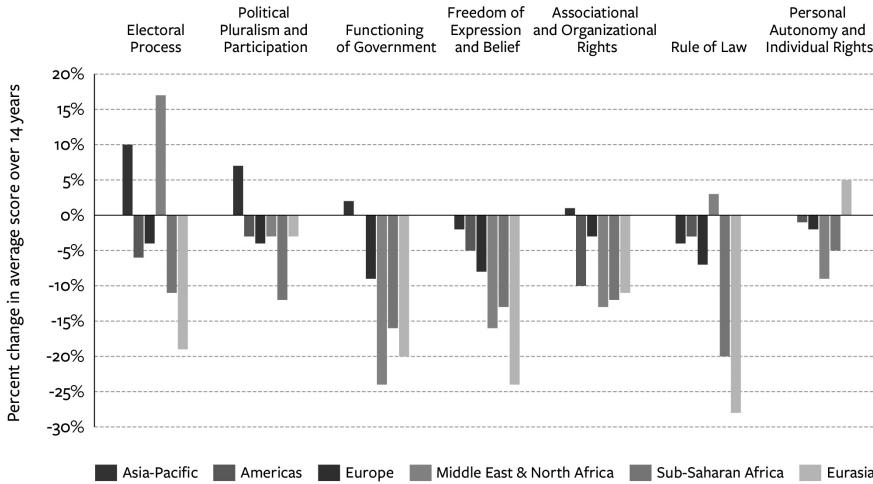
has languished as the world's least free country for the past seven years, the precipitous withdrawal of US troops from the northern border area in late 2019 left Russia and Turkey to fill the void, unleashing a fresh wave of abuses against the Kurdish population and imperiling the campaign against the Islamic State militant group.

An even more perplexing conflict unfolded in Libya, where Russia joined Egypt, the United Arab Emirates (UAE), and others in supporting a local warlord's assault on the capital, which was defended by militias with backing from Turkey and Qatar. As with Syria, the extended chaos has contributed to the global migration crisis and allowed terrorist groups to organize in ungoverned areas. Another wantonly destructive war dragged on in Yemen, with Iran and Saudi Arabia pursuing their regional rivalry through local proxies. The Trump administration continued to support the Saudi-led air campaign in the country despite bipartisan opposition in Congress and a partial withdrawal by the Saudis' main partner, the UAE.

At the same time, the United States failed to provide steady, meaningful support for democratic processes or an effective, coordinated response to Iranian influence in Lebanon and Iraq, where mass protests against corruption and sectarian politics were met with violence from Iranian-backed militias. In Lebanon, the US administration withheld aid assigned to the national army for months in late 2019 without explanation, undermining one of the few state institutions that is seen as nonpartisan and nonsectarian. The demonstrations there triggered the resignation of Prime Minister Saad Hariri, but there were few signs of any fundamental reforms at year's end, with existing elites choosing Hariri's successor.

DECLINES ACROSS THE BOARD

The 14 years of decline have affected all regions and *Freedom in the World* subcategories.



In Iraq, protesters focused their ire on both the Iranian regime, which they blamed for manipulating the political system and enabling the corrupt rule of allied sectarian groups, and the United States, whose mixed legacy in the country has also shaped current conditions. Iraq held competitive elections in 2018 and was allowing increased space for political opposition and civil society, but the violent response to the 2019 protests and recent Iranian and US military action on Iraqi territory have thrown its future into doubt.

Even as Iran’s leadership continued to sow discord across the region, it confronted angry protests at home sparked by a rise in fuel prices and an accumulation of other grievances. Security forces used live ammunition to crush the demonstrations, leading to hundreds of deaths and an unprecedented internet shutdown intended to smother news of the violence.

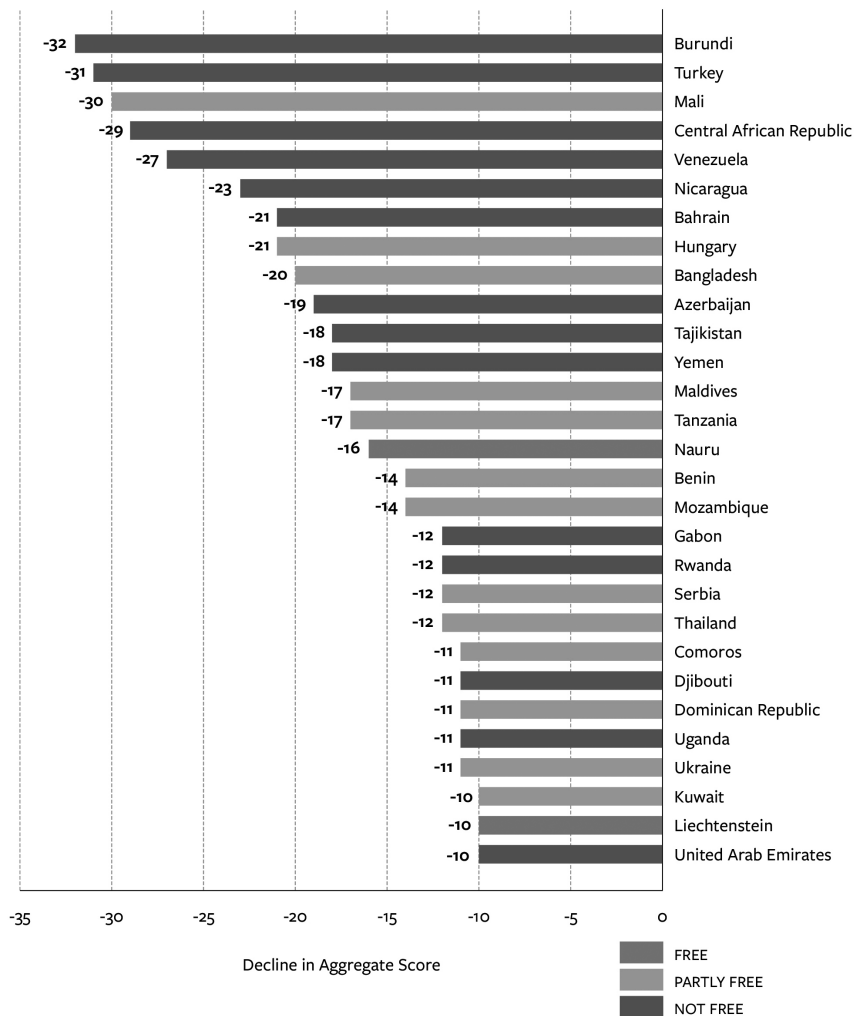
In contrast to the Middle East, the United States has been fairly steadfast in its support for democratic forces in Venezuela, and many other democracies have followed suit. However, authoritarian states like China, Russia, and Cuba have come to the aid of Nicolás Maduro’s regime, allowing him to cling to power despite a worsening political, economic, and humanitarian crisis. Hope was high in early 2019 as Juan Guaidó was sworn in as the country’s interim president; the opposition-controlled National Assembly found that Maduro’s reelection in 2018 had been fraudulent, and cited a constitutional provision calling for the National Assembly’s president to serve as temporary leader in the event of a vacancy. But even as protests continued throughout the year, Maduro proved resilient. In January 2020 he initiated a new power grab, deploying security forces to physically block opposition lawmakers from entering the National Assembly, the country’s last democratically elected institution. The years-long turmoil in Venezuela has created operating space for cross-border criminal and insurgent groups while contributing to mass migration across Latin America and the Caribbean.

PUBLIC DEMANDS FOR DEMOCRATIC GOVERNANCE

The mass protests that emerged or persisted during 2019 in every region of the world are a reminder that the universal yearning for equality, justice, and freedom from oppression can

LARGEST 10-YEAR DECLINES

Dramatic declines in freedom have been observed in every region of the world.



never be extinguished. In Free, Partly Free, and Not Free countries alike, people took to the streets to express discontent with existing systems of government and demand changes that would lead to better, more democratic outcomes. While striking in their numbers, the protests have frequently foundered in the face of resistance from defenders of the status quo. Progress is evident in some cases, but the ultimate outcomes are unclear, and the protests in general have yet to usher in a new period of global democratic progress.

The dramatic protests in Hong Kong erupted in response to a proposed extradition bill that underscored the erosion of civil liberties in the territory under Chinese rule. Even when the bill was eventually withdrawn, the public continued to press for other key demands, including universal suffrage. But Beijing has refused to yield any more ground, and despite

a sweeping opposition victory in neighborhood-level elections in November, Hong Kong has suffered more repression to date than it has gained in freedom.

In Algeria, demonstrations broke out following President Abdelaziz Bouteflika’s announcement that he would seek a fifth term. Although he resigned in April and a new president was elected in December, protesters dismissed the electoral process as a bid by entrenched military and economic elites to perpetuate their rule, and the movement has continued into 2020.

Courageous protests in Sudan that began in December 2018 led to the ouster of President Omar al-Bashir in April, ending a 30-year reign that featured multiple civil wars and alleged genocide. The demonstrators, not satisfied with the military junta that replaced al-Bashir, continued to demand systemic reform and civilian rule, enduring horrific crackdowns by the armed forces as democratic powers largely stood by. The protest leaders eventually secured a power-sharing deal in August, raising hopes for justice and free elections in the future, though military and paramilitary commanders retained enormous influence and valuable support from Saudi Arabia, Egypt, and the UAE. Sudan’s *Freedom in the World* score received a five-point net improvement for the year, reflecting real gains that may or may not lead to broader political transformation.

In Bolivia, leftist president Evo Morales left the country amid protests in November after ignoring national referendum results and attempting to secure a fourth term in office through a fraudulent election. However, the interim president who succeeded him, conservative senator Jeanine Áñez, proved to be a polarizing figure and relied on the military to curb counterprotests by Morales’s supporters. New elections are scheduled for May, and there are hopes that democratic governance will be fully restored in Bolivia after years of increasingly heavy-handed rule.

A wave of protests with diverse origins that took place in Chile, Colombia, and Ecuador were initially met with unacceptable force. However, they soon led to dialogue on political reforms, including an agreement by the Chilean government to hold a referendum on



constitutional revisions in April 2020. This sort of response shows that while governance problems may touch off protests in any political environment, democracies should have the flexibility to address popular grievances without resorting to repression or extralegal measures.

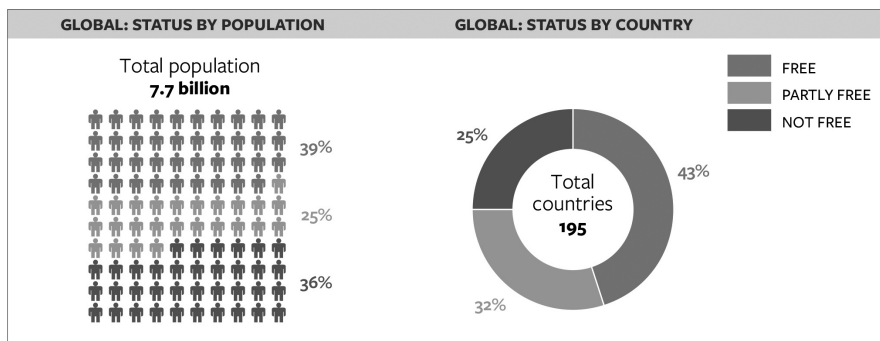
In Ethiopia, years of futile attempts to repress mass protests finally convinced the authoritarian government to opt for reform. Prime Minister Abiy Ahmed, who came to power in 2018 with a mandate to overhaul the system, pressed ahead with his agenda during 2019, revising excessively restrictive laws on elections, terrorism, the media, and civil society organizations. The country has earned a 12-point improvement over the past two years in *Freedom in the World*. However, as the ruling Ethiopian People’s Revolutionary Democratic Front—recently reorganized to form the Prosperity Party—has loosened its authoritarian grip, various ethnonationalist elements have contributed to political and communal violence, and the government has responded with a partial return to repressive tactics like internet shutdowns and arrests of journalists.

THE URGENT NEED FOR DEMOCRATIC SOLIDARITY

Local movements of citizens should not be expected to confront entrenched power structures—often backed by powerful foreign autocracies—without some form of assistance. International democratic actors can help these movements achieve their goals, blunt authoritarian reprisals, and convert breakthrough moments into long-term gains. Unfortunately, instead of consistent and constructive engagement, the world’s democratic powers in 2019 offered only fitful support, frequent indifference or ambiguity, and at times outright abandonment.

Those in the United States and elsewhere who doubt the value of a foreign policy designed to advance human freedom should realize that no one’s rights are safe when tyranny is allowed to go unchecked. History has shown that the chaotic effects of authoritarian misrule abroad are not confined by national borders, and that authoritarian powers will seek to expand their control by subverting the democratic sovereignty of other states. The same is true in domestic affairs: attacks on the rights of specific groups or individuals in a given country ultimately imperil the liberty of the entire society.

Today, as authoritarians fortify themselves at home and extend their international reach, and as some elected leaders adopt a myopic, self-serving, and discriminatory view of their official responsibilities, the world is becoming less stable and secure, and the freedoms and interests of all open societies are endangered. The tide can be reversed, but delay makes the task more difficult and costly. Rather than putting international concerns on hold while they address problems in their own countries, the citizens and genuine public servants of



democracies must apply their core principles simultaneously in both domestic and foreign policy, and stand up for fundamental rights wherever they are threatened.

REGIONAL TRENDS

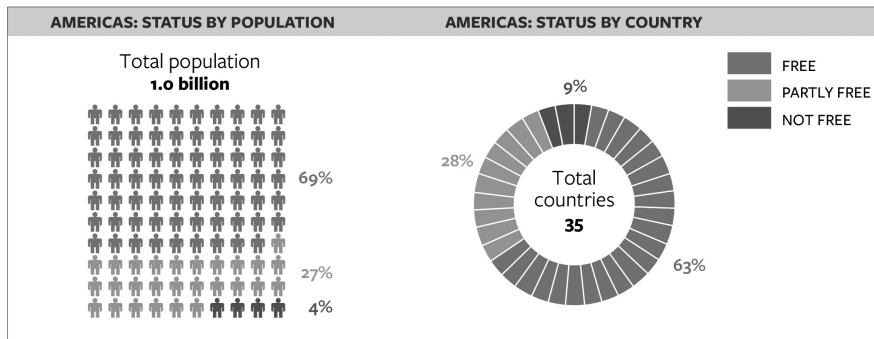
Americas: Mass protests, governance crises, and migration restrictions

The Americas experienced a series of mass protests in 2019, many of which featured violent clashes between protesters and security forces, contributing to a regional pattern in which countries that suffered declines in their freedom scores outnumbered those with improvements. However, some of the protest movements also prompted authorities to address underlying grievances.

In addition to the demonstrations in Bolivia, where Evo Morales was forced from power after seeking a fourth presidential term in a deeply flawed election, strikes in Colombia against the administration of President Iván Duque were met by some police abuse, while a hike in Santiago’s mass transit fares sparked widespread protests and a broader critique of the political system in Chile. The Chilean unrest resulted in at least 29 deaths and thousands of injuries, but in response to protesters’ demands, the government agreed to hold a plebiscite on a new constitution in April 2020. Some concessions were also granted in Ecuador, where austerity measures were reversed following protests that led to seven deaths and injured more than a thousand people.

Acute political and governance crises also affected the region during the year, leading two countries to decline in the *Freedom in the World* indicator pertaining to representative rule. In Peru, President Martín Vizcarra took the unusual step of dissolving the opposition-controlled Congress after it obstructed his anticorruption efforts. The Congress then attempted to “suspend” Vizcarra, but he remained in control and scheduled legislative elections for January 2020. An impasse between the president and parliament in Haiti left that country without a prime minister for most of the year, and local and legislative elections were postponed indefinitely. Meanwhile, antigovernment protests drew a violent police response, leaving more than 40 people dead.

Venezuela, which experienced another year of deterioration in its scores, remained in a political, economic, and humanitarian purgatory as Juan Guaidó, the interim president named by the opposition-controlled National Assembly, struggled to dislodge Nicolás Maduro, who claimed reelection in a fraudulent 2018 vote. Brutal repression of dissent by Maduro’s regime and the allied administration of Nicaraguan president Daniel Ortega has encouraged millions of people to flee abroad, contributing to the region’s larger migration crisis. Nicaragua’s multiyear score decline also deepened.



Restrictive migration policies continued to threaten the basic rights of those seeking refuge outside their home countries. Among other problematic initiatives, El Salvador, Guatemala, and Honduras agreed to deals with Washington that would oblige asylum seekers traveling north to apply for and be denied protection in those countries before filing asylum claims in the United States; those who fail to do so risk being sent back to the countries through which they passed, despite the poor security and human rights conditions there. The three Central American states each suffered score declines for the year, though the specific reasons varied.

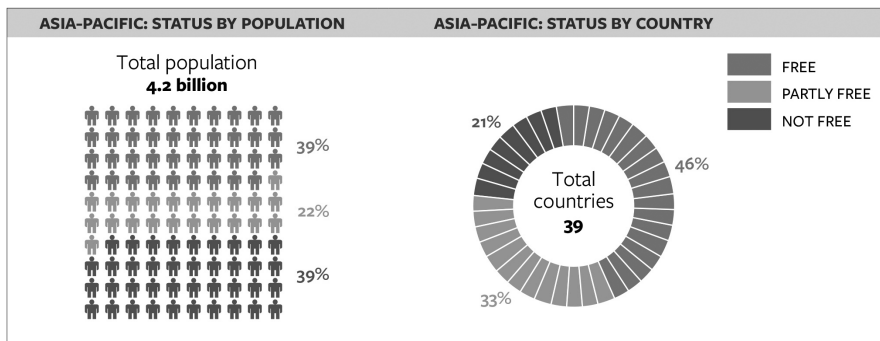
Asia-Pacific: Authoritarians flout fundamental rights of minorities, government critics

Political rights and civil liberties declined overall in Asia, as authoritarian rulers showed their disdain for democratic values through practices ranging from fabricated criminal cases against opposition leaders to mass persecution of religious and ethnic minorities.

In several countries, repressive governments rounded on their perceived enemies after securing new terms through elections. Legislative elections in the Philippines, which experienced a two-point decline on Freedom House’s 100-point scale, solidified majorities for allies of President Rodrigo Duterte, who has overseen a campaign of extrajudicial killings. Just weeks after the voting, prosecutors launched sedition cases against an array of critical politicians, clergymen, and civil society activists. Soon after Gotabaya Rajapaksa, the brother of Sri Lanka’s former authoritarian ruler, was elected president himself, there were reports of a crackdown on journalists and law enforcement officials who had investigated the Rajapaksa family for alleged corruption and human rights violations. While Sri Lanka’s overall score remained unchanged, its corruption score worsened. Indian prime minister Narendra Modi’s discriminatory moves against the political rights of Muslims during the year followed the BJP’s general election victories in the spring, contributing to a four-point decline.

Thailand held its first elections since a military junta took control in 2014, enabling its return to Partly Free status, but opposition parties’ relatively strong showing even in a fundamentally unfair electoral system prompted further repression by authorities. For example, the state filed spurious charges against key opposition leaders later in the year, and prodemocracy activists faced physical attacks.

Conditions in other countries deteriorated in advance of elections due in 2020. Myanmar was downgraded to Not Free as armed conflicts between the military and ethnic rebel groups intensified. Members of the Rohingya minority who remained in the country after years of persecution and mass expulsions continued to face the risk of genocide, according to UN investigators. Singapore passed a “fake news” law that was quickly invoked to silence the opposition and other government critics, resulting in a score decline for freedom of expression.



Meanwhile, autocratic states with no competitive elections found new ways to oppress their citizens and consequently suffered declines in their scores. As China assailed the rights of its Muslim minorities, the sultanate of Brunei activated a new penal code derived from Islamic law that prescribed the death penalty for crimes such as sex outside of marriage.

Eurasia: Closed balloting in autocracies offset by reform hopes elsewhere

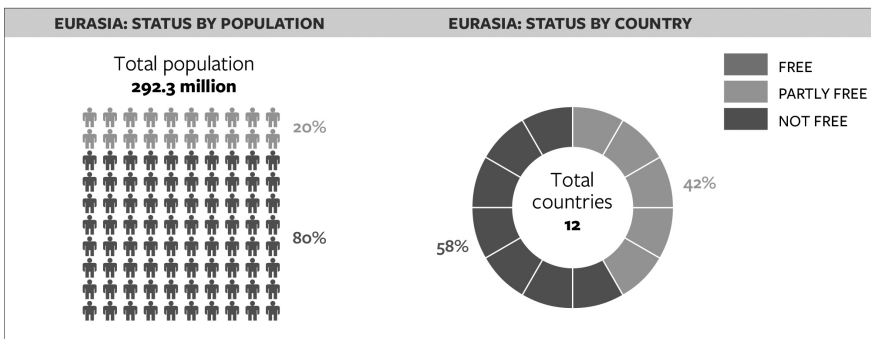
Entrenched strongmen across Eurasia, long one of the worst-performing regions in *Freedom in the World*, used various types of stage-managed elections in 2019 to extend the life of their regimes.

In Russia, the ruling United Russia party won all of the year’s gubernatorial elections, largely by ensuring that viable opposition candidates were not allowed to participate. Even in the Moscow city council elections, which featured a successful strategic-voting campaign organized by dissident leader Aleksey Navalny, the votes lost by United Russia largely went to Kremlin-approved alternatives. Parliamentary elections in Belarus and Uzbekistan also shut out any genuine opposition, leaving legislatures entirely in the hands of progovernment groups.

Longtime president Nursultan Nazarbayev transferred power to a hand-picked successor, Kassym-Jomart Tokayev, through a rigged election in Kazakhstan, and the authorities used arrests and beatings to break up mass protests against the move.

Despite the grim picture overall, some positive signs were evident in several of the region’s Partly Free environments. Newly elected leaders who came to power on promises of systemic reform—Prime Minister Nikol Pashinyan of Armenia, President Volodymyr Zelenskyy of Ukraine, and Prime Minister Maia Sandu of Moldova—took initial steps to uproot the kleptocratic forces that have long stymied their countries’ democratic aspirations. Although Moldova’s reforms stalled when Sandu’s coalition government collapsed in November after just five months in power, corrupt former power-broker Vladimir Plahotniuc remained a fugitive after that government’s formation prompted him to flee abroad to avoid criminal charges.

The political opening in Armenia that began with Pashinyan’s long-shot rise to the premiership in 2018 had a positive effect on the disputed territory of Nagorno-Karabakh during 2019. There was an increase in competition and civil society activity surrounding local elections in September, and the stage was set for further changes in the 2020 elections for Nagorno-Karabakh’s president and parliament. Unfortunately, the Eurasia region’s other breakaway territories, which are all occupied by Russian troops, remained locked in a pattern of stagnation or decline in political rights and civil liberties.



Europe: Illiberal populists defend or gain power, threatening democratic norms

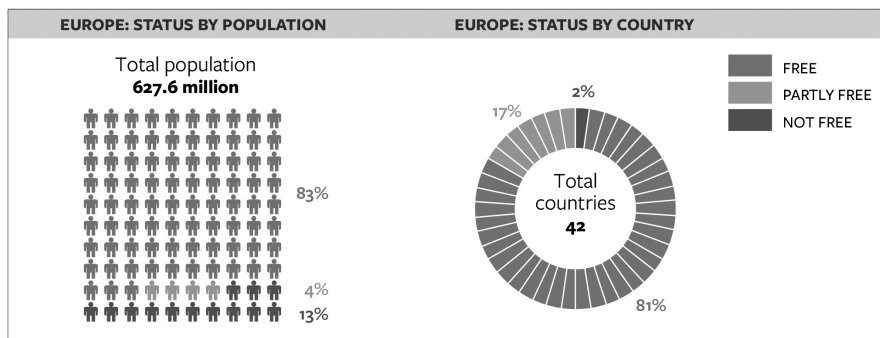
The principles of liberal democracy in Europe, historically the best-performing region in Freedom in the World, have been under serious pressure in recent years.

Illiberal populist leaders and parties in Central Europe maintained their assault on independent institutions during the year. In the Czech Republic, Prime Minister Andrej Babiš's replacement of the justice minister with a close ally raised concerns that he was attempting to block criminal charges for his alleged misuse of European Union funds, prompting the country's largest protests since 1989. Poland's legislative elections laid bare the extent to which the ruling Law and Justice party had politically captured the state media, whose taxpayer-funded broadcasts leading up to the voting amounted to partisan propaganda. Although it lost control of the Senate, the less powerful upper house of Poland's parliament, Law and Justice retained its lower-house majority and redoubled its efforts to purge the judiciary at year's end.

In Montenegro and Serbia, independent journalists, opposition figures, and other perceived foes of the government faced ongoing harassment, intimidation, and sometimes violence. Public frustration with the entrenched ruling parties boiled over into large protests in both countries, but they failed to yield any meaningful change.

Far-right parties made electoral gains in Estonia, where the Conservative People's Party entered government for the first time, and in Spain, where Vox capitalized on gridlock that left the country without a governing majority for most of the year.

In several cases, however, elections produced at least the possibility of improvements for liberal democracy. Voters in Turkey ousted the ruling Justice and Development Party from municipal governments in Ankara and Istanbul, even if President Recep Tayyip Erdoğan's power was still unchecked at the national level. To the north, Latvia's new government committed itself to tackling corruption and oligarchic influence, and balloting in Kosovo lofted the opposition nationalist Vetëvendosje party into office, where it has an opportunity to change the country's culture of corruption. North Macedonia held a competitive presidential election, helping to repair the antidemocratic legacy of former prime minister Nikola Gruevski. And Romania amended its electoral code, expanding access to the franchise ahead of its presidential vote. The country ended the year with a new government after the corruption-plagued Social Democratic Party, whose agenda had endangered the rule of law, was defeated in a parliamentary confidence motion.



Middle East and North Africa: Elections are rare, rigged, or indefinitely postponed

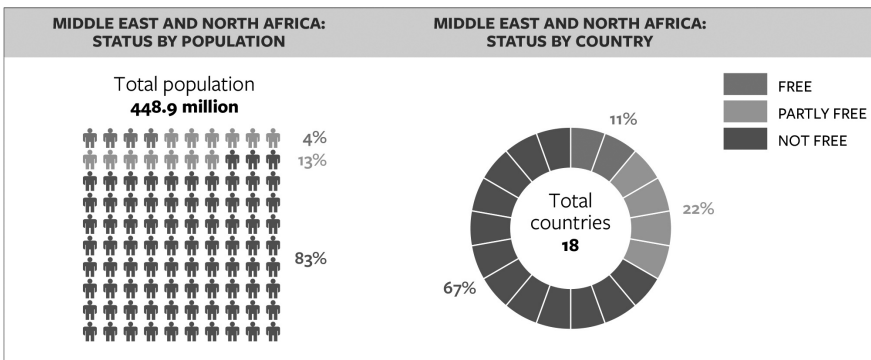
Tunisia held competitive and credible elections for the presidency and parliament in September and October 2019, confirming its status as the only Free country in the region other than Israel. It was also the only country to earn a score improvement for the year. Tunisians continued to face serious challenges, including an unreformed security sector and the constant threat of terrorist attacks. A state of emergency has been in place continuously since 2015. Nevertheless, Tunisia’s democracy, born during the 2011 Arab Spring, has proven resilient so far, and its political achievements are especially impressive in comparison with the rest of the Middle East and North Africa, where credible elections remain exceedingly rare.

In Qatar, for example, the 2003 constitution promised that two-thirds of the national advisory council—the country’s closest thing to a parliament—would be elected every four years, but the emir has repeatedly postponed the voting, most recently in 2019, contributing to a low political rights rating. The elections are currently not expected before 2021, though like Saudi Arabia, which has one of the worst scores in all of *Freedom in the World*, Qatar has held circumscribed balloting for municipal advisory bodies. The UAE, another Persian Gulf state ruled by hereditary monarchs, has held nonpartisan elections for half of its Federal National Council since 2006, but the franchise in 2019 was still limited to a fraction of the citizen population, which in turn accounts for only a tenth of the country’s residents. Turnout remained low even among those with the power to vote.

Elections and governance in Iraq and Lebanon are distorted by sectarian militias, corrupt patronage networks, and interference from foreign powers—entrenched problems that stoked the frustration of protesters during 2019. In Morocco, Jordan, and Kuwait, all Partly Free countries, powerful monarchies continue to assert their dominance over elected parliaments and control cabinet appointments. In October, for instance, Morocco’s king engineered a cabinet shuffle that replaced many elected politicians with nonpartisan technocrats, leading to a one-point decline.

In the Palestinian territories, both consistently ranked Not Free, the unresolved schism between the Islamist group Hamas in Gaza and the Palestinian Authority led by the Fatah faction in the West Bank has contributed to legal confusion and repeated postponement of elections. No presidential election has been held since 2005, and the last parliamentary balloting was in 2006. Authorities loyal to Fatah and Hamas continued to suppress dissent in their respective territories during 2019, underscoring their lack of democratic legitimacy.

Egypt has held multiple elections since President Abdel Fattah al-Sisi seized power in 2013, but they have all been tightly controlled, rubber-stamp affairs, with no genuine opposition campaigning permitted. In April 2019, the regime orchestrated a constitutional



referendum that extended the president’s current term to 2024, after which he can seek another six years in office. The plebiscite, which suffered from low turnout despite alleged vote-buying and intimidation meant to ensure a strong endorsement, also further weakened judicial independence and strengthened the military’s role in civilian governance, causing a one-point decline in the indicator for representative rule.

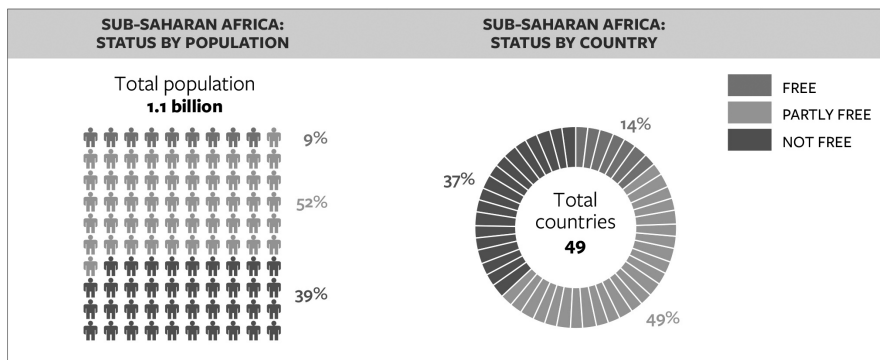
Sub-Saharan Africa: Setbacks for democracies, authoritarian states in transition

Democratic backsliding in West Africa accelerated in 2019. Benin, previously one of the continent’s top performers, held legislative elections from which all opposition parties were effectively excluded. The flawed process, which featured an internet shutdown and violence against antigovernment protesters, contributed to a remarkable 13-point decline. Senegal’s presidential election went forward without two of the country’s most prominent opposition figures, who were barred from running due to criminal cases that were widely viewed as politically motivated, leading to a one-point decline.

Opposition parties were able to compete in Nigeria’s general elections, but the balloting was marred by major procedural irregularities and a rise in violence and intimidation, driving the country’s scores down in all three election-related indicators. The manipulation of online content during the electoral period and the government’s increasing hostility toward the media threatened free expression throughout the year. In Guinea, which was set to hold a presidential election in 2020, protesters turned out in an attempt to block President Alpha Condé’s drive to change the constitution and run for a third term. The country suffered a three-point decline as legislative elections were postponed and civic groups faced harassment for opposing the third-term effort.

East and Southern Africa presented more of a mixed picture. In Tanzania, Zimbabwe, and Uganda, the space for independent civic and political activity continued to shrink as incumbent leaders worked to silence dissent. All three countries experienced declines in their scores. However, there was notable progress in some authoritarian states as they proceeded with tenuous reforms. While it remains to be seen whether the military in Sudan will abide by its power-sharing agreement with prodemocracy protest leaders and cede control to civilian leadership ahead of elections in 2022, the Sudanese people have already experienced initial improvements in political rights and civil liberties.

Ethiopia also made notable strides under Prime Minister Abiy Ahmed, reforming restrictive laws and allowing previously banned political groups to operate openly. Still, internal conflict threatened the durability of these gains, and the 2020 elections will be an important test. Angola’s early progress after a change in leadership in late 2017 was fairly



dramatic, but the momentum slowed in 2019, and the results of President João Lourenço's reform agenda, with its emphasis on battling corruption, have yet to be fully realized.

COUNTRIES IN THE SPOTLIGHT

The following countries featured important developments in 2019 that affected their democratic trajectory, and deserve special scrutiny in 2020.

- **Bolivia:** Protesters helped oust President Evo Morales after he claimed a fourth term in a severely compromised election, and a new vote is expected this year.
- **Haiti:** A political stalemate prevented the government from tackling critical problems, as elections were postponed and mass protests disrupted activity at schools, businesses, and hospitals.
- **Hong Kong:** Sustained demonstrations against meddling by Beijing were met with police violence, but undeterred voters expressed overwhelming support for prodemocracy candidates in local elections.
- **India:** Prime Minister Narendra Modi's discriminatory actions against Muslims, and a fierce crackdown on protesters opposing the changes, indicated a deterioration of basic freedoms in the world's largest democracy.
- **Iran:** Security forces killed hundreds of people and arrested thousands in a bid to stamp out antigovernment protests, and authorities set a worrying new precedent with a near-complete internet shutdown that suppressed media coverage and ordinary communications during the crisis.
- **Nigeria:** The year's elections were marred by serious irregularities and widespread intimidation of voters, poll workers, and journalists, marking a decline from the 2015 elections.
- **Sudan:** A prodemocracy protest movement overcame violent reprisals to secure a power-sharing deal with the military, which overthrew entrenched dictator Omar al-Bashir under pressure from the demonstrators.
- **Tunisia:** Competitive presidential and parliamentary elections reinforced the country's democratic institutions, though a state of emergency remained in place due to the ongoing threat of terrorism.
- **Turkey:** Municipal elections yielded landmark victories for the opposition, but restrictions on basic rights persisted, including repression of those speaking out against the state's latest military incursion into northern Syria.
- **Ukraine:** Electoral victories by Volodymyr Zelenskyy and his party offered the new president a mandate to end hostilities in Russian-occupied Donbas and restart the fight against corruption.

STATUS CHANGES

Benin

Status Change: Benin's status declined from Free to Partly Free because a new electoral code and a series of decisions by the courts, electoral authorities, and the government resulted in the exclusion of all opposition parties from the April 2019 parliamentary elections.

Indian Kashmir

Status Change: Indian Kashmir's status declined from Partly Free to Not Free due to the Indian government's abrupt revocation of the territory's autonomy, the dissolution of its

local elected institutions, and a security crackdown that sharply curtailed civil liberties and included mass arrests of local politicians and activists.

Myanmar

Status Change: Myanmar's status declined from Partly Free to Not Free due to worsening conflicts between the military and ethnic minority rebel groups that reduced freedom of movement in the country.

Mauritania

Status Change: Mauritania's status improved from Not Free to Partly Free due to a relatively credible presidential election that resulted in the country's first peaceful transfer of power after the incumbent completed his term, signaling a departure from a history of military coups.

Senegal

Status Change: Senegal's status declined from Free to Partly Free because the 2019 presidential election was marred by the exclusion of two major opposition figures who had been convicted in politically fraught corruption cases and were eventually pardoned by the incumbent.

Thailand

Status Change: Thailand's status improved from Not Free to Partly Free due to a slight reduction in restrictions on assembly and tightly controlled elections that, despite significant flaws, ended a period of direct rule by military commanders.

RECOMMENDATIONS FOR DEMOCRACIES

A growing disregard for the conditions that form the foundations of democracy—including respect for the rights of minorities and migrants, space for critical dissent, and commitment to the rule of law—threatens to destabilize the democratic order. At the same time, prioritizing a narrow support base at the expense of ensuring fundamental freedoms for all, and neglecting to tie democratic principles to foreign policy, leaves democracies vulnerable to interference from authoritarian regimes, which have increased repression at home and abroad. Yet mass civic movements serve as a reminder that basic freedoms and good governance are a universal desire.

Democracies should work to simultaneously support the core principles of democracy both at home and around the world. The following recommendations are intended to provide a framework for democratic countries as they pursue these goals.

Strengthening and Protecting Core Values in Established Democracies

- **Respect, protect, and fulfill human rights at home.** Attacks by elected leaders on democratic institutions—including the press, an independent judiciary, and anti-corruption agencies—and on the rights of minorities and migrants undermine faith in democracy around the world. Democratic leaders should demonstrate respect for fundamental norms at home by adhering to domestic legislation in line with international human rights laws and standards, and refraining from rhetoric that undermines these standards.
- **Strengthen public support for democratic principles by investing in civic education.** To protect freedom domestically and build support for a foreign policy

that protects our rights and values abroad, it is essential to foster a stronger public understanding of democratic principles, especially among young people. In the United States, new legislation could require each state to develop basic content and benchmarks of achievement for civic education, including instruction on the fundamental tenets of US democracy. In the absence of new legislation, the US Department of Education should, to the extent possible, make funding available to states for civic education that focuses on democratic principles.

- **Guard against the manipulation of open democracies by authoritarian actors by:**
 - **Fighting manipulation of media and social media.**
 - **Increase transparency requirements for foreign state-owned propaganda outlets operating in democratic states.** Outlets like Russia's RT and China's CGTN spread government-approved narratives without clearly disclosing that they are government-financed. Measures to improve transparency could include reporting requirements for media outlets' spending on paid advertorials (advertisements designed to resemble an independent, objective news article), ownership structures, and other economic ties to repressive state actors.
 - **Require social media companies to report foreign efforts to spread online disinformation and propaganda.** Social media companies should be required to report regularly to target governments on efforts by foreign governments and nonstate actors to manipulate public opinion and undercut democratic values by spreading disinformation and propaganda on their platforms. In the United States, the government should assess which entities would be the most appropriate to receive these reports, since this information is of interest across jurisdictions, including to intelligence agencies, Congress, the US State Department's Global Engagement Center, the Securities and Exchange Commission, and the Department of Justice. The US government should carefully decide on the types and sizes of social media companies required to comply, the data they must submit, and appropriate penalties for noncompliance. The entity receiving the information should report findings regularly to the public and make the data publicly available, while ensuring the protection of users' privacy.
 - **Address the use of bots on social media.** Bots (automated accounts pretending to be real people) can be used to distort the online media environment by rapidly spreading false information, fomenting discord, and drowning out independent reporting and factual information. Democracies should address the use of bots in social media manipulation. In the United States, the Bot Disclosure and Accountability Act (S. 2125) would authorize the Federal Trade Commission to require the conspicuous and public disclosure of bots intended to replicate human activity.
 - **Preventing election interference.** Efforts should include protecting elections from cyberattacks through the use of paper ballots and election audits, and improving transparency and oversight of online political advertisements. In the United States, Congress should pass and the president should sign the Honest Ads Act (S. 1356/H.R. 2592), which would modernize existing laws by applying disclosure requirements to online political advertising.
 - **Strengthening laws that guard against foreign influence over government officials.** Legislative proposals requiring greater transparency about officials' personal finances and campaign donations, more rigorous standards for the

disclosure of conflicts of interest, and the establishment of a clear code of conduct for engagement with foreign officials can help insulate governments from foreign attempts to subvert democratic institutions. In the United States, this could include passing legislation to enforce the principles of the constitution's foreign emoluments clause, closing loopholes in rules on reporting foreign influence, and modernizing financial disclosure requirements for elected officials.

- **Preventing corrupt foreign officials from laundering stolen assets through democracies.** Corrupt actors steal more than \$3 trillion annually from their home countries, the effects of which undermine institutions critical to democracy and harm economic growth in these countries. Stolen funds are routinely funneled through international financial markets, laundered via seemingly legitimate purchases in democratic nations. These practices pose a risk to the reputations of companies unwittingly involved and to financial markets overall. Democracies should strengthen transparency laws to ensure accurate identifying information about purchasers and their funding sources is available. Governments should ensure robust oversight of laws and investigate and prosecute violators when necessary. In the United States, lawmakers should advance measures like the Corporate Transparency Act (H.R. 2513) and the similar ILLICIT CASH Act (S. 2563), which would prohibit corrupt actors from hiding behind shell corporations by requiring the disclosure of true, beneficial owners.
- **Making the fight against kleptocracy and international corruption a key priority.** In the United States, the CROOK Act (H.R. 3843) would establish an action fund that would offer financial assistance to foreign countries during historic windows of opportunity for anticorruption reforms. The Combating Global Corruption Act (S. 1309) would require the US government to assess corruption around the world and produce a tiered list of countries. US foreign assistance directed at the lowest-tiered countries would require specific risk assessments and anticorruption mechanisms, such as provisions to recover funds that are misused.
- **Restrict the export of sophisticated surveillance tools to unfree countries, and require businesses exporting dual-use technologies to report on the human rights impact of those products.** Technologies such as facial-recognition surveillance, social media monitoring, and targeted interception or collection of data equip authoritarian governments with new and robust power to violate fundamental rights. The sale of such technologies—including ones that use machine learning, natural-language processing, and deep learning—should be restricted from countries rated Partly Free or Not Free by any Freedom House publication. Businesses exporting dual-use technologies (those with both civilian and military purposes) should be required to report annually on the impact of their exports, including by disclosing the countries to which they have exported such technologies, potential human rights concerns in those countries, a summary of pre-export due diligence undertaken to ensure the products are not misused, any human rights violations that have occurred as a result of the use or potential use of their technologies, and any efforts undertaken to mitigate the harm done and prevent further abuses.

Defending and Expanding Democracy around the World

- **Support democracy in both word and deed as a key pillar of foreign policy by:**
 - **Emphasizing democracy-strengthening programs in foreign assistance.** Democracies are to be applauded for the significant resources they have invested in recent decades to strengthen democratic movements, systems, and institutions

around the world. Yet, significant, consistent funding and creative approaches that take advantage of new technological tools and data are needed to counter authoritarian resurgence. Democracies should select priorities based on recognition of what can realistically be achieved through external assistance, with emphasis on long-term and locally driven solutions. A high priority should be supporting nonstate actors, including civil society and citizen-led social movements, with technical assistance and training on issues such as coalition and constituency building, advocacy, and how to operate safely both physically and digitally. Connecting activists across borders so that they can share strategies, tools, and approaches should also be prioritized. Programs that ensure that elections are free, fair, and transparent and that power is genuinely contested are also critical.

- **Focusing attention and funding on countries at critical junctures.** These include countries that have experienced recent expansions in freedom, such as Ethiopia and Sudan, as well as countries in which democratic progress is threatened, such as Benin and Sri Lanka. Policymakers from democratic nations should engage in high-level public diplomacy with these states to signal international commitment to democratic progress. Funding should assist democratically inclined leaders and local civil society organizations in delivering tangible expansion of political rights and civil liberties.
- **Supporting civil society and grassroots movements calling for democracy.** Peaceful protest movements calling for reform can spur long-term democratic change, but face greater odds without international support. Democratic governments should provide vocal, public support for grassroots pro-democracy movements, and respond to any violent crackdowns by ruling regimes with targeted sanctions, reduced or conditioned foreign assistance, and public condemnation.
- **Investing in alliances with other democracies, and in multilateral institutions.** Confronting authoritarian and antidemocratic trends globally requires a united front among democratic nations. Assumptions that a country's individual sovereignty is threatened by deep cooperation with allies will only isolate democracies from one another, leaving them weaker and less capable of meeting the challenge of resurgent authoritarianism. Democracies should work together to promote their shared values and constrain the behavior of autocratic powers by coordinating aid and public diplomacy efforts, including by bolstering initiatives that promote transparency and accountability in governance, and by issuing joint statements condemning human rights violations. Full engagement by democracies in multilateral institutions strengthens and improves the work of these bodies; moreover, it helps prevent authoritarian rulers from taking advantage of international systems—such as China's efforts to constrain Taiwan's participation in international fora, the recent abuse of Interpol "red notices" in seeking to apprehend journalists and rights defenders, and joint efforts by undemocratic rulers to cut the number of human rights-related jobs within UN peacekeeping missions.
- **Addressing impunity by imposing targeted sanctions on individuals and entities involved in human rights abuses and acts of corruption.** In the United States, a variety of laws allow authorities to block visas or freeze the assets of any person or entity, including private companies, that engages in or supports corruption or human rights abuses. These accountability tools allow governments to sanction perpetrators without harming the general population, and should be applied to individuals and entities regardless of whether their

home country is considered an ally or adversary. Countries with similar laws should robustly enforce them, and legislatures in countries without such laws should seek to pass them.

RECOMMENDATIONS FOR THE PRIVATE SECTOR

Private companies play a key role in sustaining—or weakening—democracy. They have a special responsibility to be mindful of the impact their business activities have on democracy and human rights, and should:

- **Adhere to the UN Guiding Principles on Business and Human Rights.** This includes avoiding commercial relationships with authoritarian governments that force them to violate fundamental rights. Instead, companies should commit to respecting the human rights of their customers and workers. As part of this effort, they should conduct periodic assessments to help them fully understand the effects of their products, policies, and activities. Upon completion of these assessments, companies should develop actionable plans to remedy any evident or potential harm. Given its unique position in authoritarian settings, the technology sector in particular should refuse business arrangements that require either active complicity in or passive acceptance of political censorship and information controls. All companies should ensure products are not being manufactured through the use of forced labor, and joint research is not being used for rights violations.
- **Evaluate potential partners' adherence to the UN Guiding Principles on Business and Human Rights.** Companies should refrain from partnering with entities that do not adhere to these principles. Companies can also abstain from forming partnerships with companies that are wholly or partially owned by states known to violate human rights.
- **Develop rapid-response teams to address cybersecurity and disinformation incidents.** Ahead of significant elections and at times when political tensions are high, social media companies and other content providers should create specialized teams in countries around the world that anticipate digital interference, and devise strategies to prevent interference tactics and mitigate their effects. When designing and implementing new tools to address cybersecurity and disinformation, companies should communicate openly about what new policies they are putting in place and engage with local civil society actors that can provide expertise on the political and cultural contexts in which companies work. Companies should also consult objective research that will help inform them of potential flashpoints.

Introduction

The *Freedom in the World 2020* survey contains reports on 195 countries and 15 territories. Each country report begins with a section containing the following information: **population**, **capital**, **freedom status** (Free, Partly Free, or Not Free), and an “**electoral democracy**” **designation**. Each territory report begins with a section containing the same information, except for the capital and the electoral democracy designation. The population figures are drawn primarily from the *2019 World Population Data Sheet* of the Population Reference Bureau.

The **political rights** and **civil liberties** ratings range from 1 to 7, with 1 representing the most free and 7 the least free. The **status** designation of Free, Partly Free, or Not Free, which is determined by the average of the political rights and civil liberties ratings, indicates the general state of freedom in a country or territory. A brief explanation of status changes is provided for each country or territory as required. Any improvements or declines in the ratings since the previous survey are noted next to the relevant number in each report. For a full description of the methods used to determine the survey’s ratings, please see the chapter on the survey’s methodology.

Following the section described above, each country and territory report is composed of three parts: an **overview**, bullets on **key developments**, and an analysis of **political rights and civil liberties**. The overview provides a succinct, general description that explains the country or territory’s place on the 0–7 rating scale; bullets on key developments summarize key events that took place in 2019; and the section on political rights and civil liberties analyzes the degree of respect for the rights and liberties that Freedom House uses to evaluate freedom in the world. This section is composed of seven parts that correspond to the seven main subcategories in the methodology and justify a country or territory’s score for each indicator. The scores for each indicator, subcategory, and category, along with any changes from the previous year, are noted next to the relevant subheading.

Country Reports

Afghanistan

Population: 38,000,000

Capital: Kabul

Freedom Status: Not Free

Electoral Democracy: No

Overview: Afghanistan's constitution provides for a unitary state, headed by a directly elected president, with significant checks from the parliament and a wide range of rights guaranteed to citizens. However, an insurgency waged by Islamist militants has undermined the writ of the state in much of the rural hinterland, severely restricting the franchise. Political rights and civil liberties are curtailed in practice by violence, corruption, patronage, and flawed electoral processes.

KEY DEVELOPMENTS IN 2019

- Conflict between Afghan government forces and US forces, and the Taliban rebel movement continued. The Islamic State (IS) militant group also continued to recruit fighters, hold territory, and undertake suicide attacks. In October, UN monitors said they had recorded 8,239 civilian casualties (2,563 deaths and 5,676 injuries) during the first nine months of the year, attributable to Afghan and allied US forces as well as insurgent groups.
- A new parliament was seated in April, months after polling had taken place in October 2018. However, the body's legitimacy was damaged by allegations that financial corruption and political influence shaped the results of many races.
- Widespread insecurity and disaffection with political elites contributed to a historically low turnout of 1.8 million in September's presidential election. Preliminary results, announced by the Independent Election Commission (IEC) in December, gave incumbent President Ashraf Ghani just over 50 percent. While implementation of biometric voter verification technology was credited with helping prevent fraud, the vote count and complaints-adjudication process once again proved protracted, and were both ongoing at year's end.
- The US government conducted nine rounds of negotiations with the Taliban in Doha, Qatar, from January to August. However, a draft agreement was abandoned in September after objections by US President Donald Trump to continued Taliban terror attacks. In November, it was announced that talks would resume.

POLITICAL RIGHTS: 13 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

Afghanistan's president is directly elected for up to two five-year terms and has the power to appoint ministers, subject to parliamentary approval.

In 2014, then US secretary of state John Kerry brokered a National Unity Government (NUG) after the 2014 presidential election was disputed between the two leading candidates, former finance minister Ashraf Ghani and former foreign minister Abdullah Abdullah. Under the terms of the NUG, Ghani became president, and Abdullah was installed as chief executive, a new post resembling that of a prime minister, which was not supported by the

constitution. Ghani's term expired in May 2019, but he remained in office by order of the Supreme Court, pending the outcome of 2019 presidential election; the poll was delayed a number of times during the year.

A first round presidential poll was eventually held in September, with Ghani and Abdullah again emerging as the leading candidates. However, the count, audit, and complaints adjudication process once again proved protracted. Preliminary results, announced by the IEC in December, gave the incumbent President Ghani just over 50 percent. But at year's end, complaints adjudication was still under way, and it could not be determined whether a second round would be mandated.

International observers and electoral experts generally concluded that any mandate drawn from the September 2019 poll would be flawed. The primary objection related to the low turnout of approximately 1.8 million—a historic low for a presidential election, and less than half the number of people who voted in the most recent parliamentary election, in 2018. While biometric voter verification technology was successfully implemented ahead of the polls, other aspects of the integrity of the electoral management was questioned. There were also a number of attacks targeting voters on election day, though no large-scale violence took place.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

In the directly elected lower house of the National Assembly, the 249-seat Wolesi Jirga (House of the People), members stand for five-year terms. In the 102-seat Meshrano Jirga (House of Elders), the upper house, the provincial councils elect two-thirds of members for three- or four-year terms, and the president appoints the remaining third for five-year terms. The constitution envisages the election of district councils, which would also send members to the Meshrano Jirga, though these have not been established. Ten Wolesi Jirga seats are reserved for the nomadic Kuchi community, including at least three women, and 65 of the chamber's general seats are reserved for women.

Parliamentary elections originally scheduled for 2014 were postponed amid security concerns, and the president extended the legislature's mandate with an apparently unconstitutional decree until elections were finally held in October 2018. Despite security threats from the Taliban, which threatened to punish people for voting, and poor organization by the IEC, more than four million people voted (approximately half of registered voters). Some poll workers were absent on election day due to fears of violence, and difficulties with the untested biometric identification system contributed to delays in opening polling stations, and long lines. Many people reportedly waited hours to vote, and some left before casting their ballots.

The Taliban followed through on threats to carry out attacks across the country, which, according to the United Nations, killed 56 people and injured 379. The technical challenges and insecurity forced the IEC to add a second day of voting in some regions. In December 2018, the Electoral Complaints Commission (ECC) ruled that all votes cast in Kabul Province were invalid due to widespread fraud, but reversed the decision under international pressure. The election results were only finalized in May 2019, months after the vote. Nevertheless, the winning candidates were eventually sworn in and the new parliament was able to function during the remainder of 2019.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Elections are administered by the IEC, and disputes are adjudicated by the ECC. Following the highly contested vote count and audit process that accompanied the 2018

parliamentary elections, both election management bodies were disbanded in February 2019, and several members of the bodies were prosecuted, found guilty of corruption in September, and jailed. Members of the new IEC and ECC were nominated by political parties and civil society organizations, voted on by the presidential candidates, and sworn in in March. The bodies also included international experts inducted as nonvoting members. Nevertheless, candidates continued to question the independence and competence of IEC and ECC members and their secretariats during the 2019 presidential election.

Parliamentary and provincial council elections are conducted using a Single Non-Transferable Vote (SNTV) system, in multimember constituencies, which tends to award most seats to candidates with a low vote share. Political parties have been unsuccessful in their attempts to replace SNTV with a proportional system. The most significant recent innovations in electoral laws and framework have been the introduction of a voter roll and biometric voter verification in 2018 and 2019. Together, these have gone some way to limit the mass fraudulent voting that marred earlier elections. But, recent electoral complaints have also reflected concerns that the election management bodies may have colluded in circumventing the new safeguards.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Most candidates for elected office run as independents and participate in fluid alliances linked to local and regional patronage networks. Political parties have been free to seek registration since 2005, though they are typically centered on particular ethnic groups or personalities rather than coherent policy platforms.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Multiple opposition leaders and parties seek power through elections. However, the question of whether these elections provide a realistic route to power for a democratic opposition remains unsettled.

The Afghan constitution centralises power in the presidency. The president controls administrative and security-sector appointments throughout the country and exercises significant discretion in financial-resource allocation. This gives the incumbent multiple electoral advantages, both in the pre-poll manoeuvres to make and break alliances, and in influencing the conduct of polls and the count. During the run-up to the September 2019 presidential election, international and other observers raised concerns about the large number of administrative appointments and appointments to the election secretariat, and the suspected large-scale diversion of state resources into campaign funds.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The insurgency waged by the Taliban movement, which has publicly opposed the 2019 presidential election and other elections, is the main constraint on Afghans' political choices. The inability of the electoral administration to operate in Taliban-controlled areas and the fear of Taliban violence or retaliation were among the factors that depressed voter turnout in 2019.

The civil administration and moneyed elites also exert undue influence over the electoral apparatus, and these concerns were reflected in the justice system, when members of

the electoral commissions were tried and convicted of fraud in 2019. The expectation of fraud and sense that actual votes would not count likely contributed to low turnout in areas where there was little Taliban threat to polling.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The constitution recognizes multiple ethnic and linguistic minorities and provides more guarantees of equal status to minorities than historically have been available in Afghanistan. Since 2001, the traditionally marginalized Shiite Muslim minority, which includes most ethnic Hazaras, has enjoyed increased levels of political representation and participation in national institutions. Nevertheless, participation is curtailed for all segments of the population by insecurity, flawed elections, and the dominance of powerful patronage networks. Members of minority groups have limited practical opportunities to organize independently, outside the networks of established leaders.

Women's political participation has been constrained by threats, harassment, and social restrictions on traveling alone and appearing in public. The proportion of women registered as voters declined from 41 percent in 2010 to 34 percent in 2018. In 2018, over 400 women competed for the 68 parliamentary seats allocated to female representatives. All candidates running in the 2019 presidential poll were men.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The ability of the president and their cabinet, acting in concert with the legislature, to set and implement state policies is limited by a number of factors. The government remains heavily dependent on military and economic support from the United States and its allies, and it is unable to enforce its laws and decisions in parts of the country controlled by the Taliban and other insurgents. Parliament exercises weak oversight over the executive, is often disregarded by the government, and very rarely adopts legislation on its own initiative.

The issue of whether the government was free to determine policies was brought into focus by the latest peace process. As the Taliban refused to negotiate with the Afghan government, while foreign troops remain in Afghanistan, the US special envoy went ahead with US-Taliban negotiations. The approach broke with a previous doctrine of promoting "Afghan-owned and Afghan-led" talks. It left the US envoy as the key figure shaping the approach to the peace process, which was the most important political issue in Afghanistan.

C2. Are safeguards against official corruption strong and effective? 1 / 4

There have been periodic arrests, prosecutions, and dismissals of civilian and military officials accused of corruption, and an Anti-Corruption Justice Centre (ACJC) was established in 2016, bringing together specialized police, prosecutors, and courts to focus on high-level malfeasance. Nevertheless, corruption remains an endemic problem, law enforcement agencies and the judiciary are themselves compromised by graft and political pressure, and the most powerful officials and politicians effectively enjoy impunity. An October 2018 report from the US Special Inspector General for Afghanistan Reconstruction (SIGAR) confirmed that the ACJC was failing to prosecute senior officials accused of corruption. Afghan commentators report that many senior positions in government can only be obtained through corrupt payments to figures in the relevant ministry and presidential office.

Allegations of top-level corruption increased after the 2019 presidential poll, with members of the government including Ghani were accused of misappropriating funds to pay for election campaigns.

A May 2019 study by the UN Assistance Mission in Afghanistan (UNAMA) concluded that the proliferation of bodies sharing anticorruption responsibilities and a history of ad hoc initiatives have impeded progress in tackling corruption. During 2019, there was a series of corruption accusations made against officials of the office of the president, including of corrupt allocation of contracts and official jobs, and demands of sexual favors in exchange for jobs.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations are largely opaque, and corruption is endemic in the management of public-sector contracting.

In recent years, the National Procurement Commission, established in 2014 and chaired by the president to guide the National Procurement Authority (NPA), has taken the lead in reforming procurement procedures and attempting to maintain transparency throughout the government. The NPA has centralized supervision of state contracts and claimed to have saved hundreds of millions of dollars in 4,780 approved contracts through the end of 2018.

The ownership of mining companies that receive government contracts often goes undisclosed, effectively allowing individuals and entities legally prohibited from winning contracts, such as members of parliament, to participate.

CIVIL LIBERTIES: 14 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 2 / 4

Afghanistan has a vibrant media sector, with multiple outlets in print, radio, and television that collectively carry a wide range of views and are generally uncensored. Media providers include independent and commercial firms, as well as a state broadcaster and outlets tied to specific political interests.

However, journalists face the threat of harassment and attack by the Islamic State (IS) militant group, the Taliban, and government-related figures attempting to influence how they are covered in the news. Restrictions on freedom of expression have been justified in the name of avoiding incitement to or support of terrorism. The Afghan authorities ban the live television coverage of terrorist incidents, which can restrict on-the-ground television reporting. In November 2019, the prominent pro-Taliban commentator Waheed Mozhda was killed in an apparently targeted shooting, which was unsolved at year's end.

A rapid expansion in the availability of mobile phones, the internet, and social media has granted many Afghans greater access to diverse views and information. The NUG publicly supported media freedom and cooperated with initiatives to counter security threats to the media. Nevertheless, high-level officials, including Ghani, frequently question the validity of stories critical of the government and attempt to discredit journalists, undermining trust and confidence in the media.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

While religious freedom has improved since 2001, it is still hampered by violence and discrimination aimed at religious minorities and reformist Muslims. The constitution establishes Islam as the official religion and guarantees freedom of worship to other religions. Blasphemy and apostasy by Muslims are considered capital crimes, and non-Muslim

proselytizing is strongly discouraged in practice. Conservative social attitudes, intolerance, and the inability or unwillingness of law enforcement officials to defend individual freedoms mean that those perceived as violating religious and social norms are highly vulnerable to abuse.

Terrorist attacks against places of worship continued during 2019. In May, an attack on the Al-Taqwa mosque in Kabul killed two people including a prominent cleric known for his criticism of terrorist violence. In October, at least 69 people were killed in a suicide bomb attack against a mosque in eastern Nangarhar Province. IS was suspected of carrying out this attack as punishment for the community's opposition to the group.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is largely tolerated in government-controlled areas, where public schools and universities enjoy full autonomy from the government (though there are serious shortages of qualified instructors and up-to-date teaching materials).

Government security forces and the Taliban have both taken over schools to use as military posts. The expansion of Taliban control in rural areas has left an increasing number of public schools outside of government control. The Taliban operate an education commission in parallel to the official Ministry of Education. Although their practices vary between areas, some schools under Taliban control reportedly allow teachers to continue teaching, but ban certain subjects and replace them with Islamic studies.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Although private discussion in government-held areas is largely free and unrestrained, discussion of a political nature is more dangerous for Afghans living in contested or Taliban-controlled areas. Government security agencies have increased their ability to monitor the internet, including social media platforms. However, this monitoring has not yet had a perceptible impact on social media use.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees the right to peaceful assembly, subject to some restrictions, but this right is upheld erratically from region to region. The police sometimes fire live ammunition when attempting to break up demonstrations. Protests are also vulnerable to attacks by IS and the Taliban. In September 2019, 26 people attending an election rally address by President Ghani in Parwan Province were killed in a suicide bombing. Public demonstrations have tapered off in recent years, due in large part to the history of attacks against them, particularly by IS.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

The constitution guarantees the right to form nongovernmental organizations (NGOs), and both the legal framework and the national authorities are relatively supportive of civil society groups. NGOs play an important role in the country, particularly in urban areas, where thousands of cultural, welfare, and sports associations operate with little interference from authorities.

However, NGOs are sometimes hampered by official corruption and bureaucratic reporting requirements, and the threat of violence by armed groups is a major obstacle to their

activities. In May 2019, a complex attack claimed by the Taliban targeted the compound of the US-based group Counterpart International in Kabul, and killed at least five people. In November, an American working with the United Nations in Afghanistan was killed in Kabul during a grenade attack on the UN-marked vehicle he was traveling in. In December, a vehicle of the aid group Peace Japan Medical Services was ambushed in Nangarhar, resulting in the death of the head of the group and five Afghan colleagues.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Despite broad constitutional protections for workers, labor rights are not well defined in law, and no effective enforcement or dispute-resolution mechanisms are currently in place. Unions are largely absent from the informal and agricultural sectors, which account for most Afghan workers.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

The judicial system operates haphazardly, and justice in many places is administered on the basis of a mixture of legal codes by inadequately trained judges. Corruption in the judiciary is extensive, with judges and lawyers often subject to threats and bribes from local leaders or armed groups. Informal justice systems, employing variants of both customary law and Sharia (Islamic law), are widely used to arbitrate disputes, especially in rural areas. The Taliban have installed their own judiciary in areas they control, but many Taliban commanders impose arbitrary punishments without reference to this system.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Prosecutions and trials suffer from a number of weaknesses, including lack of proper representation, excessive reliance on uncorroborated witness testimony, lack of reliable forensic evidence, arbitrary decision-making, and failure to publish court decisions. The police force is heavily militarized and primarily focused on its role as a first line of defense against insurgents in administrative centers. There are high levels of corruption and complicity in organized crime among police, particularly near key smuggling routes. There is an entrenched culture of impunity for the country's political and military power brokers.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The US government conducted nine rounds of negotiations with the Taliban in Doha, Qatar, from January to August 2019. US special envoy Zalmay Khalilzad attempted to secure Taliban cooperation on counter-terrorism, a ceasefire, and Taliban participation in political talks with the Afghan government, in return for a US troop-withdrawal timetable. However, a draft agreement was abandoned in September after objections by the US President Donald Trump to continued Taliban terror attacks. In November, it was announced that talks would resume, with an effort to persuade the Taliban to accept a phased process of violence reduction, as the peace process unfolds.

As talks were taking place, the movement's military launched its annual spring offensive and continued violent attacks throughout the year. They mainly attacked Afghan government targets, as well as civilians they deemed to be associated with the government, only rarely attacking international military forces.

While the Taliban were able to consolidate their hold on most rural areas, the government and United States increasingly relied on aerial bombardment and raids into areas held by the Taliban. Several minor administrative headquarters (*uluswalis*) changed hands, often

taken by the Taliban and later retaken by government. Ultimately, the Taliban were unable to take and hold any of the country's 34 provinces.

IS continued to recruit fighters and to hold pockets of territory in 2019. The group undertook suicide attacks against Shia targets, such as the suicide bombing of a wedding in Kabul in August 2019, which left more than 90 people dead and more than 140 injured. However, the number of such attacks by IS fell relative to the previous year. There was sustained fighting between IS and the Taliban in eastern Afghanistan, where the Taliban tried to retake areas they had lost to the group.

Overall civilian casualties remained at a level similar to 2018, with the UNAMA recording 8,239 during the first three quarters of 2019. However, the intensity of violence fluctuated. UN monitoring indicated that during the first and second quarters of the year, more civilian casualties were caused by Afghan and allied US forces than by insurgents. The quarter ending in September, which saw the temporary conclusion of the US-Taliban talks, also witnessed the highest level of civilian casualties recorded by the UN in any quarter, during a decade of monitoring. The UN attributed 62 percent of civilian casualties recorded from January to the end of September to the Taliban and other insurgent groups. Meanwhile, defeats suffered by IS were reflected in a halving of civilian casualties attributed to the group during the first three quarters of the year; 12 percent of all civilian casualties were attributed to the group. Further reports emerged of summary executions of civilians who were targeted in raids by special forces units of the National Directorate of Security (NDS), and so-called "campaign forces" supported by the US Central Intelligence Agency (CIA). For example, in August 2019, a unit of the Khost Protection Force militia summarily executed 11 civilians in Kulalgo, of Zurmat District. Protests against such raids prompted the resignation of NDS Director Mohammed Masoon Stanekzai in September.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Despite some legal protections, religious and ethnic minorities remain subject to harassment and discrimination, including in employment and education. Ethnic-based patronage practices affect different groups' access to jobs depending on the local context. The population of non-Muslim minorities such as Hindus and Sikhs has shrunk to a tiny fraction of its former size due to emigration in recent decades. Women face severe disadvantages in the justice system, access to employment, and other matters, with harmful societal norms often overriding legal guarantees.

There is no legal protection for LGBT+ people, who face societal disapproval and abuse by police. Same-sex sexual activity is considered illegal under the penal code and Sharia.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

The constitution grants Afghans freedom of movement, residence, and travel abroad. However, these freedoms are severely circumscribed in practice by the ongoing civil conflict, which continued to cause mass displacement and render travel unsafe in much of the country in 2019. According to the Office of the UN High Commissioner for Refugees (UNHCR), half a million Afghans were displaced by conflict in 2019. Opportunities for Afghans to seek refuge abroad have been curtailed in recent years, as the European Union (EU) has attempted to reinforce its external border and member states have increased deportations of failed asylum seekers, while Iran and Pakistan have compelled hundreds of thousands of refugees to return home.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 1 / 4

Citizens are formally free to own property, buy and sell land, and establish businesses. However, economic freedoms are constrained by patronage, corruption, and the dominant economic role of a narrow, politically connected elite. Over the past two decades the most profitable activities available to Afghans have been government and defense contracting, narcotics trafficking, and property and minerals development. Investors in all of these sectors have depended on connections to those in power, and land theft backed by the threat of force is a serious problem.

A combination of harassment, extortion, and arbitrary taxation make for a highly unfavorable business climate for any investor hoping to operate within the law. Companies are only able to operate in areas the Taliban controls by paying illegal taxes. The movement now also routinely extorts money from traders in government-controlled towns.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

Domestic violence against women remains pervasive. In 2017, the Ministry of Public Health estimated that 51 percent of women experience domestic violence in their lifetimes. However, women's rights activists maintain that only a small proportion of actual incidents are reported. According to a May 2018 report published by the United Nations, many cases of violence against women are dealt with by traditional mediation, rather than through the criminal justice system; this largely enables impunity for perpetrators.

Women's choices regarding marriage and divorce remain restricted by custom and discriminatory laws. The forced marriage of young girls to older men or widows to their husbands' male relations is a problem, and many girls continue to be married before the legal age of 16. The courts and the detention system have been used to enforce social control of women, for example by jailing those who defy their families' wishes regarding marriage.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The constitution bans forced labor and gives all citizens the right to work. However, debt bondage remains a problem, as does child labor, which is particularly prevalent in the carpet industry. Most human trafficking victims in Afghanistan are children trafficked internally to work in various industries, become domestic servants, settle debts, or be subjected to sexual exploitation. Children are also vulnerable to recruitment by armed militant groups, and to a lesser extent by government security forces.

Albania

Population: 2,900,000

Capital: Tirana

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Albania has a record of competitive elections, though political parties are highly polarized and often organized around leading personalities. Religious freedom and freedom of assembly are generally respected. Corruption and organized crime remain serious

problems despite recent government efforts to address them, and the intermingling of powerful business, political, and media interests inhibits the development of truly independent news outlets.

KEY DEVELOPMENTS IN 2019

- The ruling Socialist Party (PS) won most contested mayoral and council seats in June’s local elections, which were marred by boycotts from the Democratic Party (PD) and Socialist Movement of Integration (LSI). The election campaign was also marked by frequent opposition-led protests, some of which became violent.
- In June, German newspaper *Bild* reported on conversations between PS officials and the leader of an Albanian criminal organization that were recorded ahead of the 2017 parliamentary election. In one conversation, criminal group leader Astrit Advylaj was recorded influencing the selection of a PS parliamentary candidate.

POLITICAL RIGHTS: 27 / 40 (-1)

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is the head of state and is chosen by the parliament for a maximum of two five-year terms; the office does not hold executive power, though the president heads the military and plays a key role in selecting senior judges. The prime minister is the head of government, and is designated by the majority party or coalition. Because both the president and prime minister are selected by lawmakers, their legitimacy is generally dependent on the conduct of parliamentary elections.

In April 2017, Ilir Meta, the head of the LSI, was selected as president. PS leader Edi Rama retained his position as prime minister following the June 2017 parliamentary election.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Albania is a parliamentary republic. The unicameral, 140-member Kuvendi (Assembly) is elected through proportional representation in 12 regional districts of varying size. All members serve four-year terms.

Events preceding the 2017 legislative election reflected ongoing distrust between the opposition PD and the ruling PS. In late 2016, the president called the parliamentary election for the following June. The PD boycotted the election in February 2017, claiming the PS would commit massive electoral fraud. A standoff ensued, with tensions escalating that May, when the PD held a large protest in Tirana. Mediators from the United States and European Union (EU) facilitated an agreement between the parties later that month; the PD was guaranteed several ministerial positions, the chair of the Central Election Commission (CEC), and directorships of several public agencies.

The election was held in June 2017, a week later than initially scheduled. The PS won 74 seats, enough to govern alone, on voter turnout of 46.8 percent. Organization for Security and Co-operation in Europe (OSCE) election monitors praised the contest’s conduct, but noted that the mediated agreement resulted in the “selective and inconsistent application” of electoral law. The mission also noted vote-buying and voter intimidation allegations.

Municipal elections held in June 2019 were also marred by vote-buying allegations dating back to the 2017 election. PD and LSI lawmakers resigned their seats in February and

threatened to boycott the coming local elections. After months of opposition-led protests, President Meta attempted to delay the contests in June, just before the elections, but the parliament reversed his decree and censured him for his actions. The contests proceeded as scheduled, but opposition parties boycotted local races; PS candidates won most mayoral contests and local council seats on a turnout of 23 percent.

While OSCE monitors said the contests were generally orderly, they also reported significant irregularities; parties tracked voter participation, impinging on voters' rights to participate without fear of retribution. Some voters also reported that they were threatened with loss of employment or the withdrawal of social service support depending on their vote. The PD denounced the contest, claiming that turnout figures had been inflated.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

After the 2017 election, the OSCE voiced concerns that the CEC was not operating transparently, and sometimes failed to sanction parties that committed electoral violations, such as failing to adhere to gender quota requirements. After the June 2019 local contests, OSCE monitors again noted the CEC's opaque performance. Opposition parties did not fill commission seats due to their decision to boycott the contest, leaving the PS in effective control of the body during the campaign.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16 (-1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Albanian citizens generally have the right to organize in political parties. The two main parties, the PS and the PD, are sharply polarized and given to personality-driven rivalry. Candidates for legislative elections who do not belong to a party currently seated in the parliament must collect a set number of signatures in order to run.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4 (-1)

Albania's multiparty system provides ample opportunity for opposition parties to participate in the political process, and elections have resulted in the rotation of power among parties. The PD and LSI boycotted the June 2019 local contests, leaving fewer options for Albanians who voted.

Score Change: The score declined from 4 to 3 because opposition parties boycotted local elections in 2019.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

While individuals are generally free to make their own political choices, powerful economic actors can also shape the political sphere through their media holdings and influence on electoral campaigns.

Criminal organizations are also known to influence Albanian politics; in early June 2019, German newspaper *Bild* reported on conversations between PS officials and Astrit Advylaj, leader of an organized criminal group, ahead of the 2017 election. Advylaj was recorded influencing the selection of a PS parliamentary candidate, who later won a seat.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Albanian law guarantees political rights for citizens regardless of their ethnic, racial, lingual, or religious identity. Electoral officials provided voter education materials in minority languages for the 2017 poll. However, the OSCE reported that the CEC did not produce minority-language materials for the June 2019 elections.

Members of the Roma minority and other marginalized groups remain vulnerable to political exploitation. OSCE monitors noted that Romany individuals faced difficulty registering to vote in 2019 due to the lack of a permanent address.

Women are underrepresented both in politics and election administration roles; 36 women held parliamentary seats in 2019.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

In 2017, elections, and thus the timely formation of a new government, were threatened by an impasse between the PD and PS that persisted until international mediators facilitated a political agreement. Once installed, the government was largely able to formulate and implement policy, though its ability to do so was somewhat impacted by the February 2019 opposition boycott.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption is pervasive, and the EU has repeatedly called for rigorous implementation of anti-graft measures. The Special Prosecutor Service was established as part of 2016 reforms, and is tasked with prosecuting high-level corruption; it is functional but has yet to achieve full operational capacity.

In May 2019, a court convicted government official Kelmend Balili of drug trafficking, membership in a criminal organization, and failure to disclose income, sentencing him to an effective 10-year prison sentence. Balili was identified as a drug trafficker in 2016 when his network was disrupted by an international law enforcement operation, but Albanian authorities refrained from arresting him for three years. Former interior minister Saimir Tahiri, who was accused of corruption and drug trafficking in 2018, was acquitted of trafficking in September 2019 but was convicted of abuse of power, receiving a suspended prison sentence.

C3. Does the government operate with openness and transparency? 2 / 4

A robust law on access to information is not well implemented. Public procurement processes and public finances are frequently opaque, though parliamentary procedures are more open and accessible.

CIVIL LIBERTIES: 40 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16

D1. Are there free and independent media? 2 / 4

While the constitution guarantees freedom of expression, the intermingling of powerful business, political, and media interests inhibits the development of independent news outlets; most are seen as biased toward either the PS or the PD. Reporters have little job security and remain subject to lawsuits, intimidation, and occasional physical attacks by those facing media scrutiny. Print media has continued to experience declining revenue, which has driven down journalists' salaries.

In December 2019, the parliament passed two laws allowing government agencies to hear complaints from individuals alleging defamation from television stations and news sites. Under the legislation, these agencies will have the power to fine journalists or restrict the activities of outlets found to have engaged in defamation. Albanian journalists and the Council of Europe all criticized the legislation, which awaited presidential assent at year's end, warning it would harm freedom of expression.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides for freedom of religion, which is generally upheld in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The government typically does not limit academic freedom, though teachers in several districts have faced pressure ahead of elections to participate in political rallies. Access to higher education is affected by corruption.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant restrictions on free and open private discussion, including for online blogs and social media.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is generally respected. Demonstrations by opposition parties and civic groups are common. Opposition protests were frequently held between April and June 2019, ahead of June's local elections, and sometimes turned violent. PD supporters clashed with police in a May rally in Tirana, with the government reporting that 13 police officers were injured. An hours-long clash took place in early June, prompting the US embassy in Tirana to release a statement condemning opposition violence. Protesters returned to Tirana after the local elections, calling for the Rama government to step down over accusations of fraud and collusion with criminal organizations in early July.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Nongovernmental organizations (NGOs) generally function without restriction, but have limited funding due to dependence on foreign donors and policy influence.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The constitution guarantees workers the rights to organize and bargain collectively, and most have the right to strike. However, effective collective bargaining remains limited, and union members have little protection against discrimination by employers.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 2 / 4

The constitution provides for an independent judiciary, but the underfunded courts are subject to political pressure and influence, and public trust in judicial institutions is low. Corruption in the judiciary remains a serious problem, and convictions of high-ranking judges for corruption and abuse of power are historically rare.

In 2016, the parliament approved a variety of reforms designed to boost the judiciary's independence and capacity, including the evaluation of current and prospective judges and prosecutors based on their professionalism, moral integrity, and independence. Vetting processes are ongoing, and in 2019 again led to the dismissal or resignation of many judges over unexplained assets.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Constitutional guarantees of due process are upheld inconsistently. Trial procedures can be affected by corruption within the judicial system, and are sometimes closed to the public. Legal counsel is not always provided to those that cannot afford their own.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Reports of police abuse of detainees continues. Prison inmates suffer from poor living conditions and a lack of adequate medical treatment.

Drug-related crime remains a problem, as Albania is a transit country for heroin smugglers and a key site for European cannabis production.

Traditional tribal law is practiced in parts of northern Albania, and sometimes involves revenge killings.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Roma face significant discrimination in education, health care, employment, and housing. A 2010 law bars discrimination based on race and several other categories, including sexual orientation and gender identity, and a 2013 reform of the criminal code introduced protections against hate crimes and hate speech based on sexual orientation and gender identity. However, bias against LGBT+ people remains strong in practice. Women are underrepresented in the workforce. Women living in rural areas, in particular, have fewer opportunities for employment and education than do men.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Albanians generally enjoy freedom of movement, though criminal activity and practices related to traditional honor codes limit these rights in some areas. People are generally free to change their place of residence or employment.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Numerous property-restitution cases related to confiscations during the communist era remain unresolved. Illegal construction is a major problem, as is bribery linked to government approval of development projects.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The government generally does not place explicit restrictions on social freedoms. Authorities in the past have indicating a willingness to recognize same-sex marriages, but no policy developments have followed.

Domestic violence is widespread, and while the parliament has adopted some measures to combat the problem in recent years, few cases are prosecuted. Police are poorly equipped to handle cases of domestic violence or spousal rape, which is often not understood to be a crime. According to a UN Women survey released in May 2019, 47 percent of female Albanian respondents experienced domestic violence from intimate partners in their lifetime.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Albania has relatively robust labor laws, but lacks the capacity to enforce workplace safety and other protections. Conditions in the manufacturing, construction, and mining sectors are often substandard and put workers at risk.

While Albania continues to struggle with human trafficking, authorities are becoming more proactive in addressing the issue, with the US State Department's 2019 *Trafficking in Persons Report* noting additional funding for victim coordinators and the adoption of a 2018–20 action plan. However, the department also warned that funding for shelters managed by NGOs was delayed during the reporting period.

Algeria

Population: 43,400,000

Capital: Algiers

Freedom Status: Not Free

Electoral Democracy: No

Overview: Political affairs in Algeria have been dominated by a closed elite based in the military and the ruling party, the National Liberation Front (FLN). While there are multiple opposition parties in the parliament, elections are distorted by fraud, and electoral processes are not transparent. Other concerns include the suppression of street protests, legal restrictions on media freedom, and rampant corruption. The rise of the Hirak protest movement in 2019 has put pressure on the regime, with President Abdelaziz Bouteflika resigning and the armed forces moving to maintain their grip on power in response.

KEY DEVELOPMENTS IN 2019

- February saw the beginning of protracted protests, collectively referred to as the Hirak, sparked by President Bouteflika's decision to seek a fifth term in office. He resigned under pressure in April, giving way to interim president Abdelkader Bensalah and opening Algeria to a new transitional phase in its domestic affairs.
- After Bouteflika's departure, the interim government and its military backers, represented by army chief of staff General Ahmed Gaïd Salah, launched an anti-corruption campaign that targeted several entrepreneurs and officials previously associated with his administration. Among them was the former president's brother, Saïd Bouteflika, who received a 15-year sentence in September.
- After Algeria's Constitutional Council rejected two presidential candidates in June and delayed the election scheduled for July, former prime minister Abdelmajid Tebboune was elected president in a December poll. The Hirak denounced the list of candidates for their ties to the old administration and boycotted the election, which earned a historically low turnout rate.

POLITICAL RIGHTS: 10 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The president is directly elected to a five-year term for a maximum of two terms. In 2008, these term limits were removed, allowing President Abdelaziz Bouteflika to serve four terms, but they were reinstated in 2016 when Parliament passed a constitutional reform package. The 2014 presidential vote was marred by ballot stuffing, multiple voting, inflated electoral rolls, and the misuse of state resources to benefit the incumbent.

President Bouteflika's decision to seek another term, which would have been his fifth, sparked the Hirk protests in February 2019; protesters originally called for him to step down during their twice-weekly rallies. In April, President Bouteflika resigned, following loss of support from the armed forces. Upper house speaker and Bouteflika ally Abdelkader Bensalah was named interim president and faced immediate protests due to his association with his predecessor. Despite Bensalah's appointment, army chief of staff General Ahmed Gaïd Salah was considered the country's de facto ruler in Bouteflika's stead. In early June, protesters derided the Constitutional Council's decision to reject the only two candidates who completed timely applications to contest the next presidential election and delay the vote, which was due on July 4.

In September, President Bensalah signed legislation creating a new Independent National Authority for Elections (ANIE), which updated the country's electoral rolls in October. In November, as the campaign began in earnest, the ANIE announced five candidates for the presidency; nearly all of them served as ministers in President Bouteflika's cabinet, roiling protesters who called for a new selection of contestants. November was also marked by a crackdown against the ongoing protests, with hundreds of rally attendees and protesters arrested at the height of the campaign. In addition, authorities issued lengthy prison terms to three former politicians two days before the poll.

In the December election, former prime minister Abdelmajid Tebboune won the presidency in the first round with 58 percent of the vote, followed by former tourism minister Abdelkader Bengrina with 17 percent, former prime minister Ali Benflis with 11 percent, and former culture minister Azzedine Mihoubi with 7 percent. Abdelaziz Belaïd, a 2014 presidential candidate and the only contestant not to serve in Bouteflika's cabinet, won 7 percent of the vote. The Constitutional Council reported a record low turnout of just under 40 percent, while one outside expert suggested a figure as low as 20 percent. Protesters called the election a sham and orchestrated a boycott, and outside observers were not allowed to enter the country to monitor the poll.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The 462 members of the People's National Assembly, the lower house of Parliament, are directly elected to five-year terms. In the 2017 elections, the ruling National Liberation Front (FLN) and Democratic National Rally (RND) won a combined 261 seats. Several other parties each won a far smaller share of seats. An unpublished European Union (EU) assessment of the polls, acquired by Algerian newspaper *Liberté*, noted serious deficiencies in the electoral process, highlighting the inaccessibility of voter rolls and opaque vote-counting procedures. Opposition parties and other observers alleged widespread fraud, and media outlets carried videos recorded by voters that appeared to show ballot-box stuffing and other irregularities.

The president appoints one-third of the members of the upper legislative house, the Council of the Nation, which has 144 members serving six-year terms. The other two-thirds are indirectly elected by local and provincial assemblies. Half of the chamber's mandates come up for renewal every three years. The ruling FLN secured 29 of the 48 indirectly elected seats at stake in December 2018, with the RND and smaller factions or independents taking the remainder.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Algeria's elections, which were previously administered by the Interior Ministry, were often subject to government interference, but pressure from protesters forced the government to create a new electoral authority in 2019. In late July, President Bensalah created an expert panel to oversee a national dialogue working group and create what became the AINE, under the leadership of former parliament speaker Karim Younes. In September, Younes's commission recommended lowering the number of signatures required to add candidates to the presidential ballot from 60,000 to 50,000. The panel also recommended abolishing the requirement for presidential candidates to receive 600 signatures from other elected officials.

The panel's recommendations were accepted in September 2019, and were incorporated into a reform bill passed by Parliament later that month. However, opposition parties and protesters expressed doubts over the electoral reform package after the AINE announced a slate of presidential candidates tied to the outgoing Bouteflika administration. The absence of election monitors in the December presidential election also fostered continued concern in Algerian civil society.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The Interior Ministry must approve political parties before they can operate legally. Parties cannot form along explicitly ethnic lines. The Islamic Salvation Front (FIS), which swept the 1990 local and 1991 national elections that preceded Algeria's decade-long civil war, remains banned. In April 2019, the Interior Ministry legalized ten new parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

Opposition parties play a marginal role in the national legislature, and their activities are regularly curtailed by the government. Election boycotts by opposition groups are not uncommon.

Since the beginning of the Hirak in February 2019, the government has curtailed the ability of opposition parties to assemble and campaign. In August, the authorities prevented three opposition parties, the Socialist Forces Front, the Rally for Culture and Democracy (RCD), and the Labour Party, from holding a meeting inaugurating their planned electoral alliance.

Opposition leaders have also been subject to detention and prosecution in 2019. In September, military intelligence officers arrested Karim Tabbou, spokesperson for the Democratic and Social Union (UDS), an unrecognized political party, for "undermining the morale of the army." Tabbou, a former official in the FFS, had publicly criticized General

Gaïd Salah before his arrest; he was provisionally released later that month to await his trial. A military court handed Labour Party leader Louisa Hanoune a 15-year prison sentence that same month for “harming the authority of the army” and “conspiracy against the authority of the state.”

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Since President Bouteflika’s resignation, the military has maintained its longstanding influence on decision-making, with army chief of staff General Ahmed Gaïd Salah playing a key role until his death in December 2019. The military is the most influential political actor in Algeria, thanks to its lack of accountability and vast resources.

In recent years, there have been allegations and scandals of corruption and financial influence in the selection of political candidates, and of vote-buying during elections. After President Bouteflika’s resignation, General Gaïd Salah initiated an anticorruption campaign targeting entrepreneurs and officials linked with the former administration, which he claimed was aimed at reducing the influence and corruption of these groups on domestic political decisions.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Parties dominated by the ethnic Amazigh (Berber) community, like the Rally for Culture and Democracy (RCD) and the Socialist Forces Front (FFS), are allowed to operate, but their activities are curtailed by the military. These parties control a handful of municipalities, mainly concentrated in the northern region of Kabylie. However, ethnic Berbers have been targeted by the authorities for engaging in political activity. In November 2019, 19 Amazigh activists were handed six-month prison sentences for carrying Amazigh flags during demonstrations, having been accused of endangering Algeria’s territorial integrity. In a separate trial earlier that month, more than 20 activists were fined and sentenced to a year in prison for “threatening national unity.”

Women have gradually played a larger role in Algerian politics, but they remain reluctant running for office, are often unable to secure meaningful influence within Parliament, and are likelier to lose intraparty debates. In the 2017 legislative election, some parties obscured the faces of female candidates in their electoral materials. Women hold only 26 percent of seats in the lower house, and 7 percent in the upper house of Parliament.

LGBT+ people are politically marginalized in Algeria, and have little practical ability to fight for relevant antidiscrimination laws or the repeal of laws criminalizing same-sex relations. Such acts remain prohibited by Article 338 of the penal code, and those convicted face a two-year prison term.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The military has historically served as the ultimate arbiter of political issues in Algeria, and elected heads of government have relied on their support to maintain office; the loss of that loyalty played a significant role in President Bouteflika’s resignation in April 2019. After the president’s departure, army chief of staff General Gaïd Salah became a vital decision-maker before his death in December, becoming the *de facto* leader of the country and driving Algeria into presidential elections over the objections of protesters, who called for a longer period of transition.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Anticorruption laws, a lack of government transparency, low levels of judicial independence, and bloated bureaucracies contribute to widespread corruption at all levels. Moreover, anticorruption investigations are often used to settle scores between factions within the regime.

The April 2019 capture of Ali Haddad, one of Algeria's richest men, marked the beginning of a new anticorruption campaign driven by General Gaïd Salah. Haddad was arrested while he was trying to cross the border into Tunisia with large amounts of money in hand. That same month, police arrested five prominent businessmen for corruption; the defendants included Issad Rebrab, head of food, oil, and sugar refining firm Cevital, and the four Kouninef brothers, who were accused of using ties to the president's brother, Saïd Bouteflika, to win key telecommunications contracts. Rebrab denied wrongdoing and was held in custody through the end of 2019. Prosecutors also summoned former prime minister Ahmed Ouyahia and former finance minister Mohamed Louka to appear in court. Ouyahia was arrested in June along with former prime minister Abdelmalek Sellal; both men were convicted on charges of corruption in December.

In May, Saïd Bouteflika and two former intelligence chiefs, Generals Bachir Athmane Tartag and Mohamed Mediene, were arrested on charges including "plotting against the state" and "undermining the army." Labour Party leader Louisa Hanoune was tried alongside Bouteflika; all four defendants received 15-year sentences from a military court in late September.

C3. Does the government operate with openness and transparency? 1 / 4

The country lacks legislation that guarantees citizens' access to official information. There is considerable opacity surrounding official decision-making procedures, the publication of official acts is rarely timely, and rules on asset disclosure by government officials are weak and poorly enforced.

CIVIL LIBERTIES: 24 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16****D1. Are there free and independent media? 1 / 4**

Although some newspapers are privately owned and some journalists remain aggressive in their coverage of government affairs, most papers rely on government agencies for printing and advertising, encouraging self-censorship. Authorities sometimes block distribution of independent news outlets that are based abroad or online. In June 2019, the government blocked access to news websites *Tout sur l'Algérie* and *Algérie Part* without explanation, and more websites were blocked in August. Viewers can access unlicensed private television channels located in Algeria but legally based outside the country, though these are subject to government crackdowns.

Authorities use legal mechanisms to harass the media and censor or punish controversial reporting. As a result, journalists and bloggers face brief detentions, short jail terms, suspended sentences, or fines for offenses including defamation and "undermining national unity." In March 2019 a court freed Merzoug Touati, a blogger who had been arrested in 2017 for conducting an interview with an Israeli Foreign Ministry spokesperson and publishing it online.

Since the beginning of the HIRAK protests, police have intensified arbitrary arrests to intimidate journalists. In February 2019, a dozen journalists were briefly arrested at a sit-in against media censorship. In July, a journalist accused the police of using physical and verbal violence against him during his brief arrest in the port town of Annaba.

Foreign correspondents have found themselves expelled from Algeria on several occasions in 2019. In March, Reuters journalist Tarek Amara was expelled after reporting on a protest against former president Bouteflika. In April, Aymeric Vincenot, an Agence France-Presse (AFP) bureau chief, was forced to leave the country after his accreditation was not renewed. In May, a Moroccan journalist was briefly detained and subsequently expelled.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Algeria's population is overwhelmingly Sunni Muslim. Members of religious minorities, including Christians and members of the Amazigh community, suffer from state persecution and interference. Proselytizing by non-Muslims is illegal. Authorities have cracked down on the small Ahmadi minority, claiming that its members denigrate Islam, threaten national security, and violate laws on associations. Religious communities may only gather to worship at state-approved locations.

In June 2019, a Protestant Algerian was sentenced to pay a 50,000 dinar (\$420) fine because he set up a tent to host weekly services, after the closure of the local church. In August, the Algerian Protestant Church (EPA) reported that five of its places of worship were closed at the government's behest. This was a continuation of government activity against the EPA, which began its campaign in late 2017. Before this crackdown, the EPA had maintained its status as a legally recognized organization since 1974. Another three Protestant churches, all of them located in the Amazigh-dominated region of Kabylie, were ordered closed in October, with their congregants forcefully removed.

In April 2019, human rights lawyer Salah Dabouz was arrested over a series of Facebook posts, in which he criticized the court in the northern town of Ghardaïa over its discriminatory attitude toward the Mozabite Berber minority.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Authorities generally do not interfere directly with the operations of universities, but debate is circumscribed in practice due to restrictive laws that target the entire population. Academic work is also affected by state censorship of domestically published and imported books. Student organizations have been active in the ongoing Hirak protests that began in February 2019, with members calling for political reforms. The authorities have occasionally resorted to violence to repress these demonstrations.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion can take place relatively freely when it does not focus on certain sensitive topics. The government monitors internet activity in the name of national security and does not disclose information about the program's targets or range, which is thought to be extensive. Social media users and bloggers, particularly those with higher profiles, are sometimes subject to prosecution for critical comments.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 2 / 4

Restrictions on freedom of assembly remain in place, but are inconsistently enforced. The Hirak protests, which have been ongoing since February 2019, have sometimes been tolerated by the authorities. However, security forces have resorted to the use of tear gas,

water cannons, arbitrary arrests, and the excessive use of force to preempt or disrupt some of these rallies. A separate ban on demonstrations is also in force in the capital city of Algiers, but this has been largely ineffective in stopping the Hirak's activities.

Members of the Amazigh community have also seen their ability to assemble curtailed; in June, the government instituted a new ban on demonstrators carrying flags other than the Algerian national flag; the ban was aimed at protestors carrying the Amazigh flag.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

The 2012 law on associations effectively restricts the formation, funding, and activities of nongovernmental organizations (NGOs). Permits and receipts of application submission are required to establish and operate NGOs, but organizations often face considerable delays and bureaucratic obstacles when attempting to obtain such documents, leaving them in a legally precarious position.

NGOs must notify the government of staffing changes and submit detailed reports on their funding; those that accept foreign funding without government approval risk fines or imprisonment. In early 2019, NGOs demanded the repeal of the law on associations.

Authorities have taken a particular interest in Rassemblement Actions Jeunesse (RAJ), a human rights organization that has supported the Hirak. In September, over 20 RAJ members were arrested for participating in an unauthorized meeting in the northeastern city of Bejaia. In October, the NGO's president, Abdelouhab Fersaoui, was arrested and detained in the Harrach prison in Algiers. Co-founder Hakim Addad and eight other members were already imprisoned in Harrach by the time Fersaoui was arrested. Meanwhile, in August, a Middle East and North Africa representative for Human Rights Watch (HRW) was detained and expelled.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The country's main labor federation, the General Union of Algerian Workers (UGTA), has been criticized for its close relationship to the government and for its failure to advocate for workers' interests. The UGTA has also involved itself in Algeria's ongoing political crisis, organizing a pro-government rally in the capital of Algiers in late November 2019.

Workers require government approval to establish new unions; this is difficult to obtain in practice, leaving many unions without legal status. Authorities routinely clamp down on independent unions, some of which have openly supported the protest movement throughout 2019. In April, Raouf Mellal, president of the independent labor union SNATEG, was arrested and released on the same day, after allegedly being subjected to sexual harassment by police. SNATEG, which represents workers for public gas and electricity utility SONELGAZ, planned on launching a three-day strike that month, while calling for a transitional government that included members of the opposition.

In December, Kaddour Chouicha, president of independent higher education workers' union SESS, was arrested and given a one-year prison sentence for his criticism of the military and support for the protest movement. Chouicha is also the vice president of the Algerian League for the Defense of Human Rights.

Several trade unionists closely affiliated with CGATA and COSYFOP, two major independent union confederations, were targeted throughout 2019. Rym Kadri, a member of a COSYFOP-affiliated education workers' union, was arrested for taking part in a November sit-in protest; she was released after four days, but was subject to strict conditions by year's end. In early December, police in the capital of Algiers sealed the headquarters of CGATA, citing "unauthorized activities."

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is susceptible to pressure from the civilian government and the military. Judges are appointed by the High Council of the Judiciary, which is led by the president and the justice minister. Between October and November 2019, the vast majority of judges went on strike, objecting to a decision by the government to reshuffle around 3,000 judges and prosecutors. Judges protested for ten days against the government's interference in the judiciary, but eventually agreed to a compromise with the Justice Ministry in early November.

As part of the agreement, judges were allowed to appeal their transfers and received retroactive pay increases; the ministry also committed to hold a workshop aimed at increasing judicial independence. However, Algeria's National Union of Judges threatened to resume its strike later in late November 2019, accusing the justice minister of renegeing on their agreement.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The lack of independence on the part of judges and prosecutors often erodes the due process rights of defendants, particularly in politically fraught trials. Lengthy delays in bringing cases to trial are common. Prosecutors' requests to extend pretrial detention periods are typically granted. Security forces frequently conduct warrantless searches and engage in arbitrary arrests and short-term detentions.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

A 2006 reconciliation law gave immunity to Islamist and state perpetrators of serious crimes during the civil war, while compensating families of those who were subject to those crimes, which included forced disappearances. The reconciliation law was also notable for criminalizing public discussion on the fate of the disappeared. This was the second post-civil war effort to pardon perpetrators of violence; former president Abdelaziz Bouteflika previously shepherded a 1999 negotiation with the FIS, which secured pardons for thousands of members of its armed wing.

Allegations of torture have decreased since the end of the war, but human rights activists still accuse the police of using excessive force and abusing detainees.

Terrorist groups, including Al-Qaeda in the Islamic Maghreb (AQIM) and the Islamic State militant group, continue to operate in Algeria. However, attacks have grown less frequent in recent years, and no terrorist bombings were reported during 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Officials have made gradual efforts to address the Amazigh community's cultural demands. Tamazight, the Berber language, was named a national language in 1995 and again in 2002; this allowed the language to be taught officially in schools serving Amazigh areas. Tamazight did not become an official language nationwide until the constitution was amended in 2016, a move that allowed its use in administrative documents. Arabic remains the language of government.

Sub-Saharan African migrants, including refugees and asylum seekers, are often arbitrarily arrested and deported from the country—or simply abandoned at the desert border—without being given the opportunity to challenge the actions in court. In 2019, Algeria

expelled thousands of migrants, mostly from Niger. In addition, sub-Saharan Africans have been subject to racial discrimination, which has sometimes been conducted openly by Algerian government officials and local NGOs in recent years.

LGBT+ people face discrimination and violence for expressing their sexual orientation, and many LGBT+ activists have fled the country. In February, a medical student was killed in his dormitory by two unknown assailants, allegedly because of his perceived homosexuality.

Same-sex relations are punishable with prison sentences as long as two years, though prosecutions for such acts have declined in recent years. Nevertheless, LGBT+ Algerians face mistreatment at the hands of police, discrimination at the hands of health providers, and discrimination in the workplace. NGOs that address the needs of the LGBT+ population are rare, with the exception of advocacy group Alouen (Colors), due to the 2012 law on associations that curtails civil society generally.

The constitution guarantees gender equality, but women continue to face both legal and societal discrimination. Many women make lower wages than men in similar positions, and there are few women in company leadership positions. Sexual harassment, while punishable with fines and jail time, is nevertheless common in workplaces. Women have also been subject to public campaigns of violence and intimidation; a spate of acid attacks against women gained public attention in the 1990s.

However, NGO's dedicated to women's rights have become more vocal in 2019; in April, women's rights group Femme Insoumises DZ (Rebellious Woman Algeria) identified an Algerian man living in the UK who posted a social media video calling for acid attacks against women taking part in HIRAK protests. The NGO's activities prompted the public prosecutor's office to open an investigation, and British police took the man into custody. Women's rights groups active in the HIRAK have also advocated for the reversal of the 1984 Family Code, which limits women's rights within marriage, as well as for a renewed commitment to the constitutional promise of gender equality.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

While most citizens are relatively free to travel domestically and abroad, the authorities closely monitor and limit access to visas for non-Algerians. Men of military draft age are not allowed to leave the country without official consent. The land border between Algeria and Morocco remains closed. Police reportedly limit the movement of sub-Saharan African migrants attempting to reach the Mediterranean coast. Married women younger than 18 must obtain the permission of their husbands to travel abroad.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The government plays a dominant role in the economy, leaving little room for private competitors. Cronyism is also a major obstacle to private enterprise, with businesspeople not aligned with the regime often facing harassment by the authorities. Numerous regulations and their flawed implementation make Algeria one of the most difficult environments in the world in which to establish and operate a business. Inheritance rules favor men over women.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Women do not enjoy equal rights in marriage and divorce. Domestic violence is common, and the laws against it are weak; for example, cases can be dropped if the victim forgives the alleged abuser. Women's rights groups report that between 100 and 200 women are killed in domestic abuse incidents each year. No law addresses spousal rape.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The weak rule of law, government involvement in the economy, and bureaucratic obstacles pose barriers to social mobility.

A 2009 law criminalized all forms of trafficking in persons, and Algeria reported its first conviction under the law in 2015. In recent years, the government has made an effort to enforce the ban through prosecutions and has provided protection for victims, though not systematically. Undocumented sub-Saharan African migrants are particularly susceptible to racial discrimination, labor exploitation, including through the practice of debt bondage, and sexual exploitation.

Andorra

Population: 80,000

Capital: Andorra la Vella

Freedom Status: Free

Electoral Democracy: Yes

Overview: Andorra has a parliamentary system of government and regularly holds free and fair elections. Political rights and civil liberties are generally respected. However, the country has strict naturalization criteria, and more than 50 percent of the population consists of noncitizens who do not have the right to vote. Among other outstanding concerns, abortion remains completely prohibited, and there is a notable wage gap between men and women. The small Muslim and Jewish communities lack dedicated cemeteries, and the country has no recognized mosque.

KEY DEVELOPMENTS IN 2019

- In February, the parliament adopted a law on equal treatment, banning all forms of discrimination and specifying measures to prevent, correct, and eliminate improper bias in the public and private sectors. The law was intended especially to address discrimination against women and included a provision guaranteeing equal pay for equal work.
- The incumbent center-right Democrats for Andorra (DA) party lost its majority in the April parliamentary elections, but it formed a new coalition government with two smaller parties.
- Debate about Andorra's total ban on abortion intensified during the year, with hundreds of people participating in demonstrations in March and September to call for decriminalization.
- Authorities continued working to address long-standing concerns about abuse of the country's banking system. Among other ongoing legal and regulatory changes, the parliament in November adopted legislation to strengthen safeguards against money laundering and terrorist financing.

POLITICAL RIGHTS: 39 / 40**A. ELECTORAL PROCESS: 12 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

Andorra has a parliamentary system, with a prime minister elected by and accountable to the legislature. The legitimacy of the prime minister, usually the head of the party with the most seats, rests largely on the conduct of parliamentary elections, which have historically been competitive and credible. Xavier Espot Zamora, the new leader of the ruling DA party, was chosen as prime minister in May 2019 following the previous month's elections. The DA had lost its parliamentary majority, but it formed a coalition government with two smaller liberal parties. Espot replaced outgoing prime minister Antoni Martí Petit, who had held the post since 2011.

Two unelected "co-princes," the French president and the Roman Catholic bishop of La Seu d'Urgell, Spain, serve jointly as Andorra's ceremonial heads of state.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the unicameral, 28-member Consell General are directly elected every four years through a mixed voting system. In the April 2019 elections, the DA led with 11 seats, followed by the Social Democratic Party (PS) with 7, the Liberals of Andorra (LA) and the new conservative party Third Way (TV) with 4 each, and the new social-liberal party Committed Citizens (CC) with 2. The LA and CC joined the DA in the new governing coalition. The polls were generally considered competitive, credible, and well administered.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The Electoral Law, which was last changed in 2014 to introduce regulations on campaign finance, provides a sound framework for free and fair elections. The Electoral Board supervises elections impartially. However, the law does not provide a formal role for international or citizen observers.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Political parties may form and operate freely, and there are a number of active parties in Andorra. Two new parties, TV and CC, made their debut in the 2019 elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has experienced multiple democratic transfers of power between rival parties, most recently in 2011, when the DA replaced a government led by the PS. Opposition parties are well represented in the Consell General and deprived the DA of its outright majority in the 2019 elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Citizens and political figures are generally able to make political choices without undue interference from external forces.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

More than 50 percent of the population consists of noncitizens—mostly from nearby states—who do not have the right to vote in national elections or run for elected office. Under Andorra’s restrictive naturalization criteria, one must marry a resident Andorran or live in the country for more than 20 years to qualify for citizenship. Prospective citizens are also required to learn Catalan, the national language.

There are no specific policies to encourage the political participation of women, but women are active in politics, and after the 2019 elections they held 50 percent of the seats in the legislature. LGBT+ people are also free to participate in politics, and a number of parties advocate for their interests.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The elected government and parliament exercise their powers without improper influence from unelected or nonstate actors. However, in 2018 the Vatican reportedly warned the prime minister that the bishop of La Seu d’Urgell would have to abdicate as co-prince if Andorra legalized abortion.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Government corruption is not viewed as a pressing issue in Andorra. Over the past several years, the country has adopted reforms to address concerns raised in a 2011 report by the Council of Europe’s Group of States against Corruption (GRECO) about bribery and campaign finance. The government has also made progress on financial-sector reforms designed to prevent abuses of the country’s banking system that could facilitate either domestic or transnational corruption. A law that renounced banking secrecy and required certain disclosures about accounts held by nonresidents entered into force at the start of 2018. In November 2019, the parliament adopted legislation to strengthen existing safeguards against money laundering and terrorist financing.

C3. Does the government operate with openness and transparency? 4 / 4

There is no legal guarantee of public access to government information. However, the government is generally transparent in practice; among other resources, it publishes a regular bulletin, accessible online, that documents government activity, budgetary processes, public procurement, and asset disclosures. Since 2017 the Ministry of Territorial Planning has sponsored a participatory budget process, allowing members of the public to help set spending priorities.

CIVIL LIBERTIES: 55 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

There are a number of daily and weekly newspapers, and the country’s only domestic television station is operated by the public broadcaster *Ràdio i Televisió d’Andorra*. Residents have access to a variety of foreign media services. While press freedom is generally respected, business, political, and religious interests have historically influenced media coverage; reporting on the activities of Andorra’s banks has been particularly difficult.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is generally upheld, but the Roman Catholic Church enjoys a privileged position that allows it to draw on some state support and to bypass some bureaucratic processes that other faith groups must adhere to.

Despite years of negotiations between the Muslim community and the government, there is no recognized mosque for the country's roughly 2,000 Muslims. The government has organized meetings with Jewish and Muslim communities to discuss the possible establishment of a special cemetery where those groups could conduct burials according to their customs and beliefs, but there has been little progress on the proposal.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There are no restrictions on academic freedom, and the educational system is free from indoctrination.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant constraints on personal expression or freedom of private discussion. Authorities are not known to illegally monitor private online communications.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12**E1. Is there freedom of assembly? 4 / 4**

Andorran law provides for freedom of assembly, and the government respects this right in practice. Demonstrations against government policy and in response to other social and political controversies take place on occasion. In March and September 2019, protests against Andorra's strict prohibition on abortion drew hundreds of participants.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Various nongovernmental organizations are active in the country and function without restriction. Human rights groups freely publish their findings and advocate for improvements.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The right to unionize is protected by law and the constitution, and a new labor law that took effect in February 2019 established regulations for collective bargaining and the right to strike. However, unions and the political opposition characterized the law as a setback, arguing in part that it placed unnecessary constraints on the right to strike. There are no laws in place to penalize antiunion discrimination.

In 2018, Andorra saw its first major strike in 85 years, when civil servants walked out to protest reforms to their contracts proposed by the Martí government.

F. RULE OF LAW: 15 / 16**F1. Is there an independent judiciary? 4 / 4**

The judiciary is impartial and independent, and is generally free from pressure from the government. Judges are appointed and supervised by the Higher Council of Justice; the two co-princes, the speaker of parliament, and the prime minister each select one of the council's five members, and the fifth is elected by judges and magistrates.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Defendants enjoy the presumption of innocence and the right to a fair trial, and due process is generally upheld in the criminal justice system. The constitution prohibits arbitrary arrest and imprisonment, but police can detain suspects for up to 48 hours without charge.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Andorra is free from war and insurgencies, and law enforcement agents are not known to use excessive force against civilians. Prison conditions are adequate.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

In February 2019, the parliament adopted a law on equal treatment and nondiscrimination. While it was focused primarily on combating gender discrimination, it included comprehensive protections against discrimination based on race, ethnicity, age, disability, sexual orientation, gender identity or expression, and other such categories; the legislation also featured enforcement mechanisms, including fines. To address a persistent gender pay gap estimated at 22 percent and as high as 40 percent in some sectors, the new law specifically required equal pay for equal work.

Andorra provides temporary protection and services to refugees and asylum seekers, but there is no law allowing the government to grant asylum or refugee status.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no restrictions on freedom of movement, and people are generally free to change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The legal and regulatory framework is generally supportive of property rights and entrepreneurship, and there are few undue obstacles to private business activity in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are generally respected, though there are some restrictions for same-sex couples, who can form civil unions but not marry or adopt children. Domestic violence is prohibited by law and punishable with prison sentences; the government pursues domestic violence cases and provides resources for victims. Nevertheless, such violence remains a serious problem, and sometimes involves violence against children.

Andorra remains one of the few countries in Europe where abortion is completely prohibited, with penalties for both doctors and women who undergo the procedure. Abortion is relatively accessible in neighboring France and Spain, though this option can be expensive for Andorrans.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

Andorran laws provide protections for most workers, including migrant workers. However, temporary workers are in a precarious position, as they must leave the country when their employment contract expires, exposing those with expired contracts to potential

abuse by employers. The Labor Inspections Office is proactive in addressing violations of workers' rights.

A 2019 report from the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) found that Andorra had made legislative and policy progress on combating trafficking, but called on authorities to scrutinize high-risk sectors for possible victims and raise awareness of the threat among law enforcement bodies. No cases of trafficking had been confirmed in the country as of mid-2019.

Angola

Population: 31,400,000

Capital: Luanda

Freedom Status: Not Free

Electoral Democracy: No

Overview: Angola has been ruled by the same party since independence, and authorities have systematically repressed political dissent. Corruption, due process violations, and abuses by security forces all remain common. Since President João Lourenço's election in 2017, the government has taken steps to crack down on endemic corruption and eased restrictions on the press and civil society, but serious governance and human rights challenges persist.

KEY DEVELOPMENTS IN 2019

- In January, the parliament adopted a new criminal code that no longer penalized same-sex relations, along with new antidiscrimination statutes.
- In August, Angola finalized an agreement with the Office of the UN High Commissioner for Refugees (UNHCR) and the Democratic Republic of the Congo (DRC) allowing for the voluntary departure of Congolese migrants, a year after the government launched an operation that forcibly expelled over 520,000 people by September.
- Family members and officials who served under former president José Eduardo dos Santos faced corruption trials and investigations during the year. Former transport minister Augusto da Silva Tomás received an 8-year sentence for fraud after he was convicted in August, while the president's son, José Filomeno dos Santos, was tried for embezzling public funds in December.

POLITICAL RIGHTS: 11 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The 2010 constitution abolished direct presidential elections. Instead, the head of the national list of the political party receiving the most votes in general elections becomes president, without any confirmation process by the elected legislature. The constitution permits the president to serve a maximum of two five-year terms, and to directly appoint the vice president, cabinet, and provincial governors.

In 2016, the ruling Popular Movement for the Liberation of Angola (MPLA) announced that Defense Minister João Lourenço, who was also the MPLA vice president, would be

its presidential candidate in 2017. The decision was made by the MPLA's political bureau, without public consultation. The MPLA retained power in the 2017 legislative elections, and Lourenço succeeded dos Santos, who had been in power for 38 years.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Angola's 220-seat, unicameral National Assembly, whose members are elected to five-year terms by proportional representation, has little power, and most legislation originates in the executive branch.

In the 2017 legislative polls, the MPLA won 61 percent of the vote and 150 seats, while the opposition National Union for the Total Independence of Angola (UNITA) took 27 percent and 51 seats, and the Broad Convergence for the Salvation of Angola–Electoral Coalition (CASA–CE) won 9 percent and 16 seats. Two smaller parties won the remainder. An African Union (AU) monitoring mission praised the elections' conduct, noting that they were peaceful and that there was a broad consensus that polling preparations and processes were better organized than in past elections. However, the prevalence of biased progovernment media, deficiencies in voter registration processes, and the MPLA's use of public resources in its campaign hampered the opposition. There were also reports of postelection violence in some locations.

Alleging grave irregularities at the National Election Commission (CNE), including manipulation of the vote count, opposition leaders called the polls fraudulent and jointly disputed the results. The Constitutional Court dismissed their claim, citing a lack of evidence. Opposition figures elected to the National Assembly ultimately took their seats—a move that prompted intense criticism from their political base.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The law states that the makeup of the CNE should reflect the disposition of power in the National Assembly, which gives an advantage to the MPLA. The political opposition, in its challenge of the 2017 election results, cited serious misconduct and a lack of transparency on the part of the CNE.

B. POLITICAL PLURALISM AND PARTICIPATION: 6 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

There is a multiparty system in place, but competition is limited. The process for creating new political parties is fraught with bureaucratic obstacles and attempts at cooptation, factors that severely hinder public confidence in new parties.

The ruling MPLA maintains direct control of the Business Management and Participation Company (GEFI), a holding company that is active in sectors including banking and real estate; the firm is believed to provide as much as \$5 million in monthly funding to the party.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

There is little space for the opposition to increase its parliamentary representation, much less gain power through elections. Angola has never experienced a transfer of power between rival parties. Nevertheless, opposition parties have built public support in recent years, particularly in Luanda.

No municipal elections are held in the country for opposition parties to contest, though the national government has been working to change this since 2015. In August 2019, the parliament passed a local authorities bill that observers called vital for holding those contests, which are expected in 2020.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

MPLA-aligned economic oligarchies nurture a system of dependency and patronage that can subvert candidates' and voters' ability to freely express their political choices.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

While societal pressures can discourage women from active political participation, women's rights advocates have an increasingly vocal presence in political life. In 2018, Luísa Damião became the deputy president of the MPLA, making her the highest-ranking woman in the party leadership at the time. Women hold 30 percent of the legislature's seats.

Discussion of issues affecting LGBT+ people have historically been considered taboo, and such topics have been absent from political debate. This has changed somewhat with the parliament's adoption of a new penal code that decriminalized same-sex relations in January 2019.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The country has been ruled by the MPLA since independence, and the president is expected to consult routinely with the party's political bureau. Former president dos Santos retained his position as head of the MPLA for a year after President Lourenço's election. In 2018, dos Santos was finally replaced by Lourenço as party leader, enabling the new president to consolidate his authority.

Executive powers are broad and varied, leaving the parliament to act largely as a rubber stamp in approving the president's policies. Like his predecessor, President Lourenço frequently adopts legislation by presidential decree.

C2. Are safeguards against official corruption strong and effective? 1 / 4

After decades of MPLA rule, corruption and patronage have become entrenched in nearly all segments of public and private life. President Lourenço stressed his willingness to fight endemic corruption since his 2017 election campaign, and high-profile dos Santos-era officials have been convicted of corruption in 2019. In August, former transport minister Augusto da Silva Tomás was handed a 14-year sentence for fraud, though that sentence was later reduced to 8 years. In November, former Military Intelligence and Security Service (SISM) head General António José Maria was handed a three-year prison sentence for stealing confidential documents. However, former vice president Manuel Vicente did not face trial in 2019. Vicente, who is considered an ally of President Lourenço, was investigated for corruption by Portuguese authorities before Portugal agreed to transfer his case to Angola in 2018.

Dos Santos's family also faced scrutiny in 2019. In December, the former president's son, José Filomeno dos Santos, was tried for embezzling \$1.5 billion in public money between 2013 and 2017. Filomeno dos Santos, who was arrested in 2018, pleaded not guilty; his trial was ongoing at the end of 2019. An Angolan court froze the assets of Isabel dos

Santos, a daughter of the former president, in December 2019, after the government accused her of siphoning public funds when she was the head of state oil firm Sonangol.

C3. Does the government operate with openness and transparency? 0 / 4

Government operations are generally opaque, though the Lourenço administration has moved to improve transparency in the corrupt oil sector. In 2018, the government announced the formation of the National Oil, Gas, and Biofuels Agency (ANPG) to oversee the industry beginning in February 2019. However, its leadership has been sourced from Sonangol; ANPG head Paulino Jerónimo previously served as the state oil firm’s chief executive in the 2010s.

CIVIL LIBERTIES: 20 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

The Angolan state owns most media in the country. Many ostensibly private outlets are owned by senior officials of the MPLA and act as mouthpieces of the regime. Foreign news outlets, including Portuguese news agency Lusa, French news agency RFI, and Voice of America (VOA), are widely read. Since 2018, more voices have gained access to the media, including civil society groups and opposition figures, and news outlets have shown a greater willingness to carry criticism of the government.

Insult and defamation are both considered criminal offenses under the code that was enacted in January 2019. The criminal code also includes “abuse of press freedom,” a charge that can be levied against those accused of engaging in incitement, hate speech, defense of fascist or racist ideologies, or “fake news.”

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The constitution guarantees religious freedom, but the government imposes onerous criteria on religious groups for official recognition, which is required for the legal construction of houses of worship. Notably, many Pentecostal churches—which have had a profound social impact in Angola—remain unregistered.

There are no registered Muslim groups, and Muslim communities have been more vocal in their demands for recognition and the right to worship freely. Despite these calls, Muslims’ ability to worship is subject to interference; in May 2019, a local Muslim leader reported that 39 mosques in Lunda Norte Province had been closed by authorities in two stages since 2018, and that as many as 10,000 worshippers would observe Ramadan in the DRC.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academics must maintain a façade of agreement with the MPLA’s preferred narratives and refrain from open criticism of the party, or risk losing their positions. Those who voice dissent are often monitored by security services.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

In recent years, there has been somewhat less fear of retribution for expressing criticism of the government or controversial opinions in private conversations. However, self-

ensorship persists, fueled by concerns that a perceived intent to organize against the government could result in reprisals. While internet access is increasing in Angola, the government actively monitors online activity. Known surveillance of civil society groups, journalists, and academics can leave people reluctant to speak out.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

Constitutional guarantees of freedom of assembly are poorly upheld. The Lourenço administration showed more tolerance for public demonstrations, but authorities still used arrests to inhibit protests in 2019. In July, police arrested seven minors after they protested a water shortage in the municipality of Lobito; the seven were convicted of charges including public disobedience and contempt, and were fined. In September, the National Police arrested at least 23 people over a demonstration against Gonçalves Muandumba, the governor of Moxico Province, during a visit by President Lourenço. One of the organizers accused officers of arresting bystanders and using excessive force against protesters.

Individuals who call for or publicly organize demonstrations also risk arrest. In May 2019, activists Arante Kivuvu and Benedito Jeremias were arrested after they led a demonstration against forced evictions in Luanda. Later that month, police arrested another activist, Hitler Tshikonde, after he called for their release in a video posted to social media; Tshikonde was charged with insulting the president before his release several days later.

Separatists in the oil-rich Cabinda region were also targeted by the government in 2019. In late January, 63 activists were arrested ahead of a planned proindependence demonstration, and faced charges including rebellion and criminal association. Another 10 were arrested in early March when they demonstrated for the activists' release, and were detained for one day. Later that month, 13 of the original 63 activists were released, but the remaining 50 remained imprisoned.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Nongovernmental organizations (NGOs) working on human rights and governance are closely monitored. The MPLA traditionally made vocal attempts to discredit their work and sometimes threatened such groups with lawsuits and outright closure, prompting many to curtail their activities. However, the environment for NGOs has improved since 2018, with a reduction in interference and a greater willingness on the part of the government to engage in dialogue with civil society groups.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Certain employees who provide services considered essential—including prison guards and firefighters, but also workers in the oil sector—may not legally strike. Unions not associated with the MPLA have faced interference and harassment. However, the government has allowed more strikes to proceed without interference or repression.

F. RULE OF LAW: 5 / 16 (+1)

F1. Is there an independent judiciary? 1 / 4

The president appoints Supreme Court judges to life terms without legislative input. Corruption and political pressure from the MPLA contribute to the judiciary's general inefficacy and undermine its independence.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutional guarantees of due process are poorly upheld. Many defendants are unable to afford legal counsel, and the state largely fails to provide qualified legal aid to those who need it. Arbitrary arrest and lengthy pretrial detention remain problems.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Security forces enjoy impunity for violent acts, including torture and extrajudicial killings committed against detainees, activists, and others, although the frequency of politicized abuses has apparently decreased in recent years. Angolan prisons are reported to be overcrowded, unhygienic, lacking in necessities, and plagued by sexual abuse.

According to government statistics, violent crime, including robberies, assaults, and homicides, has increased in Luanda in recent years.

A low-level separatist insurgency in the isolated Cabinda region continues to pose a security threat. The Front for the Liberation of the Enclave of Cabinda (FLEC) claims to have engaged in guerrilla activity against Angolan soldiers, but the government has not verified these claims.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4 (+1)

Women face discrimination in the workplace that makes it difficult for them to rise to senior positions. There have been reports of abuse of women and children accused of practicing witchcraft.

Same-sex relations were banned in Angola until January 2019, when the parliament adopted a new criminal code that did not include a historical “vices against nature” statute. Lawmakers also banned discrimination based on sexual orientation that same month.

Security forces allegedly harass and abuse immigrant communities, and the government has failed to adequately protect refugees and asylum seekers. In late 2018, authorities expelled more than 400,000 primarily Congolese migrants, allegedly killing dozens and setting fire to homes during the removal operation; they claimed that irregular migrants were involved in illegal mining and diamond smuggling. The government reported expelling a total of 520,000 people by September 2019. The month before, Angola finalized an agreement with the DRC and the UNHCR to organize the voluntary returns of Congolese residents. In November, the UNHCR reported that 1,400 migrants left Angola as part of the operation, which is scheduled to end in the first quarter of 2020.

Score Change: The score improved from 1 to 2 due to the National Assembly’s passage of a new criminal code that decriminalized same-sex relations and made discrimination based on sexual orientation illegal.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Several organizations have been working to remove land mines that were placed during Angola’s 1975–2002 civil war. Land mines inhibit agriculture, construction, and freedom of movement, particularly in rural areas.

In March 2019, the Justice, Peace, and Democracy Association (AJPD), a local NGO, reported that the authorities and private security groups that guard Lunda Norte Province’s

diamond mines restrict the movements of local residents, and some local farmers abandoned their land.

The process for securing entry and exit visas remains difficult and mired in corruption. Individuals who are critical of the government have faced problems when attempting to leave or enter the country. Bribes are frequently required in order to obtain employment and residence.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Predatory Angolan elites tend to either disrupt or coopt emerging new businesses. Authorities at times have expropriated land and demolished homes without providing compensation. Customary law practices can leave women with unequal inheritance rights.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Domestic violence is widespread in Angola, and perpetrators are rarely prosecuted. Child marriage remains common, particularly in rural areas. According to 2016 UN Children's Fund (UNICEF) statistics, the most recent available, 8 percent of girls are married by the age of 15, and 30 percent are married by 18.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Public oil revenues are not equitably distributed or used to benefit the entire population. Rural regions in particular have inadequate infrastructure and access to services, leading to inequities in economic opportunity.

Child labor is a major problem, and foreign workers are vulnerable to sex trafficking and forced labor in the construction and mining industries. The authorities have failed to effectively investigate human trafficking or prosecute offenders.

Antigua and Barbuda

Capital: St. John's

Population: 100,000

Freedom Status: Free

Electoral Democracy: Yes

Overview: Antigua and Barbuda is a democracy that holds regular elections. Corruption in government is a concern, and women and LGBT+ people are underrepresented in politics and experience some discrimination. In 2017, Hurricane Irma devastated Barbuda: the entire island was evacuated, and many residents lost their livelihoods and have yet to return home. The government has since sought to weaken the island's longstanding system of communal land rights.

KEY DEVELOPMENTS IN 2019

- In November, the Eastern Caribbean Alliance for Diversity and Equality (ECADE) announced it would file official legal challenges against colonial era laws criminalizing same-sex sexual activity by the end of the year.

- In September, the Industrial Court ruled that the country’s Department of Immigration had been violating its workers’ rights for at least two decades, having not paid for sick days, holidays worked, and overtime.

POLITICAL RIGHTS: 33 / 40**A. ELECTORAL PROCESS: 12 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

The country’s 1981 constitution establishes a parliamentary system, with a governor general representing the British monarch as ceremonial head of state. The prime minister is the head of government and is typically the leader of the majority party elected into Parliament. Antigua and Barbuda Labour Party (ABLP) leader Gaston Browne once again became prime minister after his party won a majority in parliament in the 2018 snap elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral parliament is composed of a 17-seat Senate, whose members are appointed by the governor general, and the House of Representatives, whose 17 members are directly elected in single-seat constituencies, by means of a simple majority; representatives serve five-year terms.

In February 2018, citing a need to demonstrate state stability to investors, Prime Minister Browne called snap elections. The move came after the High Court of Justice denied his government’s attempt to block a case in which plaintiffs were disputing state-backed development plans for Barbuda. The elections were held in March, a year ahead of schedule. The campaign period was at times rancorous, with the Commonwealth Observer Group noting a “surge of vitriolic and personal attacks exchanged between political parties and candidates.” The governing ABLP took 59 percent of the total vote and won 15 constituencies, up from 14 previously. The main opposition United Progressive Party (UPP) took 37 percent of the vote, but only one constituency, down from 3 previously. The Barbuda People’s Movement (BPM) won the Barbuda constituency, which had previously been held by the ABLP. Observers deemed the polls generally competitive and credible. Turnout was high, at about 76 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Electoral laws are generally fair and are implemented impartially by the relevant election management bodies. However, in 2018, polling for all Barbudans took place on Antigua as a result of Hurricane Irma, requiring that many people travel between the islands to vote. The government provided services to those needing to travel, and 87 percent of eligible Barbudans participated.

Separately, since 1984, the electoral boundaries of Antigua and Barbuda have shifted only slightly. As a consequence, there is now a significant disparity in constituency size, from 1,138 (St. Phillip South) to 4,878 (St. George).

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4**

Political parties can organize and operate freely. While there are a number of small political parties in the country, elections have been won by either the ABLP or the UPP

since 1994. In 2018, the ABLP fielded a full slate of 17 candidates; the UPP fielded 16; the Democratic National Alliance (DNA) ran 13; and a number of smaller parties put up 1 or 2. The Barbuda People's Movement (BPM) won entry into the House of Representatives, which previously had included only the ABLP and UPP.

Inadequate campaign finance regulations allow candidates and parties to accept donations without disclosing donors' identities.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There are realistic opportunities for opposition parties to increase their support or gain power through elections. Power has alternated frequently between the ABLP and UPP.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People's political choices are generally free from the influence of nondemocratic actors. However, a lack of transparency for party and campaign financing has given rise to concerns about the potential influence of unknown domestic and foreign interests over political candidates. The role of business interests in the country and their links with politicians have been documented. The most significant case was that of R. Allen Stanford, a United States citizen, who was an influential figure in Antigua (the second largest employer in the country at one point) and used the country as his base of operations to run a multibillion-dollar Ponzi scheme. Stanford was convicted in 2012.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women are underrepresented in politics, and only two women were elected to the House of Representatives in 2018.

The LGBT+ community is marginalized and faces discrimination, and this impacts its ability to engage fully in political processes.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The elected prime minister, cabinet, and parliament determine government. There are some concerns about the influence of businesses on policymaking.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Government corruption remains a concern, and anticorruption laws are enforced unevenly. Authorities have been criticized for doing little to investigate local official wrongdoing in the case of R. Allen Stanford. Several other company officials have faced justice, but only in the United States.

In May 2018, Asot Michael, the minister of investment and trade, resigned over allegations (which he denied) that he had engaged in illegal campaign financing and bribe-taking while previously serving as the energy minister. The Antiguan Integrity Commission indicated it would investigate the allegations, but no charges appeared to have been filed by the end of 2019.

Antigua's Citizenship by Investment program (CBI) and Permanent Residence Certificate (PRC), in which individuals can be granted citizenship or residency in exchange for a sizable business investment or contribution, have been heavily scrutinized in recent years. In

2018, the US Department of State noted that the CBI left the country vulnerable to financial crimes and raised questions about the program's autonomy from politicians who might seek to misuse it. The Organisation for Economic Co-operation and Development (OECD) has also raised concerns about the programs.

C3. Does the government operate with openness and transparency? 3 / 4

Antigua and Barbuda has gradually improved its accountability structures since 2004, when the government enacted a Freedom of Information Act. The Public Accounts Committee can also expose governmental improprieties and wrongdoings, but historically has not functioned effectively. There have been lengthy delays in submission of the auditor general's report. Public officials must disclose all income, assets, and personal gifts received in their official capacity in a confidential report to the Integrity Commission per the 2004 Integrity in Public Life Act. Resource deficiencies have impeded the commission's ability to investigate corrupt individuals. Despite the Procurement and Contract Management Act of 2011, concerns remain about public procurement in relation to the expertise of officials in positions mandated by the law, the completeness of documentation, and that some applications are made retrospectively, with often a waiver being requested.

CIVIL LIBERTIES: 52 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Press freedom is generally respected in Antigua and Barbuda. Criminal defamation was abolished in 2015. However, under the Seditious and Undesirable Publications Act, seditious libel is a criminal offence punishable by a maximum of two years in prison and a maximum fine of \$5,000. Critical journalists remain at risk of libel suits from unhappy politicians. The prime minister has characterized the frequently critical *Observer* as "fake news" and a threat to the country.

The majority of media outlets are concentrated among a small number of firms affiliated with either the current ABLP government or the UPP.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides for freedom of worship as well as the right to practice and change religion, and these freedoms are generally respected. A law that outlaws blasphemous language is not enforced.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are generally free to express their personal views on political or other sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12 (+1)

E1. Is there freedom of assembly? 4 / 4 (+1)

Freedom of assembly is guaranteed under the constitution, and the government generally respects these rights in practice, though protesters occasionally experience minor

police harassment. A number of demonstrations took place in 2018, including a UPP-led march against corruption and other alleged government failures, as well as a protest against a government plan to repeal the Barbuda Land Act of 2007, which protects the longstanding communal land ownership system in Barbuda.

Score Change: The score improved from 3 to 4 because demonstrations are unrestricted, and recent protests have not been marred by interference or violence.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights—and governance-related work? 3 / 4

The country's few nongovernmental organizations (NGOs) are active, though inadequately funded and often influenced by the government.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Labor unions can organize freely and bargain collectively. Workers providing essential services must give notice two weeks before intent to strike. However, the International Labour Organization (ILO) has described the list of essential services as excessively broad and strikes are fairly rare. Recent examples include postal workers and some workers at a psychiatric hospital. In September 2018, a number of employees of the Social Security Board staged a walkout in support of a coworker who claimed a supervisor had touched her inappropriately and had not been disciplined, following her report of the incident.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The constitution provides for an independent judiciary, which is generally respected by the government. In November 2018, voters rejected in a referendum the adoption of the Caribbean Court of Justice as their highest appellate court. Thus, the Judicial Committee of the Privy Council, based in London, retains that role.

In recent years, the courts have increasingly asserted independence from the ABLP government—which has had a history of manipulating the judicial system—with the support of the Eastern Caribbean Supreme Court. The High Court of Justice issued several rulings in 2018 that slowed government-backed development plans for Barbuda, which sustained serious damage during Hurricane Irma in 2017. In August 2018, the court halted construction of an airport on Barbuda, while a separate lawsuit over the legality of its construction played out. In February 2018, the High Court ruled against the government's attempt to block a case disputing a 2015 law that facilitated development in Barbuda; the ruling prompted the year's snap elections.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Constitutional guarantees of due process are mostly upheld. However, prisoners on remand often remain in jail for an average of three to four years before their cases are heard.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Residents of Antigua and Barbuda do not face any significant security threats. However, prisons are severely overcrowded, and conditions within them are poor.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The 2005 Equal Opportunity Act bars discrimination on the basis of race, gender, class, political affinity, or place of origin. There are no specific laws prohibiting discrimination against people with disabilities, or LGBT+ individuals. Societal norms discourage participation of women in some sectors of the economy, and few women hold leadership positions.

Same-sex sexual activity remains criminalized under a 1995 law; however, the law is not strictly enforced. In November 2019, the Eastern Caribbean Alliance for Diversity and Equality (ECADE) announced it would file official legal challenges against colonial era laws against same-sex sexual activity in Antigua and Barbuda, as well as four other Caribbean countries. Despite this, the government has made it clear that it will not support, nor enact any such legal changes.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 3 / 4

Many Barbudans forced to evacuate the island due to Hurricane Irma have opposed moves by lawmakers in Antigua to eliminate the communal land ownership system that has governed the island for almost two centuries, and instead establish private land ownership. The government argues that the change is necessary to assist Barbuda's recovery in the aftermath of the hurricane; opponents claim authorities are seeking to take advantage of the devastation to develop rural Barbuda for mass tourism. In early 2018, lawmakers amended the Barbuda Land Act to permit Barbudans private ownership of land on Barbuda, but the law is being challenged in the Eastern Caribbean Supreme Court.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The Domestic Violence Act of 2015 strengthened the measures that can be taken against the perpetrators of domestic violence and laid out a process for victims to obtain an order of protection. However, domestic violence remains a serious problem. Same-sex marriage and civil partnerships are not recognized.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Antigua and Barbuda is a destination and transit country for the trafficking of men, women, and children for the purposes of forced labor and sexual exploitation. Government efforts to address the problem are inadequate, but progress is being made, according to the US State Department's 2019 *Trafficking in Persons* report. Compulsory labor is prohibited by law. Gender stereotyping and discrimination can make employment challenging for women. Mental health services require improvement and physically disabled people are stigmatized and underemployed.

In September 2019, the Industrial Court ruled against Antigua and Barbuda's Department of Immigration, confirming that it has been breaching the rights of its workers for at least the last two decades, during which time the department did not paid employees for sick days, holidays worked, and overtime.

Argentina

Population: 44,900,000

Capital: Buenos Aires

Freedom Status: Free

Electoral Democracy: Yes

Overview: Argentina is a vibrant representative democracy with competitive elections, lively media and civil society sectors, and unfettered public debate. Economic instability, corruption in the government and judiciary, and drug-related violence are among the country's most serious challenges.

KEY DEVELOPMENTS IN 2019

- Alberto Fernández and Cristina Fernández de Kirchner (who are unrelated) were elected president and vice president respectively, defeating incumbent president Mauricio Macri and running mate Miguel Ángel Pichetto in the October election. Cristina Fernández de Kirchner was the driving force that brought Alberto Fernández to power, and had handpicked him to lead the ticket. Macri's popularity, meanwhile, had been eroded by economic instability and the effects of an austerity program endorsed by the International Monetary Fund (IMF).
- The country's economic crisis continued, with gross domestic product (GDP) forecast to contract by approximately 3 percent in 2019, and inflation reaching more than 50 percent. The poverty rate rose from 25 percent in 2017 to around 35 percent in mid-2019.
- In December, Congress approved a massive legislative package granting President Fernández emergency powers over vast swaths of economic policy for one year. Among other powers, the president will be able to impose new taxes, determine wage and pension increases by decree, and renegotiate foreign debt.
- During the electoral campaign and after taking office, President Fernández publicly criticized trials against *kirchnerista* officials, deeming them politically motivated. Some detainees were released by judges immediately after Fernández's Peronist administration returned to power, suggesting a high degree of politicization in the judiciary.

POLITICAL RIGHTS: 35 / 40 (+1)

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The constitution provides for a president to be elected for a four-year term, with the option of reelection for one additional term. Presidential candidates must win 45 percent of the vote to avoid a runoff. Alberto Fernández, a center-left figure who aside from a brief time in the Buenos Aires city government had never held elected office before, was elected president in the first round of elections in October 2019 with 48.24 percent of the vote, against incumbent Mauricio Macri's 40.28 percent. The poll was deemed competitive and credible by international observers.

Fernández's victory was widely viewed as benefiting from having political veteran and former president Cristina Fernández de Kirchner on his ticket; a member of the populist

Peronist movement, she was the subject of multiple allegations of corruption at the time of the election, and faced trial for one of them.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The National Congress consists of a 257-member Chamber of Deputies, whose representatives are directly elected for four-year terms with half of the seats up for election every two years; and the 72-member Senate, whose representatives are directly elected for six-year terms, with one-third of the seats up for election every two years. Legislators are elected through a proportional representation system with closed party lists.

Legislative elections, including the most recent ones held in October 2019 together with the presidential vote, are generally free and fair. In the lower chamber, there were 130 seats contested in 2019, of which Frente de Todos won 64, Juntos por el Cambio won 56, and a number of smaller coalitions won between one and three seats each. The Senate saw 25 seats contested in 2019, of which Frente de Todos won 13, Juntos por el Cambio won 8, and Frente Cívico por Santiago won 2. Frente de Todos holds the greatest number of seats in both houses.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Argentina has a clear, detailed, and fair legislative framework for conducting elections. There is universal suffrage. Voting is compulsory for people between 18 and 70 years old, and voluntary between 16 and 18, and for people older than 70. However, the system suffers from some shortcomings, including inconsistent enforcement of electoral laws and campaign finance regulations. Further, aspects of election management fall under the purview of the executive branch, as Argentina's National Electoral Chamber (CNE) works in conjunction with the National Electoral Directorate, a department of the Ministry of the Interior.

In 2019, opposition forces questioned the software company hired by the Macri government to conduct a provisional vote count for the presidential election, alleging weak security measures and low technical standards.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Argentina has competitive political parties that operate without encountering undue obstacles. Primary elections are mandatory for presidential and legislative elections, and only party candidates that obtain 1.5 percent of the national vote can move on to the general election.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Argentina's multiparty political system affords opposition candidates the realistic opportunity to compete for political power, and opposition parties command significant popular support and hold positions in national and subnational government.

The 2019 elections marked the return of Peronism to national power, after a 4-year-hiatus under Macri, who in December 2019 became the first elected non-Peronist to complete a presidential term since 1928.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Argentines' political choices are generally free from domination by groups that are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4 (+1)

Ethnic and religious minorities have full political rights in Argentina. However, in practice, the government frequently ignores legal obligations to consult with indigenous communities about legislation and government actions that affect them.

Women and women's interests are reasonably well represented in the legislature. The 2019 legislative elections, in which a portion of seats were contested, were the first conducted under a new law that mandates all party lists to have full gender parity, with men and women alternating. Women now hold 42 percent of seats in the resulting Chamber of Deputies, and 38 percent in the Senate. Previously, since 1991, the country has had a law requiring that at least 30 percent of a party's legislative candidates be women.

The rights of LGBT+ people are also reasonably well represented in Argentina. Robust legal protections for LGBT+ people are codified in the law, and Argentina in 2010 became the first country in the Americas to legalize same-sex marriage.

Score Change: The score improved from 3 to 4 because there are no significant obstacles preventing minority groups or other groups from exercising their political rights.

C. FUNCTIONING OF GOVERNMENT: 8 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4**

Argentina's elected officials are duly installed in office without interference. However, the political system is characterized by a powerful executive, with the president having authority to implement some policies by decree, thereby bypassing the legislative branch. Provincial governors are also powerful and tend to influence lawmakers representing their provinces.

In December 2019, Congress approved a massive legislative package granting the president emergency powers over vast swaths of economic policy for one year. Among other powers, the president will be able to impose new taxes, determine wage and pension increases by decree, and renegotiate foreign debt.

At the same time, it remains to be seen if the president will be able to exercise the full powers of his office. Cristina Fernández de Kirchner is arguably the most influential vice president in the country's history: she is the driving force behind the electoral coalition that brought Alberto Fernández to power, and handpicked him as the presidential candidate.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption scandals are common, and several prominent members of the political class, including former presidents, have been charged with or found guilty of malfeasance in recent years. However, weak anticorruption bodies and the politicization of the judicial system hamper institutional safeguards against corruption. For instance, the country's main anticorruption office is part of the Justice Ministry and is headed by a presidential appointee, leaving it vulnerable to improper influence by the executive. Further, many politicians hold immunity in connection with their elected posts, and are thus shielded from legal consequences for corrupt behavior.

Vice President Cristina Fernández de Kirchner faces several investigations for alleged corruption during her time as president, from 2007 to 2015, and has been indicted on numerous occasions. She stands accused of receiving bribes from public work contractors, and of treason for signing an agreement with Iran regarding the investigation of a 1994 terrorist attack in Buenos Aires, and is expected to stand trial in 2020. Judges have requested her pretrial arrest several times, but she was protected through legislative immunity as a senator between 2017 and 2019 and as vice president thereafter.

Powerful members of Fernández de Kirchner's administration, including former vice president Amado Boudou, are serving jail sentences in connection with corruption charges, and many other former officials await trial. During the campaign and after taking office, President Fernández publicly criticized trials against kirchnerista officials, deeming them politically motivated. Further, some detainees were released by judges immediately after the Peronist administration returned to power, suggesting a high degree of politicization in the judiciary.

C3. Does the government operate with openness and transparency? 3 / 4

In the past few years the government has taken steps to improve transparency at the national level, including by presenting periodic action plans as part of its membership in the Open Government Partnership. Authorities have digitized state records and procedures and have published more information online, including on public procurement and contracting bids, as part of an effort to enter the Organization for Economic Cooperation and Development (OECD).

In 2017, Argentina enacted its first access to information law that established a Public Information Agency, through which citizens may request information from state agencies and other state-funded institutions. The implementation of the law has been uneven, and the agency is located within the office of the Chief of Cabinet of Ministers, who is appointed by the president. Adherence to and enforcement of public-asset disclosure regulations is inconsistent. Further, there has been limited progress to promote transparency at the provincial and municipal levels, and in the judiciary.

CIVIL LIBERTIES: 50 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Argentine law guarantees freedom of expression, and Congress decriminalized libel and slander in 2009. While media ownership is concentrated among large conglomerates that frequently favor a political grouping, Argentines nevertheless enjoy a robust and lively media environment, and there is no official censorship.

Journalists face occasional harassment and violence. In addition, those covering discrimination against LGBT+ people report frequent threats on social media. Some journalists have faced corruption or other charges in connection with their investigative work. Separately, in October 2019, Javier Smaldone, a cybersecurity expert, was arrested along with others accused of being involved in a leak of information about the security forces. Smaldone claimed that the arrests were retaliation for uncovering vulnerabilities with the electronic voting system.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Argentina's constitution guarantees freedom of religion. While the population is largely Roman Catholic, public education is secular, and religions minorities express their faiths

freely. The government has formally acknowledged more than 5,300 non-Catholic organizations, granting them tax-exempt status and other benefits.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is guaranteed by law and largely observed in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is vibrant and unrestricted. However, activists and opposition leaders reported online harassment and intimidation by progovernment trolls under Macri, especially on Twitter, and some have accused authorities of financially sponsoring trolling efforts. His government denied any involvement.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is generally respected, and citizens frequently organize protests to make their voices heard. In the midst of rising inflation and a recession, massive demonstrations in Buenos Aires and other large cities were frequent and usually peaceful. Ahead of the October 2019 elections, street rallies were organized by all political sectors throughout the country with no major incident.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) generally operate without restrictions. Civic organizations, especially those focused on human rights and abuses committed under the 1976–83 dictatorship, are robust and play a major role in society, although some fall victim to Argentina’s pervasive corruption.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Organized labor remains dominated by Peronist unions, and union influence remains significant although it has decreased in recent years. Most labor unions have been controlled by the same individuals or groups since the 1980s, and internal opposition to union leadership has been limited by fraud and intimidation. Labor groups continued to call nationwide strikes in 2019 in protest of the government’s austerity measures and real wage losses caused by high inflation.

F. RULE OF LAW: 10 / 16

F1. Is there an independent judiciary? 2 / 4

Inefficiencies and delays plague the judicial system, which is susceptible to political manipulation, particularly at lower levels. Some federal judges are known to maintain close ties with political actors, and to engage in corrupt practices. A former federal judge has been charged with corruption in what has become known as the “notebooks” case, accused of having been part of the bribery scheme benefiting members of the administrations of Cristina Fernández de Kirchner and Néstor Kirchner.

Judicial cases tend to follow political trends: several former officials and businessmen involved in corruption allegations during the previous government of Fernández de Kirchner were imprisoned during Macri’s presidency, but some were released as Fernández began to poll well ahead of the elections.

The Supreme Court, however, has maintained relative independence, and has pushed back against executive overreach during both the Kirchner and Macri administrations.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process rights are protected by the constitution and are generally upheld. However, the justice system and security forces, especially at the provincial level, have long stood accused of using excessive violence, and having ties with drug-trafficking operations.

The UN Special Rapporteur on torture stated in April 2018 that six out of ten people held in Argentine prisons had yet to reach the final stage in their trial, and were thus being held despite having not been convicted of any crime.

Court cases dating from the mid-2000s have allowed the prosecution of crimes against humanity committed during the 1976–83 dictatorship. Dozens of military and police officers have been convicted of torture, murder, and forced disappearance, and sentenced to long prison terms, helping to combat a culture of impunity.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Drug-related violence remained a serious issue in 2019 as international criminal organizations used the country as both an operational base and a transit route; the northern and central regions are particularly affected. Rosario—the country’s third largest city and an important port in the Santa Fe province—has been at the center of a spike in drug-related violence and unrest that has featured armed attacks against courts and intimidation of public officials.

Police misconduct, including torture and brutality against suspects in custody, is endemic. Prisons are overcrowded, and conditions remain substandard throughout the country. Arbitrary arrests and abuse by police are rarely punished in the courts, and police collusion with drug traffickers is common. In September 2019, the chief of the Federal Police in Santa Fe was arrested for impeding an investigation following a violent attack against him, and he was later charged with drug trafficking. In May 2019, four young people were killed when their car crashed as they fled police officers who opened fire on them in the province of Buenos Aires. As a result, 12 officers were suspended pending an investigation.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Argentina’s indigenous peoples, who comprise approximately 2.4 percent of the population, are largely neglected by the government and suffer disproportionately from extreme poverty and poor access to public services. Only 11 of Argentina’s 23 provinces have constitutions recognizing the rights of indigenous peoples. Women enjoy legal equality, but continue to face economic discrimination and gender-based wage gaps.

Argentina’s LGBT+ population enjoys full legal rights, including marriage, adoption, and the right to serve in the military. However, LGBT+ people face some degree of societal discrimination, and occasionally, serious violence.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The government respects citizens’ constitutional right to free travel both inside and outside of Argentina. People are free to change their place of education or employment.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Citizens generally enjoy the right to own property and establish private businesses, and the Macri administration has made some effort to reduce bureaucracy as a means of encouraging entrepreneurship. However, bureaucratic abuses and corruption continue to affect private businesses.

Approximately 70 percent of the country's rural indigenous communities lack titles to their lands, and forced evictions, while technically illegal, still occur. Indigenous communities continue to struggle to defend their land rights against oil and gas prospectors, and to reclaim traditional lands.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Argentines enjoy broad freedom regarding marriage and divorce. Same-sex marriage and adoption by same-sex couples has been legal nationwide since 2010. A 2012 gender identity law allows people to legally change their gender.

Violence against women remains a serious problem. Activists continue to hold highly visible protests and events aimed at drawing attention to the issue. According to official data, less than 5 percent of murder cases against women from 2018 ended in convictions.

Access to abortion is legal only in cases where the mother's life or health are in danger, or if the pregnancy is the result of rape; women in more remote parts of the country report difficulty in accessing an abortion even when these conditions are met. President Fernández in November 2019 pledged to decriminalize abortion.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Some industries like garment and brick production profit from the forced labor of men, women, and children from Argentina as well as from neighboring countries; forced labor is also present in the agriculture sector and among domestic workers and street vendors. Exploitation is made easier by the prevalence of informal work: more than a third of Argentines work in the informal sector, without proper benefits or formal legal protections.

Men, women, and children are subject to sex trafficking. The government maintained the use of a hotline to facilitate investigations and has worked to identify more victims, deliver antitrafficking trainings, and prosecute officials involved in trafficking, according to the US State Department's 2019 *Trafficking in Persons Report*.

Armenia

Population: 3,000,000

Capital: Yerevan

Freedom Status: Partly Free

Electoral Democracy: No

Note: The numerical ratings and status listed above do not reflect conditions in Nagorno-Karabakh, which is examined in a separate report. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed

territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Armenia is in the midst of a significant transition following mass antigovernment protests and elections in 2018 that forced out an entrenched political elite. The new government has pledged to deal with long-standing problems including systemic corruption, opaque policymaking, a flawed electoral system, and weak rule of law.

KEY DEVELOPMENTS IN 2019

- Nikol Pashinyan of the My Step alliance returned as prime minister in January, after winning a large majority in a late 2018 snap election.
- In May, former president Robert Kocharyan was put on trial for his alleged involvement in a violent crackdown against protests in 2018, which resulted in the deaths of at least 10 people.
- Prosecutors continued to investigate and charge several former officials of corruption and graft throughout the year. Former president Serzh Sargsyan, his brothers, and a former defense minister were among those targeted.

POLITICAL RIGHTS: 21 / 40 (+1)

A. ELECTORAL PROCESS: 6 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

In late 2015, voters approved constitutional changes that, among other things, transformed the country from a semipresidential to a parliamentary republic. The president, who had been directly elected for up to two five-year terms, would henceforth be chosen by the parliament for a single seven-year term, and most executive power would shift to the prime minister, who would also be chosen by a parliamentary majority. The new system took effect in 2018, when Serzh Sargsyan completed his second consecutive presidential term. The parliament elected diplomat Armen Sarkissian as president; though Sargsyan pledged to refrain from extending his rule by seeking the premiership, the then ruling Republican Party (HHK) nevertheless nominated him and ushered him into the post. This prompted mass antigovernment protests and led to Sargsyan's resignation after less than a week in office. Nikol Pashinyan, a deputy with the opposition Yelq Alliance who emerged as the leader of the demonstrations, sought and gained appointment as interim prime minister later in 2018.

Executive elections held before 2018 were dominated by the HHK, with incumbent elites benefiting from the abuse of administrative resources and severe limitations imposed on opposition candidates. However, Pashinyan and his new My Step Alliance swept the December 2018 parliamentary elections, which were markedly freer and fairer than elections in previous years, and took office in January 2019.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The National Assembly consists of a minimum of 101 members elected for five-year terms through a combination of national and district-based proportional representation. Up to four additional seats are reserved for ethnic minority representatives, and further seats can be added to ensure that opposition parties hold at least 30 percent of the seats.

Pashinyan announced his resignation as prime minister in October 2018 in order to trigger snap parliamentary elections that December. Preliminary reports by local and international observers noted that the elections were credible. Reports by local and international observers noted that the elections were credible. The Organization for Security and Co-operation in Europe (OSCE) found that “the general absence of electoral malfeasance, including of vote-buying and pressure on voters, allowed for genuine competition.” The My Step Alliance won 70 percent of the vote and was allotted 88 seats, including the four ethnic minority mandates. Prosperous Armenia, headed by wealthy businessman Gagik Tsarukyan, took 8 percent and 26 seats, while Bright Armenia, a small liberal party that had been part of the Yelq Alliance, took 6 percent and 18 seats. The HHK failed to cross the 5 percent threshold for representation.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Members of Central Election Commission (CEC) are recommended and then confirmed by the National Assembly for six-year terms. In the past, the CEC was generally subservient to the HHK, and showed reluctance to investigate alleged electoral violations by the party. This resulted in a low level of public trust in the electoral process and the CEC. However, the commission reportedly exhibited more professional conduct during the 2018 snap election, making preparations on a shortened timeline, conducting voter education campaigns, and handling voter rolls, candidate registration, and publication of results in a transparent manner.

Critics of Armenia’s preexisting electoral code argued that its complex system for voting and seat allocation gave an undue advantage to the HHK and affiliated business magnates. In September 2019, a parliamentary working group was formed to consider major reforms to the country’s electoral system; its work was continuing at year’s end.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The HHK’s political dominance and control of administrative resources has historically prevented a level playing field among the country’s many competing parties. However, the protest movement that forced Sargsyan from office also increased pressure on the HHK to refrain from interfering in party activities, giving opposition groups significantly more freedom to operate ahead of the 2018 election. Political parties operated in a freer environment in 2019.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

The HHK had been the main ruling party since 1999, and opposition groups had little chance of winning power in the flawed elections before 2018. However, that year’s election transformed the political landscape, leaving the HHK with no parliamentary representation and paving the way for My Step to form the government. In 2018, opposition parties also defeated the HHK in municipal elections that it had long dominated, including in the capital city of Yerevan. The ruling party and two largest opposition groups subsequently declined to field candidates for September 2019’s municipal elections, allowing current and former HHK members to retain the mayoralties of five villages.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The HHK and its allies historically used vote buying, voter intimidation, and the abuse of administrative resources to distort the popular will, but the parliament adopted legislation that criminalized various acts related to vote buying in 2018. That year's snap election and local elections in 2018 and 2019 saw a decline in these practices.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

A system introduced as part of the 2015 constitutional reforms mandates the inclusion of up to four members of parliament representing ethnic minorities. However, the four representatives are required to be elected on a party list. In 2018, My Step won all four minority seats, representing ethnic Russians, Yazidis, Assyrians, and Kurds.

No openly LGBT+ people have run in elections or been appointed to a public office in Armenia. Women remain underrepresented in politics and government, and most parties do little to address women's interests aside from meeting the 25 percent gender quota on candidate lists. Despite his praise of women's involvement in the 2018 protests, Pashinyan included only one woman, labor and social affairs minister Zaruhi Batovan, in the cabinet in 2019. Armenia's first female mayor was elected in 2018.

C. FUNCTIONING OF GOVERNMENT: 5 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4 (+1)

Through its significant majority, gained in a free and fair election, My Step controlled parliamentary decision-making throughout the year. The HHK previously dominated policy-making, but it gained this power through a series of deeply flawed elections.

So-called oligarchs, or wealthy businessmen who have close relationships with the HHK government, can still exert undue influence over policymaking. Russia also wields significant influence in Armenia, and its strategic priorities have prompted some significant policy changes in the past. However, Russia refrained from interfering with the 2018 anti-government demonstrations and the transfer of power, and the Pashinyan government has subsequently worked to maintain close ties.

Score Change: The score improved from 1 to 2 because the freely elected My Step government took office in early 2019 and was able to control policymaking throughout the year.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Armenia lacks effective safeguards against corruption. Relationships between politicians, public servants, and oligarchs have historically influenced policy and contributed to selective application of the law. The HHK government included some of Armenia's wealthiest business leaders, who continued private entrepreneurial activities despite conflicts of interest.

Law enforcement agencies initiated high profile investigations when Pashinyan took office, and those activities continued in 2019. In April, prosecutors brought corruption charges against Mihran Poghosyan, accusing him of abusing his power as the head of a court enforcement agency to enrich himself and businesses linked to him. Poghosyan sought asylum in Russia to avoid extradition, and Russian authorities were still considering his request at year's end. In September, former defense minister Vigen Sargsyan was charged with abuse of power for personally allocating publicly funded housing to soldiers and their families,

ignoring a preexisting defense ministry process. These charges were abruptly dropped several weeks later, however.

Former president Sargsyan and his brothers were also targeted by investigators and prosecutors in 2019. Aleksandr Sargsyan was accused of fraud in February, but avoided prosecution by transferring \$30 million to the state. In September, Levon Sargsyan was accused of enriching himself and business allies by interfering in a highway reconstruction project; Sargsyan fled Armenia in 2018 after he was accused of holding undeclared assets in an Armenian bank. The former president was himself charged with theft of state money in December; prosecutors claimed he interfered in a bidding process for a government fuel contract, but did not explain how he profited from this activity.

The My Step government has also taken early steps to strengthen the country's anticorruption mechanisms. In October 2019, it published a three-year action plan that specified the creation of a new Anti-Corruption Committee (ACC) by 2021. The government also vowed to strengthen the existing Commission on Preventing Corruption (CPC).

C3. Does the government operate with openness and transparency? 2 / 4

Transparency has historically been limited, and enforcement of asset-declaration rules for public officials has been weak, though some legal improvements have been enacted in recent years. The Pashinyan government has worked to give citizens greater access to information, speaking more frequently to the press and the general population, including through live video streaming on social media.

CIVIL LIBERTIES: 32 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 2 / 4

Independent and investigative outlets operate relatively freely in Armenia, but their work is generally found online. Small independent outlets provided robust coverage of the 2018 protests, challenging the narratives of state broadcasters and other establishment media. By comparison, most print and broadcast outlets are affiliated with political or larger commercial interests.

While several reporters were injured by police during the 2018 election campaign, violence against journalists declined in 2019 according to the Committee to Protect Freedom of Expression (CPFE), an Armenian nongovernmental organization (NGO). However, the CPFE also reported a rising prevalence of lawsuits targeting journalists; 96 were filed in 2019, most of them involving accusations of slander or insult.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Article 18 of the constitution recognizes the Armenian Apostolic Church as a "national church" responsible for the preservation of Armenian national identity. Religious minorities report discrimination, and some have faced difficulty obtaining permits to build houses of worship. The country's Yazidi religious minority had no houses of worship until October 2019, when a temple opened in the village of Ankalich.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Although the constitution protects academic freedom, government officials hold several board positions at state universities, leaving administrative and accreditation processes

open to political influence. There is some self-censorship among academics on politically sensitive subjects.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion is relatively free and vibrant. The law prohibits wiretapping or other electronic surveillance without judicial approval, though the judiciary lacks independence and has been accused of excessive deference to law enforcement agencies requesting consent.

In April 2019, Prime Minister Pashinyan ordered the National Security Service (NSS), Armenia's intelligence agency, to crack down on social media users who spread "fake news" about the government. Opposition parties and the country's human rights ombudsman criticized the order, warning it risked freedom of expression. That same month, the NSS arrested an unnamed social media user who ran a Facebook page that criticized Pashinyan, and accused them of inciting "ethnic, racial, or religious hatred."

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12 (+1)

E1. Is there freedom of assembly? 3 / 4

The right to free assembly is legally guaranteed but inconsistently upheld in practice. In 2018, mass antigovernment demonstrations were organized across the country under the slogan Reject Serzh, aiming to stop the outgoing president from governing as prime minister. Despite some violent interference by police and the temporary detention of hundreds of protesters, the demonstrations encountered fewer obstacles than in the past. Conditions continued to improve in 2019, with fewer and smaller instances of police interference than in previous years.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4 (+1)

Outspoken NGOs operate in Armenia, with most of them based in Yerevan. These NGOs lack significant local funding and often rely on foreign donors. Despite this impediment, civil society was active in the 2018 protests, and in subsequent consultations with the government on policy matters in 2019, most notably on electoral reform. The European Union (EU) also noted that Armenian NGOs were making significant progress in bolstering their organizational capacity in a May 2019 report.

Score Change: The score changed from 2 to 3 because Armenian NGOs operated with less interference from the authorities, and because they have become active participants in government-led reform efforts in 2019.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The law protects the rights of workers to form and join independent unions, strike, and engage in collective bargaining. However, these protections are not well enforced, and employers are generally able to block union activity in practice.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

The courts face systemic political influence, and judicial institutions are undermined by corruption. Judges reportedly feel pressure to work with prosecutors to convict defendants, and acquittal rates are extremely low. In response, the government announced a plan to

give the CPC more power to investigate and discipline judges accused of corruption. It also published a five-year strategy devoted to judicial reform in October 2019.

The government was also embroiled in a conflict over Constitutional Court chair Hrayr Tovmasyan in 2019. In June, newly appointed justice Vahe Grigoryan—a government ally—unsuccessfully attempted to claim the chair by using a legislative technicality. In October, the government attempted to strip Tovmasyan’s powers, saying his HHK affiliation made him incapable of hearing the case of former president Robert Kocharyan. Kocharyan was on trial for his alleged role in fatal clashes between protesters and police during the 2008 presidential campaign. In December, prosecutors charged Tovmasyan with abuse of power, saying he personally profited from the rental of offices when he served as justice minister.

The trial against Kocharyan, which began in May 2019, was another point of controversy for the judiciary. The presiding judge ordered Kocharyan’s release that month, questioning the legality of the charges; prosecutors and the government condemned the ruling, which was overturned in June. Another judge who was assigned to preside over the case was harassed by two of Kocharyan’s supporters in Yerevan in September. The trial was still in session at year’s end.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Authorities apply the law selectively, and due process is not guaranteed in civil or criminal cases. Lengthy pretrial detention remains a problem, and judges are generally reluctant to challenge arbitrary arrests. Pashinyan was among those who were subjected to arbitrary detention during the antigovernment protests in 2018.

The raft of corruption investigations aimed at HHK elites and allies in 2019 prompted concerns about the ability of the country’s judicial and investigative mechanisms to ensure fair application of the law.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Reports of police abuse of detainees and poor conditions in prisons persist. After the change in government in 2018, law enforcement agencies renewed dormant investigations into past cases of physical violence by police. Former president Kocharyan was controversially charged that year with attempting to overthrow the constitutional order over his involvement in the fatal clashes of 2008.

Areas adjacent to Azerbaijan and Nagorno-Karabakh, an Armenian-majority territory that gained de facto independence from Azerbaijan following the breakup of the Soviet Union, remained tense in 2019, with a lingering risk of shelling and skirmishes across the line of contact.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Rights watchdogs have criticized the government for discriminating against asylum seekers who are not of ethnic Armenian origin. Although same-sex sexual activity was decriminalized in 2003, LGBT+ people continue to face violence and mistreatment at the hands of police and civilians, and no antidiscrimination legislation exists to benefit this group. In April 2019, Lilit Martirosyan, the first openly transgender woman to address the National Assembly, discussed the widespread violence directed at Armenia’s transgender community; she was immediately denounced by the chair of the legislature’s human rights committee and received death threats after her speech. Women reportedly face discrimination in employment and education, despite legal protections.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The law protects freedom of movement and the rights of individuals to change their place of residence, employment, and education. In practice, access to higher education is somewhat hampered by a culture of bribery. The continued deadlock with Azerbaijan over the fate of Nagorno-Karabakh constrains freedom of movement along some border areas.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Economic diversification and simpler regulations have increased the ease of doing business in recent years, but a lack of transparency and persistent cronyism continue to create unfair advantages for those with ties to public officials. Armenian law adequately protects property rights, though officials do not always uphold them.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The constitution defines marriage as a union between a man and a woman. Domestic violence is common and not adequately prosecuted, and services for victims are inadequate. A new law on domestic violence that took effect in 2018 placed an emphasis on “restoring family harmony,” raising concerns that it would deter victims from leaving dangerous situations. In October 2019, the government introduced amendments to remove that reference and expand the definition of what constituted domestic violence; these reforms remained unadopted at year’s end, however.

The HHK government signed the Istanbul Convention, a Council of Europe document that binds participating countries to bolster their efforts to combat violence against women, in 2018. The Pashinyan government attempted to ratify it in 2019, but the Apostolic Church publicly opposed the effort in July. While the Venice Commission, an advisory body to the Council of Europe, advised that the convention would not conflict with existing Armenian law in October, the convention remained unratified at the end of the year.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Legal protections against exploitative or dangerous working conditions are poorly enforced, and about half of workers are employed in the informal sector, where they may be more exposed to such conditions. Armenians are subjected to sex and labor trafficking abroad, and some children in the country work in agriculture and other sectors. According to the US State Department, the government has made efforts to address trafficking in persons in recent years, in part by raising awareness of the problem and training law enforcement authorities, but it has done little to identify victims proactively, and the number of successful prosecutions remains small.

Australia

Population: 25,300,000

Capital: Canberra

Freedom Status: Free

Electoral Democracy: Yes

Overview: Australia has a strong record of advancing and protecting political rights and civil liberties. Challenges to these freedoms include the threat of foreign political influence, harsh policies toward asylum seekers, discrimination against LGBT+ people, increasingly stringent checks against the press, and ongoing difficulties ensuring the equal rights of indigenous Australians.

KEY DEVELOPMENTS IN 2019

- Prime Minister Peter Morrison won a new term in office when the Liberal and National parties' coalition won May's federal election, despite expectations that the opposition Labor Party would form the next government.
- In December, the Australian Broadcast Corporation (ABC) revealed that Australian intelligence agents were investigating claims that a businessman connected to the Chinese government attempted to plant an agent in Parliament in November. *The Sydney Morning Herald* reported on a prominent Chinese-Australian politician's ties to entities directed and supported by Chinese government that same month.
- The Australian Federal Police (AFP) conducted two controversial raids against a newspaper editor and the country's public broadcaster in June, after they used leaked government documents as sources for stories in 2017 and 2018. The editor, who was threatened with prosecution, took her case to the High Court, which was considering the matter at year's end. The broadcaster also sought judicial redress, and their case was still being weighed at the end of the year.
- The High Court restricted public servants' ability to criticize the government when it ruled that a civil servant's dismissal for criticizing immigration policy through a social media account was justified in August.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The Australian government is a parliamentary democracy under a constitutional monarchy. The leader of the popularly elected majority party or coalition is designated as prime minister, and serves as head of government. Scott Morrison, the head of the Liberal Party, became prime minister in 2018 after successfully challenging Malcolm Turnbull for the leadership. Morrison's ascension continued a pattern in which prime ministers failed to serve full terms due to "leadership coups," which have drawn criticism for failing to reflect the will of the voters. After becoming Liberal leader, Morrison took steps in late 2018 to limit "coups" in the party with new rules; a two-thirds majority of Liberal members of parliament is now required to remove a party leader who has ascended to the country's premiership. Morrison won a new term as prime minister when the Liberal Party and its coalition partner, the National Party, won a free and fair election in May 2019.

A governor-general, appointed on the recommendation of the prime minister, represents the UK monarch as head of state. The powers of the monarchy are extremely limited. Retired general David Hurley was appointed governor-general in July 2019.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral legislative branch consists of a 151-member House of Representatives and 76-member Senate. Lower house members are elected through a ranked-choice ballot,

and serve three-year terms. Senators are elected through a ranked-choice ballot and serve staggered six-year terms.

The Liberal–National coalition won 77 seats in the House of Representatives in the May 2019 election, earning a one-seat majority over all other parties. The Labor Party won 68, while the Greens won 1. Independents took the remaining 5 seats.

Forty seats in the Senate were filled in the same contest. The Liberal–National coalition won 19 of the seats up for reelection, while Labor won 13, the Greens won 6, and 2 were won by independents. Turnout for the election stood at 91.9 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Australian electoral laws and procedures are generally fair and impartial. The Australian Electoral Commission (AEC)—an independent federal agency—coordinates all federal elections and referendums, draws seat boundaries, and keeps the electoral rolls. Voting is compulsory, and a registered voter’s failure to vote may result in a small fine, which if unpaid can increase, and ultimately lead to a criminal conviction.

On election day in 2019, Liberal Party campaigns in two seats displayed Chinese-language signs telling electors that the “correct way” to vote was to vote Liberal; their design mimicked official AEC signage. Two Liberal members of parliament, federal treasurer Josh Frydenberg and Gladys Liu, won in the seats where this took place.

However, the incident prompted an independent candidate and a voter to sue to void the results. An advisor to Frydenberg admitted the signs were designed to mimic AEC material when he testified in November. The AEC did not take the signs down, and argued that the plaintiffs’ evidence was insufficient to justify the legislators’ disqualification. The court ruled against the plaintiffs in late December.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Australians may organize political parties without restrictions. Registration and recognition as a political party requires a party constitution and either one member in Parliament, or at least 500 members on the electoral roll.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Power rotates between parties frequently, traditionally alternating between the Labor Party and the Liberal–National coalition. The Greens and smaller left-leaning parties tend to ally with Labor, while rural-oriented and conservative parties often ally with Liberals.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Political participation in Australia is largely free from undue domestic influence. The UK’s monarch remains the Australian head of state, but the monarchy’s power is strictly limited by the Australian constitution and legal precedent.

Concerns about foreign interference in politics, particularly from China, has persisted for several years. Chinese actors have allegedly funded candidates and parties, and a senator resigned in 2017 due to his financial ties with companies linked to the Chinese government.

The government subsequently banned foreign donations to political parties, independent candidates, and other political campaign groups in 2018. Additionally, the Foreign Influence Transparency Scheme, which came into force that year, requires persons who engage in political activities, such as lobbying, on behalf of a foreign government or other entity, to register publicly.

Chinese efforts to infiltrate Australian politics continued in 2019. In November, the Australian Security Intelligence Organization (ASIO), the country's spy agency, was revealed to be investigating claims that Chinese intelligence attempted to plant an agent in the House of Representatives. Zhao Bo, a car dealer living in the city of Melbourne, claimed that a businessman tied to the Chinese government offered him A\$1 million (\$740,000) to run for a seat as a Liberal in 2018. Zhao was found dead in March 2019 while awaiting trial on fraud-related charges. The ASIO considered Zhao's story to be credible, and was investigating the individual who solicited him as 2019 ended.

Chinese connections to Liberal lawmaker Gladys Liu were also publicized in 2019. In September, Liu admitted that she was an honorary member of a chapter of the China Overseas Exchange Association (COEA), which was controlled by China's State Council. In December, the press tied Liu to Allen Saylav, the former head of Chinese electric bus manufacturer Brighsun's subsidiary in Australia. Saylav relied on Liu to win the Australian government's support for the introduction of electric buses in 2015, and Brighsun donated A\$105,000 (\$81,000) to the Liberals that same year.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Political rights and electoral opportunities are granted to all Australians. However, the interests of women are inadequately represented, and female members of Parliament have reported being bullied, intimidated, and harassed by their male colleagues. Female representation in Parliament remains fairly low; only 46 seats in the lower house are held by women, representing 30.7 percent of the body. The opposition Labor Party employs an internal quota specifying that 40 percent of its candidates must be women; this quota will rise to 50 percent in 2025. The governing Liberal Party also aims for equal gender representation by 2025, but does not use a quota system.

Some voting restrictions—including requirements that voters hold a fixed address and a ban on voting by prisoners serving long sentences—disproportionately affect indigenous Australians, who are also underrepresented in Parliament. However, indigenous politicians have recently entered the legislature; the lower house's first indigenous man won a seat in 2010, while its first indigenous woman won a seat in 2016. The Australian government has considered reforms to strengthen the indigenous population's political voice since 2017, when indigenous leaders proposed a representative body that would advise Parliament on policy matters that affect them. Prime Minister Morrison had dismissed the idea in 2018, calling the proposed body a *de facto* third chamber of Parliament. However, the government formed a 19-member panel to consider the idea in November 2019, though the proposed body would not be constitutionally enshrined.

Chinese-Australian representation in national politics saw a breakthrough in 2019, when Gladys Liu became the first Chinese-Australian to enter the lower house.

LGBT+ representatives have served in Parliament since the 1990s, when Green senator Bob Brown became the first openly gay member of the upper house. The first openly gay member of the House of Representatives was elected in a 2016 by-election.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The freely elected government is generally able to develop and implement policy.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Laws against official corruption are generally well enforced, but the absence of a federal anticorruption body makes enforcement more difficult. All states and territories operate local anticorruption bodies; the first state-level agency was formed in 1989, when Queensland created its Criminal Justice Commission. Other states followed suit in the 2000s and 2010s.

Prime Minister Morrison faced increasing pressure from independent legislators and the nongovernmental organization (NGO) Transparency International to create a federal equivalent, and announced the Commonwealth Integrity Commission (CIC) in late 2018. The proposed commission would monitor law enforcement agencies as well as other federal bodies, but would have no authority to hold public hearings and would be unable to investigate allegations of corruption without receiving a referral. The proposal remained under consideration at year's end.

C3. Does the government operate with openness and transparency? 4 / 4

Government operations are characterized by a high degree of transparency, and political affairs are openly discussed in the parliament and in the media. Parliamentary records and commissioned reports are readily available. The Freedom of Information Act allows people to access a wide range of government documents, though some government agencies have been criticized for long delays and unnecessary refusals of freedom of information requests.

CIVIL LIBERTIES: 57 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16 (-1)

D1. Are there free and independent media? 3 / 4 (-1)

Though the constitution does not explicitly protect press freedom, journalists scrutinize lawmakers and the government and cover controversial topics, generally without encountering serious obstacles or risking harassment or violence.

However, the use of leaked government documents by the press prompted two controversial raids by the AFP in June 2019. The publicly owned Australian Broadcasting Corporation's (ABC) Sydney office was raided in response to the broadcaster's 2017 publication of the "Afghan Files," a series of stories based on leaked documents that focused on misconduct and unlawful killings by Australian soldiers in Afghanistan. The AFP presented a warrant before entering ABC premises and searched through files relating to the stories. The ABC sued to block the federal police from reviewing the seized documents in a federal court; the case was still ongoing at the end of 2019.

The day before the AFP searched the ABC's Sydney office, the AFP raided the home of *Sunday Telegraph* political editor Annika Smethurst, in response to a 2018 story covering leaked plans to expand the government's spying powers. A warrant gave the AFP permission to search Smethurst's home, computer, and phone as part of their investigation into the alleged publication of classified material. Smethurst took her case to the High Court, with her lawyers calling on the AFP to delete data copied from her mobile phone when they presented their case in November 2019.

Members of the press have also been constricted by the use of judicial suppression orders while covering criminal cases. A judge in the state of Victoria issued a suppression order to limit reporting on the trial of Cardinal George Pell, an Australian Vatican official

convicted of sexual assault in December 2018. The order was issued that June to prevent undue influence on a second trial scheduled against Pell, but foreign media outlets reported on the verdict and many domestic outlets followed suit.

Victoria state prosecutors called on nearly 100 journalists to explain their decision to report on the Pell case in a February 2019 letter, saying they had scandalized the court and warning that they risked contempt of court charges if their explanations were deemed insufficient. Some staff members of publications that covered the case received these letters even though they did not report on the case themselves. Prosecutors filed charges against 36 individual journalists and organizations in April, and their cases were still ongoing at the end of 2019.

Score Change: The score declined from 4 to 3 due to contempt of court charges being levied against journalists who reported on a major criminal case and police raids against media outlets as part of an investigation into government leaks.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution explicitly prohibits laws that would either impose or restrict religious expression, and individuals are generally able to express religious beliefs or nonbelief.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected. However, in 2017, federal officials warned of Chinese attempts to monitor Chinese students in Australia, and to question academics whose views differed with those of the Chinese government.

In July 2019, pro-Chinese counterprotesters at the University of Queensland destroyed banners and engaged in physical altercations with demonstrators who opposed the Chinese government's treatment of the Uighur minority group and the violent response by Hong Kong police to prodemocracy protesters in Hong Kong. Days after the incident, the Chinese mother of one protester was approached by a government official who inquired about their child's loyalty to the Chinese Communist Party (CCP). Participants in subsequent demonstrations, especially those hailing from Hong Kong, expressed fears of foreign surveillance, and some wore masks in an effort to protect their identities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Generally, people in Australia may freely discuss personal views on sensitive topics, though the government passed a number of laws in recent years increasing its surveillance powers. A data retention law requires telecommunications companies to store users' metadata for two years. The law sparked concerns about the government's ability to track mobile and online communications. Some experts have warned of the potential for data breaches, and have argued that the law undermines civil liberties. In July 2019, the AFP disclosed that it accessed Australians' metadata nearly 20,000 times, and reviewed the metadata of journalists 58 times during its 2017–18 reporting period.

In 2018, the government passed the Assistance and Access Act, which requires technology companies to provide law enforcement agencies with access to encrypted communications on grounds that include preventing terrorism and crime. Civil rights groups criticized the new law's broad reach, relative lack of oversight, and steep fines for companies that do not comply. Vault Systems, an Australian provider of cloud services, warned in July 2019

that multinational companies were increasingly housing their data in other countries because of the legislation, when it submitted a brief during a review of the law.

Additionally, in August 2019, the High Court ruled against Michaela Banerji, who had been dismissed from the Department of Immigration and Border Protection in 2013 in connection with a pseudonymous Twitter account in which she criticized government policies on immigration and the treatment of detainees. She had sued for wrongful dismissal.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is not explicitly codified in law, but the government generally respects the right to peaceful assembly. There are some limited restrictions meant to ensure public safety.

There has been concern in recent years about measures designed to discourage protests, however. In 2016, the New South Wales state government passed laws increasing potential fines for those protesting at mining sites. In November 2019, New South Wales enacted a state-level “right to farm” bill that instituted large fines for similar activity on farms; civil rights groups criticized the bill, warning that it could be used in other enclosed spaces including schools and hospitals.

Large environmental protests were held in several cities in 2019, with isolated incidents taking place during these assemblies. Environmental advocacy group Extinction Rebellion organized marches in the cities of Sydney, Brisbane, and Melbourne in late October. Police arrested 38 people in Sydney, several of whom were elderly. A teenage protester in Brisbane later reported that she and 20 others were strip-searched in a police station. A late October protest in Melbourne ended with over 20 activists being arrested, with protesters saying that police were overly aggressive in their efforts to break the demonstration. After protesters used “lock-on” devices to attach themselves to buildings during these protests, the Queensland state government hastily passed laws prohibiting their use, instituting fines and jail sentences for protesters found to be using them.

University students took part in a string of protests against the Chinese government’s treatment of its Uighur minority and the Hong Kong authorities’ response to ongoing pro-democracy protests in Hong Kong. While most participants were peaceful, pro-Chinese counterprotesters tried to disrupt a July 2019 demonstration at the University of Queensland. Police separated the two groups when prodemocracy protesters were physically attacked, but no arrests were made.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

NGOs are generally free to form, function, and receive funding. A bill intended to limit foreign interference in the political sphere was enacted in December 2018. Earlier versions of the bill, which banned foreign donations to political parties, also sought to limit donations to certain charities from foreign entities, which raised concerns that it would severely impact the ability of NGOs to function. However, after pressure from the Labor and Green parties, the bill was amended to specify that it does not apply to charities and advocacy groups.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers can freely organize and bargain collectively, and trade unions actively engage in political debates and campaigns. However, strikes are only allowed when negotiating new union agreements, and may only pertain to issues under negotiation. In 2017, a High

Court ruling prohibited organizations that had previously violated orders from the Fair Work Commission from holding strikes during negotiations. The court described the right to strike as a “privilege.”

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The Australian judiciary is generally independent. However, a lengthy investigation in September and October 2019 by independent media outlet Crikey revealed that the Liberal–National government stacked the Administrative Appeals Tribunal (AAT), a body that reviews the merits of administrative decisions by government agencies, with individuals affiliated to the Liberal Party, including former candidates, donors, and party members.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The right to due process is generally respected. Defendants and detainees are presumed innocent until proven guilty and can only be held for 24 hours without being charged for a crime, with exceptions for terrorism cases.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Australia provides protection from the illegitimate use of force, and Australians have means to seek redress for harm. Prison conditions mostly meet international standards. However, conditions at numerous juvenile detention centers are substandard. Some children have instead been detained in adult prisons. In May 2019, an ABC investigative program reported on the practice of placing minor detainees in “watch houses,” maximum security facilities usually reserved for violent adult offenders.

The use of solitary confinement has become controversial, with the Victoria state ombudsman calling for the end of its use in September 2019. The ombudsman noted that children and adolescents were sometimes placed in solitary confinement.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Indigenous Australians continue to lag behind other groups in key social and economic indicators, suffer higher rates of incarceration, and report routine mistreatment by police and prison officials. Indigenous children are placed in detention at a rate 26 times higher than that of nonindigenous children. Additionally, people with disabilities make up over half the prison population, and face harassment and violence in prisons.

Men and women have the same legal rights, and discrimination based on sexual orientation or gender identity is prohibited. In practice, women and LGBT+ people experience employment discrimination and harassment.

Religious exemptions within the Sex Discrimination Act of 1984 allow for the expulsion of students and dismissal of teachers on the basis of their sexual orientation. While this power is rarely exercised, this act has sometimes been used to discriminate. In 2018, parts of a religious freedom report commissioned in 2017 were published, containing recommendations that schools retain the right to discriminate based on sexual orientation. Prime Minister Morrison faced pressure from rights groups to remove the exemptions and from religious groups to retain and bolster them. In response, Morrison unveiled a bill at the end of 2018, aimed at protecting LGBT+ students from discrimination.

The Liberal–National government spent much of 2019 drafting a bill meant to limit religious discrimination in Australian society. LGBT+ advocates objected to the draft,

warning that the bill would allow health providers to deny treatment to LGBT+ patients for religious reasons. Equality Australia, an LGBT+ advocacy group, called on the government to introduce stronger hate speech legislation alongside the proposed bill in July. The NGO also warned that state-level antidiscrimination laws could be superseded by the federal bill. The bill's second draft was unveiled in December 2019, and remained under consideration at year's end.

Domestic and international condemnation of Australia's harsh asylum and immigration policies persisted in 2019. Rights groups objected to the detention of refugees and asylum seekers in offshore facilities characterized by poor living conditions, inadequate safety for women and children, delays in processing applications, and a lack of sufficient healthcare and education services. The processing center on Manus Island in Papua New Guinea closed in 2017, and asylum seekers in offshore detention centers in Nauru have been increasingly transferred to Australia. The UN's special rapporteurs on migrant rights called on the government to continue that practice, warning that the lack of medical care on Manus Island and Nauru amounted to cruel and inhuman treatment in a June 2019 statement. Despite this, Parliament repealed a law allowing offshore detainees to seek emergency medical care in Australia in December 2019, only ten months after it was enacted. Nearly 600 people remained in detention by late September 2019.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The government respects the freedom of movement, and neither state nor nonstate actors interfere with the choice of residence, employment, or institution of higher education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

With an open and free market economy, businesses and individuals enjoy a high level of economic freedom and strong protections for property rights.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

The government generally does not restrict social freedoms. In 2017, Parliament legalized same-sex marriage following a nationwide, nonbinding postal survey in which more than 60 percent of participants favored legalization. Same-sex couples have also won the right to adopt children at the state level, with the Northern Territory becoming the last state or territory to legalize LGBT+ adoption in 2018. Discrimination based on gender identity was prohibited under a 2013 amendment to the Sex Discrimination Act of 1984.

Violence against women remains a national concern, particularly for indigenous women. In addition, women who kill domestic abusers in self-defense are often jailed, with indigenous women representing the majority of this incarcerated group. In September 2019, the attorney general pledged that the government would legislate so that defendants claiming self-defense against their abusers can more easily submit evidence to support their claims in court.

Abortion law is decided by state and territory governments. New South Wales was the last state to decriminalize abortion when it overturned a 119-year old law in September 2019. Access to abortions is also proscribed in some states despite its legality, forcing women in those areas to seek assistance from private providers instead of public health systems.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Australians generally enjoy robust economic opportunities and freedom from exploitation. However, indigenous people continue to face economic hardship. Census data from 2016 revealed that indigenous employment rates in remote areas declined since 2006, impeding their upward social mobility.

In 2018, Parliament passed the Modern Slavery Act, requiring large businesses to be more transparent about potential slavery in their supply chains and to make efforts to address the problem. While the law, which took effect in early 2019, has been largely viewed favorably, some critics have noted that it fails to impose penalties for noncompliance.

Austria

Population: 8,900,000

Capital: Vienna

Freedom Status: Free

Electoral Democracy: Yes

Overview: Austria has a democratic system of government that guarantees political rights and civil liberties. The country has historically been governed by a grand coalition of the center-left Social Democratic Party of Austria (SPÖ), and the center-right Austrian People's Party (ÖVP). In recent years, the political system has faced pressure from the Freedom Party of Austria (FPÖ), a right-wing, populist party that openly entertains nationalist and xenophobic sentiments.

KEY DEVELOPMENTS IN 2019

- In May, a video surfaced showing FPÖ chairman and vice chancellor Heinz-Christian Strache offering lucrative state contracts in exchange for donations and favorable media coverage to a woman posing as an emissary of a Russian oligarch. The scandal, known as "Ibizagate," led to the ouster of the government under Sebastian Kurz (ÖVP) and to snap elections in late September.
- Up until the end of the ÖVP–FPÖ government, observers showed grave concern over statements and policies pushed forward in particular by interior minister Herbert Kickl (FPÖ), who said in January that law should follow politics, not the other way around.
- In May, Austria instituted a ban on headscarves in elementary schools, a move that was widely seen as Islamophobic. The education ministry extended the ban in October to include burkinis, a full-body swimsuit, worn during school-provided swim lessons.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Executive elections in Austria are generally free and fair. The president is elected for a six-year term and has predominantly ceremonial duties. The president does, however, appoint the chancellor, who also needs the support of the legislature to govern. Austria's

current president is the former head of the Green Party, Alexander Van der Bellen, who was elected after a close and controversial poll that featured a repeat of the runoff between Van der Bellen and FPÖ candidate Norbert Hofer. The runoff was repeated after the Constitutional Court established that there had been problems with the handling of postal ballots.

Following a political scandal, the government led by Chancellor Sebastian Kurz under an ÖVP–FPÖ coalition was ousted in May 2019, leading to a technocratic interim government under the leadership of Brigitte Bierlein, the first woman in the office of chancellor.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Legislative elections in Austria are generally considered credible. The National Council, the lower house, has 183 members chosen through proportional representation at the district, state, and federal levels. Members serve five-year terms. The 62 members of the upper house, the Federal Council (Bundesrat), are chosen by state legislatures for five- or six-year terms.

Snap elections to the National Council took place in 2019, following the ÖVP–FPÖ coalition’s collapse as a result of IbizaGate. The election campaign centered around political personalities like Sebastian Kurz, whose ÖVP was the clear winner. Support for the FPÖ collapsed, with the party losing 20 seats in the National Council. The ÖVP took 71 seats—the most of any party but not enough for a governing majority. The SPÖ won 40 council positions; the FPÖ took 31; the liberal NEOS claimed 15. The Green Party returned after a two-year absence from parliament and gained 26 seats. Voter turnout was around 75.5 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Austria’s electoral laws and framework are fair and generally implemented impartially by the relevant bodies.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Austria has competitive political parties that form and operate without encountering undue obstacles. Recent years have seen the rise and fall of various competing parties and coalitions through democratic processes.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties have a realistic opportunity to gain representation. Austria has frequently been governed by grand coalitions, a trend that has fostered some public disillusionment with the political process. Following a breakdown of the ÖVP–FPÖ government, elections in September 2019 have set up the likely formation of an ÖVP–Green Party coalition.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Austrians are generally free to make their own political choices without pressure from the military, business leaders, or other groups that are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The participation of Slovene, Hungarian, and Romany minorities in local government remains limited. There is little minority representation in the legislature. The number of people who have been naturalized (thus gaining certain political rights) has fallen dramatically since the establishment of a more restrictive national integration policy in 2009.

A number of political parties include support for gender equality in their platforms. In the 2019 elections, 39 percent of the members elected to the parliament were women, a slight increase compared to 2017. Brigitte Bierlein was sworn in as chancellor in June 2019 as the first woman to hold this office, albeit only as appointed leader of an interim government.

C. FUNCTIONING OF GOVERNMENT: 10 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

The freely elected president and legislative representatives work with the chancellor, vice chancellor, and cabinet ministers to determine the policies of the government.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Austria has some problems with public sector corruption, and the political class is perceived by many as corrupt. The trial against former finance minister Karl-Heinz Grasser, which commenced in late 2017, was still ongoing at the end of 2019; he is charged with bribery and embezzlement in connection with the sale of state housing in 2004. The Council of Europe's Group of States against Corruption (GRECO) has criticized Austria for weak party-finance legislation, and for failing to adequately regulate lobbying and prevent corruption amongst parliamentarians. Austria has seen an increase in indictments for, and the rising costs of corruption in the past few years.

Further Ibizagate investigations in 2019 exposed detailed plans to appoint Peter Sidlo, an unqualified FPÖ politician, as finance chief of Casinos Austria, a gambling company in part owned by the Austrian state. Strache and other politicians from FPÖ and ÖVP pressured the board of Casinos Austria to cooperate. They attempted to barter online casino licenses with a company called Novomatic, whose chief executive is also on the board of Casinos Austria, in exchange for the appointment of Sidlo as finance chief.

C3. Does the government operate with openness and transparency? 3 / 4

Austria's government has frequently been criticized for inadequate transparency. Official secrecy remains enshrined in the constitution. For over five years, a draft freedom of information law has been mired in parliamentary procedures, and it remained so at year's end. Austria's overall legal framework on access to information, containing vague criteria for compliance and lacking a strong appeals mechanism, is weak.

Increasing transparency and strengthening the Austrian anticorruption framework is set to be a major topic for the incoming government.

CIVIL LIBERTIES: 56 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16****D1. Are there free and independent media? 3 / 4**

The federal constitution and the Media Law of 1981 provide the basis for free media in Austria, and the government generally respects these provisions in practice. However, libel and slander laws protect politicians and government officials, many of whom—particularly

members of the FPÖ—have filed defamation suits in recent years. Media ownership remains highly concentrated, particularly in the provinces.

The government exerts some influence on the state broadcaster, the ORF, and overall, several observers and journalists noticed a weakening of press freedom over the past year. In 2019 a debate continued about reforms in the ORF, though it was stalled by the breakup of the ÖVP–FPÖ government. Several observers noted that the ORF was pressured and verbally attacked by the FPÖ while the party was in government. In April 2019, an FPÖ candidate berated and threatened journalist Armin Wolf during a live television broadcast in response to a question regarding a racially charged comic released by the FPÖ’s youth wing wherein Wolf noted comparisons between the FPÖ image and 1930s antisemitic Nazi propaganda. The verbal abuse continued after the interview: party leaders added their own threats and insults, even including Wolf in campaign videos for the EU parliamentary vote.

While there is no official censorship, Austrian law prohibits any form of neo-Nazism or antisemitism, as well as the public denial, approval, or justification of Nazi crimes, including the Holocaust.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is constitutionally guaranteed. Austrian law divides religious organizations into three legal categories: officially recognized religious societies, religious confessional communities, and associations. Many religious minority groups allege that the law impedes their legitimate claims for recognition and demotes them to second- or third-class status.

Foreign funding for Muslim houses of worship and imams is prohibited by a 2015 law; Orthodox Christian and Jewish groups with similarly strong links to communities abroad face no such restrictions. In 2019, the Austrian constitutional courts confirmed the legality of the 2015 law that enabled the expulsion of 40 imams from Turkey in 2018. The FPÖ has been criticized for stoking anti-Muslim sentiment through controversial advertising campaigns. In recent years, antisemitic and anti-Islamic tendencies seem to be on the rise.

Full-face coverings were banned in 2017, which was generally interpreted as targeting women who wear burqas and niqabs (facial veils), even though very few women in Austria wear those garments. In May 2019, the government passed a law banning the wearing of headscarves at elementary schools for kids under 10 years old. The law does not apply to children wearing a kippa. In October, the ministry of education clarified that the law also applies to burkinis in school-sponsored swimming lessons.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally upheld, and the educational system is free from extensive political indoctrination.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion in Austria is generally free and unrestricted. However, there have been some difficulties related to the balance between ensuring freedom of speech and enforcing legal prohibitions on hate speech. A debate surrounding more extensive online surveillance through state authorities is currently ongoing.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12**E1. Is there freedom of assembly? 4 / 4**

Freedom of assembly is protected in the constitution and in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate without restrictions, even though in recent years the political climate became more restrictive for civil society organizations to work in.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Trade unions are free to organize and to strike, and they are considered an essential partner in national policymaking. Around 27 percent of Austrian employees are unionized, according to 2016 figures.

F. RULE OF LAW: 15 / 16**F1. Is there an independent judiciary? 4 / 4**

The judiciary is independent, and the Constitutional Court examines the compatibility of legislation with the constitution without political influence or interference. The Consultative Council of European Judges of the Council of Europe criticized a slight lack of independence in an analysis of the Administrative Court of Vienna conducted in 2019. Austrian judges are appointed by the executive office of the government instead of a politically independent body, which the Council criticized as an insufficient separation of the state government from the judicial system.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Due process generally prevails in civil and criminal matters. However, scandals unfolding throughout 2018 involving Austria's intelligence apparatus raised concerns about the potential politicization of the justice system, as well as respect for due process. Such concerns were reinvigorated by former interior minister Herbert Kickl's statements in January 2019, in which he said that the law should follow politics and not the other way around. Kickl resigned in May.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

People in Austria are generally free from the illegitimate use of physical force, war, and insurgencies. However, terrorist threats are a concern. After the March 2019 terrorist attacks at a mosque in Christchurch, New Zealand, the attacker connection to the Austrian far-right extremist group, Identitäre Bewegung Österreich (IBÖ), were publicized. The ÖVP has promised a ban of IBÖ will be a demand of their 2020 coalition government.

Conditions in prisons generally meet high European standards.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Some marginalized groups face difficulty exercising their human rights before the law. Strong rhetoric has been directed against refugees and migrants in recent years. Some asylum seekers can be deported while appeals are pending. The ÖVP-FPÖ government was known for its restrictive policies on asylum seekers. In May 2019, the United Nations

Human Rights Commissioner found Austria's asylum system to not meet international human rights standards.

LGBT+ people face some societal discrimination. Hate crime legislation prohibits incitement based on sexual orientation. However, no law prohibits service providers from denying services on that basis.

Despite some improvement since 2005, gender equality remains an issue in Austria. According to the European Institute for Gender Equality's 2019 Index, women's wages are 76 percent of that of men.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Austrian citizens enjoy freedom of movement and choice of residence. Roma and other ethnic minorities face discrimination in the labor and housing markets. The Labor Ministry has sought to promote integration of younger immigrants by providing German-language instruction and job training.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Austrians may freely exercise the right to own property and establish businesses.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Same-sex marriage is legal in Austria since January 2019. Since 2016, there are no longer restrictions on same-sex couples adopting children.

The 2009 Second Protection against Violence Act increased penalties for perpetrators of domestic violence, and authorized further punitive measures against chronic offenders.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

A 1979 law guarantees women's freedom from discrimination in various areas, including the workplace. However, the income gap between men and women remains significant. According to the US State Department's 2019 *Trafficking in Persons Report*, the Austrian government is making efforts to fight human trafficking; convictions and prosecutions for trafficking-related offenses have increased, although the courts "continued to issue light or suspended penalties for convicted traffickers." The government has not appointed anyone to focus on this issue, which has limited their ability to evaluate the efficacy of their efforts. The government has made efforts at identifying victims among migrant populations.

Azerbaijan

Population: 10,000,000

Capital: Baku

Freedom Status: Not Free

Electoral Democracy: No

Note: The numerical scores and status listed here do not reflect conditions in Nagorno-Karabakh, which is examined in a separate report.

Overview: Power in Azerbaijan’s authoritarian regime remains heavily concentrated in the hands of Ilham Aliyev, who has served as president since 2003, and his extended family. Corruption is rampant, and the formal political opposition has been weakened by years of persecution. The authorities have carried out an extensive crackdown on civil liberties in recent years, leaving little room for independent expression or activism.

KEY DEVELOPMENTS IN 2019

- The authorities released more than 50 political prisoners in March and lifted travel bans on some journalists and activists during the year, but new arrests and other repressive actions were reported.
- Numerous high-ranking officials were replaced after the prime minister stepped down in October, and the parliament was dissolved in December, setting the stage for snap parliamentary elections in early 2020.
- Public attention was focused for much of the year on high-profile cases of domestic violence against women. In October, police dispersed a protest on the topic in Baku.

POLITICAL RIGHTS: 2 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is directly elected for seven-year terms. There are no term limits. Since the early 1990s, elections have not been considered credible or competitive by international observers. A February 2018 presidential decree moved that year’s presidential election, originally planned for October, up to April. President Ilham Aliyev—who succeeded his father, Heydar, in 2003—won a fourth term with some 86 percent of the vote amid evidence of electoral fraud and a boycott by the main opposition parties. An observer mission from the Organization for Security and Co-operation in Europe (OSCE) found that the election lacked genuine competition due to a restrictive political environment in which the seven nominal opposition candidates did not openly confront or criticize the president.

In 2017, President Aliyev appointed his wife, Mehriban Aliyeva, as vice president. The post had been created via constitutional changes that were pushed through in 2016 without meaningful parliamentary debate or public consultation.

The prime minister and cabinet are appointed and dismissed by the president. In October 2019, Prime Minister Norvuz Mammadov—in office since April 2018—was replaced by Ali Asadov. A series of other personnel changes in the cabinet and presidential administration continued through the end of the year.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The 125 seats in Azerbaijan’s unicameral Milli Mejlis, or National Assembly, are filled through elections in single-member districts, with members serving five-year terms. With the government actively repressing criticism and dissent, the main opposition parties boycotted the 2015 elections. According to official results, Aliyev’s Yeni Azerbaijan Party (YAP) won 71 seats, 41 went to independent candidates who tend to support the ruling party, and the remaining 12 were split among small progovernment parties. The OSCE declined to send observers, explaining that government restrictions on the number of observers allowed into the country would have made effective and credible monitoring impossible.

The assembly voted to dissolve itself early at the president’s request in December 2019, and snap elections were scheduled for February 2020.

Less than a third of eligible voters cast ballots in the December 2019 municipal council elections, which were boycotted by major opposition parties. Various irregularities were reported, including the casting of multiple ballots and intimidation of journalists.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral laws and framework fall short of international standards and do not ensure free and fair elections. The nomination process for members of electoral commissions places the bodies under the influence of the ruling party. Commission members have been known to unlawfully interfere with the election process and obstruct the activities of observers. Complaints of electoral violations do not receive adequate or impartial treatment.

During the 2018 presidential election, the Central Election Commission (CEC) failed to prevent instances of ballot-box stuffing and other forms of fraud that were reported at some polling stations, and disregarded many mandatory procedures meant to safeguard the integrity of the vote. In the run-up to the 2019 municipal elections, independent observers noted problems with voter registration, including a discrepancy between the State Statistical Committee and the CEC over the number of registered voters.

Election observers have repeatedly condemned restrictions on freedom of assembly, the inability of candidates to obtain permission to hold rallies or appear on television, political interference with courts investigating electoral violations, and noncompliance with past European Court of Human Rights decisions on election issues.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The political environment in Azerbaijan is neither pluralistic nor competitive. The ability of opposition parties to operate and engage with the public is limited by the dominance of the YAP. A number of laws restrict candidates' efforts to organize and hold rallies, and the opposition has virtually no access to coverage on television, which remains the most popular news source. The regime has cracked down violently on any Islamist political movement that reaches national prominence.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The Aliyev family has held the presidency since 1993. The biased electoral framework and repressive media and political environment effectively make it impossible for opposition parties to gain power through elections. The main opposition parties boycotted the most recent parliamentary, presidential, and municipal elections rather than take part in an unfair process.

Opposition figures complained that moving the 2018 presidential election forward by six months further disadvantaged them by leaving inadequate time to prepare their campaigns. Similar concerns were raised about the snap parliamentary elections triggered by the dissolution of the National Assembly in December 2019.

Opposition politicians and party officials are subject to arbitrary arrest on dubious charges, as well as physical violence and other forms of intimidation. In March 2019, the president authorized the release of more than 50 political prisoners—including opposition figures as well as journalists, bloggers, and others—as part of a larger mass clemency decision. However, opposition leaders and activists continued to face official restrictions and

harassment during the year, and new arrests were reported. The nongovernmental organization (NGO) Working Group on a Unified List of Political Prisoners estimated that there were still 112 political prisoners in the country as of late November 2019.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The authoritarian system in Azerbaijan excludes the public from any genuine and autonomous political participation. The regime relies on abuse of state resources, corrupt patronage networks, and control over the security forces and criminal justice system to maintain its political dominance.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The political system does not allow women or minority groups to organize independently or advocate for their respective interests. There are no meaningful mechanisms to promote increased representation of women and ethnic or religious minorities. The government has worked to stifle public expressions of ethnic Talysh and Lezgin identity, among other targeted groups.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Neither the president nor members of parliament are elected in a free or fair manner, and the parliament is unable to serve as a meaningful check on the powerful presidency. Lawmakers and lower-level elected officials essentially carry out the instructions of the ruling party.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is pervasive. In the absence of a free press and independent judiciary, officials are held accountable for corrupt behavior only when it suits the needs of a more powerful or well-connected figure.

Investigative reports published by foreign media in recent years have revealed evidence that the president and his family used their positions to amass large private fortunes. In 2017, a network of international media outlets exposed a \$2.9 billion slush fund that was held within United Kingdom–registered shell companies and linked to Azerbaijan's ruling elite, including the Aliyev family. The resources were reportedly used in part to improperly influence the Parliamentary Assembly of the Council of Europe (PACE), in order to minimize criticism of Azerbaijan's elections and alleged rights abuses.

C3. Does the government operate with openness and transparency? 0 / 4

Government operations are opaque. Although public officials are nominally required to submit financial disclosure reports, procedures and compliance remain unclear, and the reports are not publicly accessible. There are legal guarantees for citizens' access to information, but also broad exceptions to this right, and authorities at all levels systematically refuse to respond to information requests.

In 2017, Azerbaijan withdrew from the Extractive Industries Transparency Initiative (EITI), an international platform that promotes good governance and transparency in resource-rich countries. Azerbaijan, an important producer of oil and gas, had been suspended due to ongoing noncompliance with EITI human rights standards.

CIVIL LIBERTIES: 8 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? 0 / 4

Constitutional guarantees for press freedom are routinely and systematically violated, as the government works to maintain a tight grip on the information landscape. Defamation remains a criminal offense. Journalists—and their relatives—face harassment, violence, and intimidation by authorities. Many have been detained or imprisoned on fabricated charges, while others face travel bans. According to the Committee to Protect Journalists, there were six journalists behind bars in Azerbaijan as of December 2019.

Legal amendments passed in 2017 extended government control over online media, allowing blocking of websites without a court order if they are deemed to contain content that poses a danger to the state or society. Independent news sites are regularly blocked or struck with cyberattacks.

In addition to journalism, artistic expression is subject to political restrictions. In December 2019, the Azerbaijani rapper Paster (whose real name is Parviz Guluzade) was detained, beaten, and sentenced to 30 days of administrative arrest for violating public order, allegedly as punishment for lyrics that included a negative reference to a business linked to Mehriban Aliyeva's family. The blogger Mehman Huseynov was reportedly beaten by police and dumped outside of Baku for protesting in support of Paster in the following days.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The regime exercises control over religion through state-affiliated entities such as the Caucasus Muslim Board. Religious communities that attempt to operate independently face burdensome registration requirements, interference with the importation and distribution of printed religious materials, and arrest and harassment of religious leaders with international ties or a significant following. For example, Haji Taleh Bagirzade and members of his Muslim Unity Movement, a nonviolent conservative Shiite group, have been subjected to mass arrests, torture, and imprisonment as part of a crackdown that began in 2015.

A number of mosques have been closed in recent years, ostensibly for registration or safety violations. Jehovah's Witnesses face harassment as well as prosecution for evading military service.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The authorities have long curtailed academic freedom. Some educators have reported being dismissed for links to opposition groups, and students have faced expulsion and other punishments for similar reasons.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Law enforcement bodies monitor private telephone and online communications—particularly of activists, political figures, and foreign nationals—without judicial oversight. The escalation of government persecution of critics and their families has undermined the assumption of privacy among ordinary residents and eroded the openness of private discussion. Even state officials have been punished for their and their family members' social media activity, and activists have been imprisoned—on unrelated fabricated charges—for critical Facebook posts.

In recent years, activists have been targeted by spear-phishing campaigns designed to install malicious software on their computers or steal personal information. In April 2019, the progovernment television channel Real TV broadcast a secret recording of a private telephone conversation between two exiled journalists. Following the dispersal of large opposition rallies in October, Real TV played audio recordings of a private phone call between a US diplomat and an Azerbaijani activist, and a conversation in a restaurant between the same activist and a European Union official.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

The law imposes tight restrictions on freedom of assembly, which is contingent on the protection of “public order and morals.” Activists have complained that in practice, the obstacles to public gatherings include additional, extralegal measures. Unsanctioned assemblies can draw a harsh police response and fines for participants, and the government largely stopped issuing permits for rallies in Baku in the spring of 2019. Even when permits are issued, the government typically confines demonstrations to relatively isolated locations, where it can track attendees through facial-recognition technology and mobile-phone data.

Following three rallies in January 2019 in support of then-imprisoned blogger Mehman Huseynov, some 40 activists were subjected to administrative detention, more than 200 were summoned to police stations for interrogation, and hundreds more were questioned over the phone.

In October 2019, an authorized rally of the National Council of Democratic Forces—a coalition of opposition groups—was dispersed by police. Opposition parties responded by holding an unauthorized rally in central Baku that was also dispersed by police. Over 100 individuals were arrested, and several, including opposition leaders Ali Karimli and Tofiq Yaqublu, reported that they were tortured in detention. A smaller rally the day after the first, calling for Azerbaijan to ratify the Istanbul Convention on violence against women, was similarly disrupted by police.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Repressive laws on NGOs have been used to pressure both local and foreign organizations, many of which have suspended operations when their bank accounts were frozen or their offices raided. Nearly all organizations or networks that work on human rights are forced by the state to operate in a legal gray zone. The government has refused to permit the European Union to provide grant support for local civil society groups. Civic activists are routinely subjected to harassment, intimidation, detention, and abuse by police.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Although the law permits the formation of trade unions and the right to strike, the majority of unions remain closely affiliated with the government, and many categories of workers are prohibited from striking. Most major industries are dominated by state-owned enterprises, in which the government controls wages and working conditions.

F. RULE OF LAW: 0 / 16 (-1)

F1. Is there an independent judiciary? 0 / 4

The judiciary is corrupt and subservient to the executive. Judges are appointed by the parliament on the proposal of the president. The courts’ lack of political independence is especially evident in the many trumped-up or otherwise flawed cases brought against opposition figures, activists, and critical journalists.

F2. Does due process prevail in civil and criminal matters? 0 / 4 (-1)

Constitutional guarantees of due process are not upheld. Arbitrary arrest and detention are common, and detainees are often held for long periods before trial. Political detainees have reported restricted access to legal counsel, fabrication and withholding of evidence, and physical abuse to extract confessions.

In 2019, the so-called Ganja case provided the most prominent examples of due process violations. The case stemmed from an incident in July 2018, when a demonstration following the attempted assassination of the mayor of Ganja resulted in the deaths of two police officers. In response, police charged 77 suspects, 10 of whom died in custody or while being detained. The government claimed that the protests were an attempted Islamist uprising, despite significant evidence that many of the suspects were neither present at the scene nor observant Muslims. During the subsequent trials, which unfolded over the course of 2019, the authorities were unable to produce a coherent version of events.

Although nominally independent, the Azerbaijani Bar Association acts on the orders of the Ministry of Justice and is complicit in the harassment of human rights lawyers. Legal amendments that took effect in 2018 stipulated that only Bar Association members could represent clients in court. Since then, the association has disbarred, suspended, or threatened most of the country's active human rights lawyers for speaking to the media about violations of their clients' rights. In nearly all disciplinary cases, the courts have upheld the Bar Association's decisions without a thorough assessment or public justification.

Score Change: The score declined from 1 to 0 because the ongoing persecution and disbarment of human rights lawyers has deprived dissidents and activists of access to counsel.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

International observers have consistently concluded that both torture and impunity for the perpetrators of such abuse are endemic in the Azerbaijani criminal justice system. Police regularly administer beatings during arrest or while breaking up protests. Prison conditions are substandard; medical care is generally inadequate, and overcrowding is common.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Members of ethnic minority groups have complained of discrimination in areas including education, employment, and housing. Women are subject to discrimination in employment, including both de facto bias and formal exclusion from certain types of work under the labor code.

Although same-sex sexual activity is legal, LGBT+ people experience societal discrimination and risk harassment by the police. In 2017, police fined or detained dozens of people for weeks in a coordinated crackdown that led many LGBT+ residents to flee the country.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4**

The government restricts freedom of movement, particularly foreign travel, for opposition politicians, journalists, and civil society activists. While travel bans were lifted for some dissidents during 2019, many others remained in place, including for some of the political prisoners released in March; others fled the country to avoid further persecution.

People with disabilities and psychiatric patients are routinely institutionalized; there is no clear procedure to review their confinement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Property rights are affected by government-backed development projects that often entail forced evictions, unlawful expropriations, and demolitions with little or no notice. Corruption and the economic dominance of state-owned companies and politically connected elites pose obstacles to ordinary private business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The law generally grants women and men the same rights on personal status matters such as marriage, divorce, and child custody. Domestic violence is a notable problem, and related legal protections are inadequate. Conservative social norms contribute to the widespread view that domestic violence is a private matter, which discourages victims from reporting perpetrators to the police. However, the growth of social media and the movement of rural populations to Baku in recent years have spurred public discussion of the issue. Among other high-profile cases during 2019, Fuad Gahramanli, the deputy chairman of the opposition Azerbaijan Popular Front Party, resigned after his daughter alleged on social media that he had regularly beaten her, her mother, and her sister, though many fellow politicians and social media users continued to support him.

The hijab has been formally banned in Azerbaijani schools since 2011, and women who choose to wear it have increasingly complained of discrimination by both private and public employers.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Legal safeguards against exploitative working conditions are poorly enforced, and many employers reportedly ignore them without penalty. The government has taken some steps to combat forced labor and sex trafficking, including by prosecuting traffickers and providing services to victims, but the problem persists, notably among Romany children and foreign household workers.

As a result of corruption and a lack of public accountability for the allocation of resources, the state's oil and gas revenues tend to benefit privilege elites rather than the general population, narrowing access to economic opportunity.

Bahamas

Capital: Nassau

Population: 400,000

Freedom Status: Free

Electoral Democracy: Yes

Overview: The Bahamas are a stable democracy where political rights and civil liberties are generally respected. However, the islands have a relatively high homicide rate. Harsh immigration policies, which mainly affect Haitian-Bahamians and Haitian migrants, are often

executed in the absence of due process. Government corruption is a serious problem that is thought to have had significant economic consequences.

KEY DEVELOPMENTS IN 2019

- In September, Hurricane Dorian caused severe devastation and displacement, particularly affecting communities of Haitian migrants and Haitian-Bahamians. Afterward, the government escalated efforts to deport migrants.
- Domestic advocates for the LGBT+ community reported improvements in social attitudes and productive engagement during the year with the Office of the Attorney General.
- In July, the government passed a law requiring nonprofit organizations to register, declare sources of contributions and all donations over \$50,000, and account for annual income and expenditures. The new provisions raise concerns about government surveillance of civil society.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The Bahamas are governed under a parliamentary system, and a mostly ceremonial governor-general is appointed by the British monarch as head of state. The prime minister is head of government, and is appointed by the governor-general; the office is usually held by the leader of the largest party in parliament or head of a parliamentary coalition. Hubert Minnis became prime minister following the victory of his party, the Free National Movement (FNM), in the May 2017 legislative elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the lower chamber of the bicameral Parliament, the 39-member House of Assembly, are directly elected to five-year terms. The 16 members of the Senate are appointed for five-year terms by the governor-general based on recommendations made by the prime minister and the opposition leader.

In May 2017 general elections, the ruling Progressive Liberal Party (PLP) was defeated by the FNM, which won 35 out of 39 seats in the House of Assembly; Minnis, the FNM leader, was then appointed prime minister. International monitors praised the electoral process, but expressed concern about an outdated voter-registration system, and the replacement of the parliamentary commissioner—a key administrative official—and the redrawing of electoral districts before the polls.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The electoral process is regulated by the Parliamentary Elections Act and generally well managed by the Parliamentary Registration Department. The parliamentary commissioner heads the department, and is appointed by the governor-general acting on the recommendation of the prime minister after consultation with the opposition leader.

B. POLITICAL PLURALISM AND PARTICIPATION 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties may organize freely, and operate unhindered. However, as electoral financing is not regulated, there is no legal obligation to disclose funding sources and no limit on campaign spending.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties operate without undue interference. Political power has alternated between the PLP and the FNM since the country achieved independence from the United Kingdom in 1973.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and candidates are generally able to exercise their political choices freely. However, a lack of campaign-finance regulations leaves open avenues for the outsized role of money in politics.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Only citizens may vote, and protracted and obscure citizenship and naturalization proceedings make achieving citizenship difficult for those born to foreign parents in the Bahamas. Though women and women's interests remain underrepresented in politics, 7 out of 16 Senators are women, including both the Senate president and vice president. LGBT+ people are underrepresented in politics, but advocates for the community reported productive engagement during 2019 with the Office of the Attorney General.

C. FUNCTIONING OF GOVERNMENT 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Freely elected officials are generally able to determine national policies in a free and unhindered manner.

C2. Are safeguards against official corruption strong and effective? 3 / 4

The country's anticorruption mechanisms are relatively weak, and there is no agency specifically empowered to handle allegations of government corruption. Rates of reporting corruption are low, as whistleblowers fear retaliation. Domestic transparency advocates have alleged that widespread government corruption has been a significant contributor to a recent economic downturn.

In November 2019, a probe was launched by the Netherlands into suspected corruption regarding the government's acquisition of nine defense force vessels; investigators suggested that commissions the government paid the Dutch-based shipbuilding company were suspiciously high. Separately, bribery cases against former labor minister Shane Gibson and former housing and environment minister Kenred Dorsett were dismissed during the year, decisions widely viewed as politicized. Bills to establish an independent anticorruption body and an ombudsman were on the legislative agenda in 2019, but had not been approved at year's end.

C3. Does the government operate with openness and transparency? 3 / 4

Government procurement processes lack transparency, and political parties and campaigns are not required to disclose their finances. A long-awaited Freedom of Information Act was passed in February 2017. Meanwhile, whistleblower protections became active

in March 2018 and the government has announced a target date of May 2020 for full implementation.

Legislators and other high-ranking public officials are required to disclose their income and assets under the Public Disclosure Act of 1976, but often fail to submit the required information on time.

A new Fiscal Responsibility Law aims to improve transparency of public-sector spending established an independent oversight and enforcement body. In late 2019, the government was unable to meet the law's benchmarks due to post-hurricane disruption and expenses.

CIVIL LIBERTIES: 53 / 60

D. FREEDOM OF EXPRESSION AND BELIEF 15 / 16

D1. Are there free and independent media? 3 / 4

Press freedom in the Bahamas is constitutionally guaranteed and generally respected in practice. The country's privately owned newspapers and radio broadcasters freely express a variety of views, although partisanship is common.

Libel is a criminal offense punishable by up to two years in prison. Though rarely enforced, Gorman Bannister, who ran news and commentary pages on social media, was remanded to prison in July 2019 on charges of libel and misusing a communications system after he allegedly posted insults and defamatory statements against a former cabinet minister, though was released on bail shortly after.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally respected.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic institutions are generally free from political pressure and other interference.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People can freely express personal views in private and in public without fear of retribution or surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by the constitution, and the government respects this right in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Freedom of association is generally protected, and a variety of nongovernmental organizations (NGOs) operate in the country. In July 2019, the government passed a law requiring nonprofit organizations to register, declare sources of contributions and donations over \$50,000, and account for annual income and expenditures, raising concerns about government surveillance of civil society.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Labor, business, and professional organizations are generally free from government interference. Unions have the right to strike, and collective bargaining is prevalent.

F. RULE OF LAW 13 / 16**F1. Is there an independent judiciary? 4 / 4**

The judicial system is headed by the Supreme Court and a court of appeals, with the additional right of appeal to the Privy Council in London under certain circumstances. The Bahamian judiciary is predominantly independent, and there have been no major reports in recent years of attempts by powerful figures to use political or other influence to secure favorable rulings. In 2019, the Inter-American Development Bank suggested separating the Office of the Public Prosecutor from the Office of the Attorney General, among other reforms, as potential improvements.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process in civil and criminal matters generally prevails. However, the government only appoints counsel to defendants in capital cases, leaving some people without legal representation. Generally, noncitizen migrants do not enjoy due process before detention or deportation, and in 2019, the government escalated efforts to deport migrants in the aftermath of the hurricane.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Homicide and violent crime rates in the Bahamas remain among the highest in the Caribbean. In 2019, murders had increased to 96, up from 91 in 2018. However, state security agents generally do not engage in the illegal use of force against civilians, and the population is not threatened by large-scale violence or insurgencies.

Prison conditions are poor, and reports of violence against prisoners by guards continue.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The Constitution does not prohibit gender-based discrimination, which denies men and women equal treatment under the law.

Despite a change in government, harsh immigration policies enacted in 2014 are still in effect, and have exacerbated stigma and discrimination against the targeted populations, mainly Haitians and Haitian-Bahamians. People perceived to be of Haitian descent are frequently rounded up by immigration authorities and detained, and civil society advocates continue to report that detained migrants experience overcrowding and inhumane conditions. After Hurricane Dorian in 2019, the government banned immigrants without documentation from relief centers and pursued removal of shantytowns that primarily house migrant populations.

Discrimination based on sexual orientation or gender identity is not prohibited by law, and LGBT+ people continue to report discrimination in employment and housing. However, domestic LGBT+ advocates reported improvements in societal attitudes towards LGBT+ individuals in 2019. A number of Pride events to bolster LGBT+ advocacy efforts have also been planned for 2020.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS 13 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4**

The freedom of movement is protected. However, the immigration policies adopted by the previous government are still enforced and have had an impact on people of Haitian descent in the exercise of their individual rights, including their ability to move freely and choose their places of residence, employment, and education. Roadblocks have been erected as part of immigration enforcement actions.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 4 / 4

The country has a strong private sector, and the economy relies mostly on tourism and financial services. Individuals are free to establish businesses, subject to generally non-onerous legal requirements.

Efforts to get rid of shantytowns housing migrant communities escalated after Hurricane Dorian, and squatters' land entitlements under the Limitation Act could be interrupted due to post-hurricane abandonment. The government also proposed a bill criminalizing failure to evacuate. Furthermore, emergency powers were invoked to defend demolitions on land impacted by the storm. However, an August 2018 Supreme Court injunction requiring the government and utility providers to halt any planned service disconnections or evictions in shantytown communities was in effect at year's end.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The government does not place explicit restrictions on social freedoms. However, the Bahamian constitution distinguishes between Bahamian men and women in their transmission of Bahamian citizenship to their spouse or child. This results in instability in the family unit, and long processes to have Bahamian citizenship recognized for children born to Bahamian parents.

Violence against women, including domestic violence and marital rape, is a serious issue. No law permits same-sex marriage.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The Bahamas is a source, destination, and transit country for men, women, and children for forced labor and sexual exploitation. The government fully complies with minimum international standards to address the problem and has made significant efforts to prosecute traffickers. Migrant workers, many of whom arrive in the Bahamas to work in the agricultural sector and in domestic services, are particularly vulnerable to exploitation.

Bahrain

Population: 1,500,000

Capital: Manama

Freedom Status: Not Free

Electoral Democracy: No

Overview: Bahrain was once viewed as a promising model for political reform and democratic transition, but it has become one of the Middle East's more repressive states. Since violently crushing a popular prodemocracy protest movement in 2011, the Sunni-led

monarchy has systematically eliminated a broad range of political rights and civil liberties, dismantled the political opposition, and cracked down harshly on persistent dissent concentrated among the Shiite population.

KEY DEVELOPMENTS IN 2019

- The government continued to revoke citizenship as a political and criminal punishment, even when it left people stateless. However, after a series of reviews ordered by the king under international pressure, nearly two-thirds of the people whose citizenship had been revoked over the past seven years had it restored by late in the year.
- In January, the country's highest court upheld the sentence of life in prison given in 2018 to Ali Salman, leader of the disbanded opposition party Al-Wefaq, for supposedly spying for Qatar during the antigovernment protests of 2011.
- Three men were executed in July, two of them for terrorism-related offenses, despite concerns raised by UN experts about flawed trials and the apparent use of coerced confessions.
- Political prisoners went on hunger strike in August to protest mistreatment in custody, including the alleged denial of medical care and religious discrimination against Shiites.

POLITICAL RIGHTS: 1 / 40 (-1)

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The 2002 constitution gives the king power over the executive, legislative, and judicial authorities. The monarch appoints and dismisses the prime minister and cabinet members, who are responsible to him rather than the legislature. However, since independence from Britain in 1971, the country has had only one prime minister, Khalifa bin Salman al-Khalifa, the uncle of the current king, Hamad bin Isa al-Khalifa.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The king appoints the 40-member Consultative Council, the upper house of the National Assembly. The lower house, or Council of Representatives, consists of 40 elected members serving four-year terms. Formal political parties are not permitted, but members of "political societies" have participated in elections in practice.

Lower house elections were held in November 2018, with a runoff round in December, but with bans on the country's main opposition groups in place, the exercise featured little meaningful competition. A law passed several months before the elections prohibited the candidacy of anyone who belonged to the dissolved political societies, had boycotted or been expelled from the parliament, or had received a prison sentence of at least six months. Most seats went to independents, though small Sunni Islamist groups won several seats and a leftist group won two. As in previous years, turnout figures were disputed amid a lack of independent election monitoring.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Bahrain's electoral framework is unfair, with electoral districts deliberately designed to underrepresent Shiites, who form a majority of the citizen population but have never

been able to obtain majority representation in the parliament. The government has also allegedly drawn district borders to put certain political societies, including leftist and Sunni Islamist groups, at a disadvantage. The government directorate responsible for administering elections is headed by the justice minister, a member of the royal family, and is not an independent body.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Formal political parties are illegal, and a 2005 law makes it illegal to form political associations based on class, profession, or religion. A 2016 amendment bans serving religious clerics from engaging in political activity. The law permits “political societies,” with some of the functions of a political party, to operate after registering with the government, but the authorities have closed down almost all opposition political societies since 2016. The most popular, the Shiite Islamist society Al-Wefaq, was forcibly disbanded that year for allegedly encouraging violence. Bahrain’s second-largest opposition group, the secularist National Democratic Action Society (Wa’ad), was banned in 2017.

Individual opposition leaders and activists routinely face harassment, and the regime has forced many into prison or exile. Al-Wefaq’s general secretary, Ali Salman, was arrested on various incitement charges in 2014 and fought a series of legal battles, receiving a four-year prison sentence from the Court of Cassation in 2017. In January 2019, the country’s top court upheld a life sentence Salman received in November 2018 for alleged espionage on behalf of Qatar.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The ruling family maintains a monopoly on political power, and the system’s structure excludes the possibility of a change in government through elections. Shiite opposition forces have taken part in parliamentary elections in the past but boycotted the 2014 legislative elections rather than participate in an unfair process. Ahead of the 2018 elections, the main opposition groups were banned and their former members barred from running.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The monarchy generally excludes the public from any meaningful political participation. Since 2011 it has used the security forces to isolate the country’s Shiite population and suppress political dissent. There have also been repeated allegations that the royal court uses its patronage networks to influence candidates and elections.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Although Shiites make up a majority of the country’s citizens, they have tended to be underrepresented in both chambers of the National Assembly and the cabinet. One of the main drivers of discontent in the Shiite community is the widespread perception that its members are treated as second-class citizens, both politically and economically. The regime, which is dominated by a Sunni ruling family, is committed to preventing Shiites from organizing independently to advance their political interests, though it is keen to ensure that at least some progovernment Shiites and members of religious minorities are present in the

legislature and cabinet. The dominant role of the monarchy means that even Sunnis face restrictions on their ability to engage in independent political activity.

Women formally enjoy full political rights, but they are typically marginalized in practice; political societies rarely select female candidates. Six women were elected to the lower house in 2018, up from three, and a woman was chosen as speaker for the first time; nine women were named to the upper house.

Noncitizens make up just over half of the total population, and most have no political rights, but the minority of expatriates who own property in the kingdom are allowed to vote in municipal elections. Citizenship generally must be inherited from a Bahraini father, and foreign men married to Bahraini women do not have access to naturalization.

LGBT+ identity is generally not recognized openly, including in political contexts.

C. FUNCTIONING OF GOVERNMENT: 2 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4 (-1)

The king and other unelected officials hold most authority over the development and implementation of laws and policies. Most major cabinet posts are held by members of the ruling family. The National Assembly may propose legislation to the government, but it is the government that drafts and submits the bills for consideration by the legislature. With the main opposition groups no longer present in the National Assembly following successive boycotts and legal bans, the body has become silent on politically sensitive topics, even if it does feature some debate about economic reforms, austerity measures, and public services.

Score Change: The score declined from 1 to 0 because the parliament's ability to serve as a meaningful check on the executive has seriously eroded over the past decade, with opposition groups largely absent from the body.

C2. Are safeguards against official corruption strong and effective? 2 / 4

There are some laws in place to combat corruption, but enforcement is weak, and high-ranking officials or members of the royal family who are suspected of corruption are rarely punished. The media are not sufficiently free to independently air allegations of corruption against such figures. Civil society anticorruption efforts are also restricted; the current and former chairs of the Bahrain Transparency Society have periodically been banned from travel.

C3. Does the government operate with openness and transparency? 0 / 4

Parliamentary proceedings are public, and the parliament is entitled to scrutinize the government budget, but in practice the executive issues orders and laws without providing insight or allowing meaningful public consultation on their development. The limited availability of data on actual expenditures, as opposed to annual spending targets, hinders scrutiny. There is no law guaranteeing public access to government information, and officials are not obliged to disclose their assets or income.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -3 / 0

The government has made concerted efforts to erode the Shiite citizen majority and tip the country's demographic balance in favor of the Sunni minority, mostly by recruiting

foreign-born Sunnis to serve in the security forces and become citizens. Since 2011, the government has maintained a heavy security presence in primarily Shiite villages.

Meanwhile, hundreds of Bahrainis have had their citizenship revoked in recent years, including a large number of Shiite leaders and activists. Among other revocations during 2019, a group of 138 Bahrainis had their citizenship removed on a single day in April as part of a mass trial. After an international outcry, the king decreed later the same month that citizenship would be restored to 551 people who had previously had it revoked, and he asked the Interior Ministry to review other cases. By late in 2019, according to data compiled by the United Kingdom-based Bahrain Institute for Rights and Democracy, nearly two-thirds of the people whose citizenship had been revoked over the past seven years had had it restored, leaving 292 denationalized. Citizenship was not restored to the most prominent opposition activists affected by the practice.

CIVIL LIBERTIES: 10 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? 0 / 4

The government owns all national broadcast media outlets, and the private owners of Bahrain's main newspapers have close ties to the state. The only independent newspaper, *Al-Wasat*, was banned in 2017. Self-censorship is encouraged by the vaguely worded Press Law, which allows the state to imprison journalists for criticizing the king or Islam or for threatening national security. Insulting the king is punishable by up to seven years in prison. A 2016 edict requires newspapers to apply for a one-year renewable license to publish online. The government selectively blocks online content, including opposition websites and content that criticizes religion or highlights human rights abuses. Authorities have also blocked online access to Qatari news outlets since diplomatic relations with Qatar broke down during 2017.

Journalists continue to face legal and bureaucratic obstacles to their work in practice. Bahraini authorities have refused to renew the credentials of several Bahraini journalists working with foreign media outlets. Six journalists remained behind bars as of December 2019, according to the Committee to Protect Journalists, and some journalists have had their citizenship revoked. International journalists often face difficulty obtaining a visa to enter Bahrain.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Islam is the state religion, and the penal code criminalizes blasphemy-related offenses. Some media material and websites are censored on religious grounds. However, non-Muslim minorities are generally free to practice their faiths. Muslim and non-Muslim religious groups are required to register with government ministries. Muslim religious groups register with the Ministry of Justice and Islamic Affairs through the Sunni or Shiite *awqaf* (endowments) that oversee mosques and prayer houses; their directors are appointed by royal decree and paid by the government.

Although Shiite communities are free to carry out religious observances, such as the annual Ashura processions, Shiite clerics and community leaders often face harassment, interrogation, prosecution, and imprisonment. An estimated 45 Shiite religious sites were demolished or vandalized in 2011 in apparent reprisal for the role of Shiite opposition groups in that year's protests. The Islamic Ulema Council, a group of Shiite clerics, was banned in 2014. The government revoked the citizenship of senior Shiite cleric Isa Qassim in 2016,

and he was given a suspended one-year prison sentence for money laundering in 2017; he left Bahrain in 2018. Other Shiite clergy have been detained or questioned for taking part in protests or being suspected of doing so. Protests and police restrictions periodically obstruct access to mosques.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Academic freedom is not formally restricted, but scholars who criticize the government are subject to dismissal. In 2011, a number of faculty members and administrators were fired for supporting the call for democracy, and hundreds of students were expelled. Those who remained were forced to sign loyalty pledges.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The penal code includes a variety of punishments for offenses such as insulting the king or state institutions and spreading false news. Many Bahrainis have been convicted and jailed for political speech, including on social media. In 2017, when Bahrain joined a regional boycott of Qatar, the Interior Ministry said expressions of sympathy or support for that country were prohibited, with a penalty of up to five years in prison. Criticism of the Saudi-led military campaign in Yemen on social media can also lead to jail time. In May 2019, the Interior Ministry warned that Bahrainis could be found guilty of cybercrimes simply for following or sharing content from Twitter accounts deemed to promote “sedition.”

The security forces are believed to use networks of informers, and the government monitors the personal communications of activists, critics, and opposition members. In 2018, several exiled Bahraini opposition activists brought a court case against a British spyware company that they accused of helping the Bahraini authorities to hack and surveil their computers.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

A permit is required to hold demonstrations, and a variety of onerous restrictions make it difficult to organize a legal gathering in practice. Police regularly use force to break up political protests, most of which occur in Shiite villages. Participants can face long jail terms, particularly if the demonstrations involve clashes with security personnel. In July 2019, police used tear gas while forcibly dispersing protests that followed the execution of two Shiite activists.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Nongovernmental organizations (NGOs) are prohibited from operating without a permit, and authorities have broad discretion to deny or revoke permits. The government also reserves the right to replace the boards of NGOs. Bahraini human rights defenders and their family members are subject to harassment, intimidation, and prosecution. Many of them were either in prison or in exile as of 2019.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Bahrainis have the right to establish independent labor unions, but workers must give two weeks’ notice before a strike, and strikes are banned in a variety of economic sectors.

Trade unions cannot operate in the public sector, and collective-bargaining rights are limited even in the private sector. Harassment and firing of unionist workers occurs in practice. Domestic, agricultural, and temporary workers do not have the right to join or form unions.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

The king appoints all judges and heads the Supreme Judicial Council, which administers the courts and proposes judicial nominees. The courts are subject to government pressure in practice. The country's judicial system is seen as corrupt and biased in favor of the royal family and its allies, particularly in politically sensitive cases. Once made, judicial decisions are generally enforced.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Law enforcement officers reportedly violate due process during arrests and detention, in part by obstructing detainees' access to attorneys. Detainees are sometimes held incommunicado. Judicial proceedings often put defendants at a disadvantage, with judges denying bail requests or restricting defense attorneys' attendance or arguments without explanation.

In 2017, the government restored the National Security Agency's power to make arrests. This reversed one of the key reforms undertaken in 2011 after an inquiry into human rights abuses. The agency has been accused of torture and other abuses. Also in 2017, the constitution was amended to permit military trials for civilians in security-related cases, further weakening due process rights.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Torture is criminalized, but detainees frequently report mistreatment by security forces and prison officials, who are rarely held accountable for abuse. The Interior Ministry ombudsman's office has failed to provide a meaningful check on such impunity. Political prisoners went on hunger strike in August 2019 to protest poor treatment in custody, including the alleged denial of medical care and religious discrimination against Shiite prisoners, who said they were punished and mocked for trying to practice their faith.

Three executions in 2017 marked the first uses of the death penalty since 2010, and another three men were put to death in July 2019. Two of the latest to be executed were Shiite activists who had been sentenced for terrorism-related offenses; five UN special rapporteurs and experts had appealed for their sentences to be halted given concerns about a flawed trial and the apparent use of coerced confessions.

Police have been targeted in small bombings and armed attacks in recent years. Four officers were killed during 2017, and multiple injuries were reported in 2018.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Women enjoy legal equality on some issues, and gender-based discrimination in employment is prohibited. Nevertheless, discrimination is common in practice, and women are generally at a disadvantage in matters of family law.

Shiites of both Arab and Persian ethnicity face de facto discrimination in matters including employment. They are largely excluded from the security forces, except when serving as unarmed community police officers. There is a general perception that Shiite public employees are relegated to nonsecurity ministries, like those focused on health and education,

which may put Sunni applicants at a disadvantage in such sectors. The government does not publish socioeconomic data that are broken down by religious sect.

Discrimination based on sexual orientation is common. The law does not provide protections against such bias, though same-sex sexual activity is not criminalized for those aged 21 and older. Public displays of same-sex affection could fall afoul of public decency laws.

Bahrain is not a signatory to the 1951 refugee convention and does not recognize refugee status.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Authorities restrict movement inside the country for residents of largely Shiite villages outside Manama, where the government maintains a heavy security presence. The government also obstructs foreign travel by numerous opposition figures and activists.

Bahrain established a “flexible” permit for foreign workers in 2017, aiming to ease the workers’ ability to change jobs; the traditional sponsorship system ties migrant workers to a specific employer. However, participation in the new scheme has been limited by numerical caps and other restrictions.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Although registered businesses are largely free to operate, obtaining approval can be difficult in practice. Legal reforms in recent years have sought to lower the capital requirements and other obstacles to registering and operating businesses. For the wealthy elites who dominate the business sector, property rights are generally respected, and expropriation is rare. However, Shiite citizens encounter difficulties obtaining affordable housing and in some cases face bans on purchasing land. Much of the country’s scarce land is occupied by royal properties and military facilities. Noncitizens can only own property in designated areas. Women may inherit property, but their rights are not equal to those of men.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Personal status issues such as marriage, divorce, and child custody are governed by a 2017 unified family law. Previously only a Sunni family code was in place, with Shiite personal status matters adjudicated by Shiite religious courts according to their interpretation of Islamic jurisprudence. Some Shiite leaders objected to the new law. The law’s provisions are still based on Sharia (Islamic law) principles that put women at a disadvantage on many issues.

Accused rapists can avoid punishment by marrying their victims, and spousal rape is not specifically outlawed. Adultery is illegal, and those who kill a spouse caught in the act of adultery are eligible for lenience in sentencing.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Migrant workers are vulnerable to exploitation. Some employers subject them to forced labor and withhold their salaries and passports, although this is illegal. The government has taken steps to combat human trafficking in recent years, and has begun on occasion to investigate and prosecute perpetrators.

Revenues from oil and gas exports, the main source of income for the government, are used to fund public-sector jobs and services. All citizens thus receive some benefit from the state-owned energy industry, but not to an equal degree. In particular there is discrimination

in the allocation of public-sector jobs and promotion opportunities, depending on one's social and sectarian background and personal connections.

Bangladesh

Capital: Dhaka

Population: 163,700,000

Freedom Status: Partly Free

Electoral Democracy: No

Overview: The ruling Awami League (AL) has consolidated political power through sustained harassment of the opposition and those perceived to be allied with it, as well as of critical media and voices in civil society. Corruption is a serious problem, and anticorruption efforts have been weakened by politicized enforcement. Due process guarantees are poorly upheld and security forces carry out a range of human right abuses with near impunity.

KEY DEVELOPMENTS IN 2019

- In January, Prime Minister Sheikh Hasina began her third consecutive term in office following the Awami League's (AL) victory in December 2018 parliamentary elections, which were marked by violence, the intimidation of opposition candidates and supporters, allegations of fraud benefiting the ruling party, and the exclusion of nonpartisan election monitors.
- The opposition Bangladesh Nationalist Party (BNP) declared a boycott of parliament following the December 2018 election, but in April four of the six BNP members who won seats decided to take the oath of office. Meanwhile, BNP leader Khaleda Zia remained in prison, having been convicted of corruption charges ahead of the 2018 polls.
- More than 700,000 Rohingya refugees who had fled Myanmar since 2017 remained in Bangladesh, where most live in precarious camps that lack basic services. The Bangladesh government became increasingly hostile toward the Rohingya during the year, cutting off cell phone service in the camps and erecting barbed-wire fencing around them.

POLITICAL RIGHTS: 15 / 40 (-2)

A. ELECTORAL PROCESS: 4 / 12 (-1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4 (-1)

A largely ceremonial president, who serves for five years, is elected by the legislature. President Abdul Hamid was elected to his second term in 2018.

The leader of the party that wins the most seats in the unicameral National Parliament assumes the position of prime minister and wields effective power. Hasina was sworn in for her third term as prime minister in early 2019 following the AL's overwhelming victory in the 2018 elections, which were marked by violence, intimidation of opposition candidates and supporters, allegations of fraud benefiting the ruling party, and the exclusion of nonpartisan election monitors. Hamid also swore in 24 cabinet ministers, 19 ministers of state, and 3 deputy ministers.

Score Change: The score declined from 2 to 1 because a new prime minister and cabinet were installed by a legislature that was the product of deeply flawed parliamentary elections in late 2018.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The National Parliament is composed of 350 members, 300 of whom are directly elected. Political parties select a total of 50 women members based on their share of elected seats.

Hasina's AL overwhelmingly won the December 2018 polls, with the party and its alliance partners taking 288 of the 300 directly elected seats. Election day and the campaign that preceded it were marked by political violence in which at least 17 people were killed, as well as legal and extralegal harassment of government opponents. The opposition BNP claimed that thousands of its supporters and nearly a dozen of its candidates had been arrested ahead of the elections, and that its candidates were subject to intimidation and violence. Zia, the BNP's leader, was convicted on corruption charges and jailed ahead of the polls and later banned from participating in them as a candidate, significantly harming the BNP's competitiveness.

In the election's wake, the BNP issued allegations that the AL had benefitted from widespread electoral fraud carried out by AL supporters with the complicity of law enforcement agents and the army. The government also faced criticism for long delays in approving the accreditation of the Asian Network for Free Elections (ANFREL), which ultimately cancelled its election monitoring mission. A number of domestic and international missions were also unable to observe the elections due to similar delays, or authorities' outright denial of accreditation. Researchers from Transparency International Bangladesh (TIB) documented electoral irregularities in 47 of 50 constituencies they observed.

The previous general election in 2014 was boycotted by the BNP, the main opposition party, and was disrupted by significant violence.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The independence of the Election Commission (EC) and its ability to investigate complaints has long been questioned by opposition parties and outside observers, including by foreign governments and international organizations that have withdrawn financial assistance to the commission over such concerns. The EC's stewardship of the 2018 elections lent further credence to complaints that it favors the ruling party. In the run-up to the 2018 polls, the commission disqualified 141 BNP candidates for various violations, but only 3 from the AL. (Anticipating such disqualifications, the BNP designated multiple nominees for a number of posts to minimize disruptions to its campaign.) Moreover, the EC failed to order additional security measures following outbreaks of political violence that preceded the vote, or to meaningfully address many complaints filed by opposition figures about election-related violence and other electoral irregularities. After the election, the EC affirmed the results without investigating widespread allegations of fraud.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Bangladesh has a multiparty system in which power has historically alternated between political coalitions led by the AL and BNP; third parties have traditionally had difficulty

achieving traction. Both parties are nondemocratic in terms of internal structure, and are led by families that have competed to lead Bangladesh since independence, along with a small coterie of advisers. A crackdown on the BNP ahead of the 2018 elections significantly disrupted its operations. However, the government eased restrictions on opposition protests and rallies after the polls.

The constitution bans religiously based political parties, and the Jamaat-i-Islami (JI) party was prohibited from taking part in the 2014 and 2018 elections because of its overtly Islamist charter, though some JI members ran as independents. Bangladesh's International Crimes Tribunal—named as such despite lacking international oversight—was created in 2010 by Hasina to try people suspected of committing war crimes during Bangladesh's 1971 war of independence from Pakistan. Critics of the tribunal claim it was established to persecute Hasina's political opponents, notably those in JI.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

The main opposition BNP has been weakened by regular harassment and arrests of key members that have significantly harmed its ability to challenge the AL in elections. The 2018 election campaign was characterized by a crackdown on dissent that saw thousands of people and several political candidates arrested. There were also a number of acts of violence committed against opposition figures.

In the run-up to the polls, former prime minister and BNP leader Khaleda Zia was sentenced to five years' imprisonment for corruption, and the term was doubled in October, and the same month she was also sentenced to seven years in another case. In December, the attorney general announced that, per a recent Supreme Court ruling, she could not contest the elections due to a ban on political candidacy by anyone sentenced more than two years in prison. Zia's imprisonment severely hampered the competitiveness of the BNP.

A JI spokesman said more than 1,850 party members were arrested ahead of the 2018 elections, and some party members claimed they had been subject to torture while in custody.

In the first half of 2019, the BNP and other opposition parties boycotted local elections, which saw historically low turnout. In September, the BNP reversed the decision, saying it plans to participate in future elections. Earlier, in April, four of the six BNP members who won seats decided to take the oath of office.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The rival AL and BNP parties dominate politics and limit political choices for those who question internal party structures or hierarchy, or who would create alternative parties or political groupings.

Animosity between Hasina and Zia, as well as between lower-level cadres, has contributed to continued political violence. The human rights group Odhikar registered 70 deaths and 3,467 people injured during political violence in 2019, and nearly 3,000 injured in intraparty clashes.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

In the National Parliament, 50 seats are allotted to women, who are elected by political parties based on their overall share of elected seats, and women lead both main political

parties. Nevertheless, societal discrimination against women, as well as against LGBT+ people, limits their participation in politics. Religious minorities remain underrepresented in politics and state agencies.

C. FUNCTIONING OF GOVERNMENT: 4 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4 (-1)

Policy is set by the ruling AL, and weaknesses in the country's institutions have reduced checks on its processes and decision-making. Low representation of opposition lawmakers in the National Parliament significantly reduces its ability to provide thorough scrutiny of or debate on government policies, budgets, and proposed legislation.

Problems with the 2018 election including violence, intimidation of opposition candidates and supporters, and allegations of fraud benefiting the ruling party undermined the legitimacy of the AL government that was seated in January 2019.

Score Change: The score declined from 2 to 1 because the serious problems associated with the 2018 elections undermined the democratic legitimacy of the government and lawmakers in office during 2019.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Under the AL government, anticorruption efforts have been weakened by politicized enforcement and subversion of the judicial process. In particular, the Anti-Corruption Commission (ACC) has become ineffective and subject to overt political interference. The government continues to bring or pursue politicized corruption cases against BNP party leaders.

Media outlets and civil society face restrictions, and are therefore less able to expose government corruption.

C3. Does the government operate with openness and transparency? 2 / 4

Endemic corruption and criminality, weak rule of law, limited bureaucratic transparency, and political polarization have long undermined government accountability. The 2009 Right to Information Act mandates public access to all information held by public bodies and overrides secrecy legislation. Although it has been unevenly implemented, journalists and civil society activists have had some success in using it to obtain information from local governing authorities.

CIVIL LIBERTIES: 24 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

Journalists and media outlets face many forms of pressure, including frequent lawsuits, harassment, and serious or deadly physical attacks. A number of journalists were arrested or attacked in 2019 in connection with reporting on topics including crimes committed during the 1971 war, and election irregularities during both in the 2018 parliamentary polls and 2019 local polls. A climate of impunity for attacks on media workers remains the norm, and there has been little progress made on ensuring justice for the series of blogger murders since 2015. Dozens of bloggers remain in hiding or exile.

The 2018 Digital Security Act allows the government to conduct searches or arrest individuals without a warrant and criminalizes various forms of speech, and was vehemently opposed by journalists.

Forms of artistic expression contained in books, films, and other materials are occasionally banned or censored.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is designated as the official religion, though the constitution designates secularism as among the “high ideals” the charter is grounded in. Although religious minorities have the right to worship freely, they occasionally face legal repercussions for proselytizing. Members of minority groups—including Hindus, Christians, Buddhists, and Shiite and Ahmadiyya Muslims—face harassment and violence, including mob violence against their houses of worship. In October 2019, a Muslim mob attacked Hindu residences in Barisal after rumors circulated that a Hindu man posted blasphemous content on Facebook, and four people were shot and killed by police who responded to the chaos. Police later reported that the man’s account had been hacked. The incident was one of a number in recent years in which violence against religious or other minorities appears to have been deliberately provoked using social media.

Those with secular or nonconformist views can face societal opprobrium and attacks from hardline Islamist groups.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

In recent years, Bangladesh’s academic institutions have faced frequent threats from a variety of actors, resulting in reduced autonomy and rising self-censorship. Faculty hiring and promotion are often linked to support for the AL, and campus debate is often stifled by the AL’s student wing. In separate incidents, members of the AL student wing attacked a nonviolent protest at Dhaka University in September 2019, and the following month beat a student to death after he posted criticism of the AL on Facebook. Separately, in July, a researcher who exposed the presence of harmful antibiotics in major milk brands was maligned and threatened by members of the government.

In 2018, several campus demonstrations by students and professors who objected to a quota scheme for government jobs were set upon by assailants and violently dispersed by police, and many participants were arrested.

Changes made to the Bengali-language textbooks used widely throughout the educational system and distributed in 2017—at the behest of Islamist groups, who demanded the removal of content they claimed was “atheistic”—raised concerns about the influence of these groups over government policy and standards. Separately, Islamic extremists have attacked secular professors.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Open private discussion of sensitive religious and political issues is restrained by fears of harassment. Prior to the 2018 election, repression of dissent created a climate of fear and self-censorship. Censorship of digital content and surveillance of telecommunications and social media have become increasingly common.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution provides for the rights of assembly and association, but this is upheld inconsistently. Many demonstrations took place in 2019, though authorities sometimes try to

prevent rallies by arresting party activists. Protesters are frequently injured and occasionally killed during clashes in which police use excessive force.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Many nongovernmental organizations (NGOs) operate in Bangladesh and are able to function without onerous restrictions, but the use of foreign funds must be cleared by the NGO Affairs Bureau, which can also approve or reject individual projects. The 2016 Foreign Donations (Voluntary Activities) Regulation Act made it more difficult for NGOs to obtain foreign funds and gave officials broad authority to deregister NGOs. Democracy, governance, and human rights NGOs are regularly denied permission for proposed projects and are subject to harassment and surveillance. In 2019, the government released a draft “social welfare” law that would increase NGOs’ reporting requirements and give authorities broad powers to shutter groups they decide are not acting in the “public interest.”

Also during the year, authorities invoked digital security laws to arrest several rights activists for online speech, citing offenses including hurting religious sentiment and undermining law and order.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Legal reforms in 2015 eased restrictions on the formation of unions. However, union leaders who attempt to organize or unionize workers continue to face dismissal or physical intimidation, and organizations that advocate for labor rights have faced increased harassment. Worker grievances fuel unrest at factories, particularly in the garment industry, where protests against low wages and unsafe working conditions are common. Protesting workers often face violence, arrest, and dismissal.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

Politicization of and pressure against the judiciary persists. In 2017, the Chief Justice of the Supreme Court retired; he left the country and said, in an autobiography published in September 2018, that he had been forced to retire after threats from Bangladeshi military intelligence because of rulings he had made against the government. In July 2019, Bangladesh’s Anti-Corruption Commission charged the former chief justice with corruption in absentia. Other allegations of political pressure on judges continued to emerge during the year, as did allegations that unqualified AL loyalists were being appointed to court positions.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Individuals’ ability to access justice is compromised by endemic corruption within the court system and severe backlogs. Pretrial detention is often lengthy, and many defendants lack counsel. Suspects are routinely subject to arbitrary arrest and detention, demands for bribes, and physical abuse by police. Criminal cases against ruling party activists are regularly withdrawn on the grounds of “political consideration,” undermining the judicial process and entrenching a culture of impunity.

The 1974 Special Powers Act permits arbitrary detention without charge, and the criminal procedure code allows detention without a warrant. A 2009 counterterrorism law includes a broad definition of terrorism and generally does not meet international standards. Concerns have repeatedly been raised that the International Crimes Tribunal’s procedures and verdicts do not meet international standards on issues such as victim and witness

protection, the presumption of innocence, defendant access to counsel, and the right to bail. The tribunal continued to hand down sentences, including death sentences, in 2019.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Terrorist attacks by Islamist militant groups continued to decline in 2018 following a crackdown on these groups in the latter half of 2016, during which more than 15,000 people were arrested. The South Asia Terrorism Portal documented no civilian fatalities related to Islamist extremism in 2019, compared to 43 in 2016. However, the Islamic State (IS) militant group claimed credit for several nonlethal bomb attacks on police officers in Dhaka in 2019.

A range of human rights abuses by law enforcement agencies—including enforced disappearances, custodial deaths, arbitrary arrests, and torture—have continued unabated. A 2017 Human Rights Watch (HRW) report documented the use of detention and enforced disappearance against members of the political opposition, despite the government’s promise to address the issue. In 2018, the government initiated a “war on drugs,” during which thousands were arrested and over 100 people were killed.

Odhikar reported a total of 391 extrajudicial killings perpetrated by law enforcement agencies in 2019. A report from the International Federation for Human Rights released in April 2019 found that 507 people had been subject to enforced disappearance between 2009 and 2018. Prison conditions are extremely poor; severe overcrowding is common, and juveniles are often incarcerated with adults.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Members of ethnic and religious minority groups face some discrimination under law as well as harassment and violations of their rights in practice. Indigenous people in the Chittagong Hill Tracts (CHT), religious minorities, and other ethnic groups remain subject to physical attacks, property destruction, land grabs by Bengali settlers, and occasional abuses by security forces.

Bangladesh has hosted roughly 270,000 ethnic Rohingyas who fled from Myanmar beginning in the 1990s. The vast majority do not have official refugee status; suffer from a complete lack of access to health care, employment, and education; and are subject to substantial harassment. In response to a sharp escalation in violence directed against Rohingyas in Myanmar’s Rakhine State in 2017, some 700,000 refugees poured across the border into Bangladesh, creating a humanitarian crisis. Most live in precarious camps that lack basic services. Authorities reached a repatriation agreement with Myanmar in October, but the UN refugee agency said conditions in Myanmar were not fit for the refugees’ return and that safeguards for them were “absent.” Subsequent efforts to repatriate Rohingya have failed, and the government has become increasingly hostile toward the refugees. In 2019, authorities cut off cell phone service in refugee camps and erected barbed-wire fencing around them.

A criminal ban on same-sex sexual acts is rarely enforced, but societal discrimination remains the norm, and dozens of attacks on LGBT+ individuals are reported every year. A number of LGBT individuals remain in exile following the 2016 murder of Xulhaz Mannan, a prominent LGBT activist, by Islamist militants. Some legal recognition is available for transgender people, though in practice they face severe discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4**

The ability to move within the country is relatively unrestricted, as is foreign travel, though there are some rules on travel into and around the CHT districts by foreigners as well as into Rohingya refugee camps. There are few legal restrictions regarding choice of education or employment.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights are unevenly enforced, and the ability to engage freely in private economic activity is somewhat constrained. Corruption and bribery, inadequate infrastructure, and official bureaucratic and regulatory hurdles hinder business activities throughout the country. State involvement and interference in the economy is considerable. The 2011 Vested Properties Return Act allows Hindus to reclaim land that the government or other individuals seized, but it has been unevenly implemented. Tribal minorities have little control over land decisions affecting them, and Bengali-speaking settlers continue to illegally encroach on tribal lands in the CHT.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Under personal status laws affecting all religions, women have fewer marriage, divorce, and inheritance rights than men, and face discrimination in social services and employment. Rape, acid throwing, and other forms of violence against women occur regularly despite laws offering some level of protection. A law requiring rape victims to file police reports and obtain medical certificates within 24 hours of the crime in order to press charges prevents most cases from reaching the courts. Giving or receiving dowry is a criminal offense, but coercive requests remain a problem. Bangladesh has the fourth-highest rate of child marriage in the world, with 59 percent of girls married by age 18, according to statistics from the UN Children's Fund (UNICEF) for 2017. Despite a stated government commitment in 2014 to abolish the practice by 2041, in 2017 parliament approved a law that would permit girls under the age of 18 to marry under certain circumstances, reversing a previous legal ban on the practice.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Socioeconomic inequality is widespread. Working conditions in the garment industry remain extremely unsafe in most factories despite the renewal of a legally binding accord between unions and clothing brands to improve safety practices. Comprehensive reforms of the industry are hampered by the fact that a growing number of factory owners are also legislators or influential businesspeople.

Bangladesh remains both a major supplier of and transit point for trafficking victims, with tens of thousands of people trafficked each year. Women and children are trafficked both overseas and within the country for the purposes of domestic servitude and sexual exploitation, while men are trafficked primarily for labor abroad. A comprehensive 2013 antitrafficking law provides protection to victims and increased penalties for traffickers, but enforcement remains inadequate.

Barbados

Population: 300,000

Capital: Bridgetown

Freedom Status: Free

Electoral Democracy: Yes

Overview: Barbados is a democracy that regularly holds competitive elections and upholds civil liberties. Challenges include official corruption and a lack of government transparency, discrimination against lesbian, gay, bisexual, transgender, and related communities, violent crime, and poverty.

KEY DEVELOPMENTS IN 2019

- Parliament altered the penal code in April to eliminate the mandatory death penalty for murder, which a 2018 Caribbean Court of Justice ruling had declared unconstitutional. However, Attorney General Dale Marshal indicated his ongoing support for capital punishment, which remains legal.
- In January, after a spate of homicides and other nonfatal violence, Prime Minister Mia Mottley augmented police patrols with up to 80 soldiers and increased surveillance. Forty-nine people were murdered in 2019, up from 28 in 2018.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister, usually the leader of the largest party in Parliament, is head of government. The British monarch is head of state, represented by a governor general.

Mia Mottley of the Barbados Labour Party (BLP) was appointed prime minister after her party decisively won the May 2018 general elections, unseating Freundel Stuart of the Democratic Labour Party (DLP). The polls were regarded as competitive and credible, despite some allegations of vote buying. Dame Sandra Mason was sworn in as governor general in January 2018.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 30-member House of Assembly, the lower house, are directly elected for five-year terms. The governor general appoints the 21 members of the upper house, the Senate: 12 on the advice of the prime minister, 2 on the advice of the leader of the opposition, and the remaining 7 at their own discretion. Senators serve five-year terms.

The results of parliamentary elections held in May 2018 were accepted by all stakeholders. The opposition BLP took all 30 seats in the House of Assembly. Bishop Joseph Atherley subsequently sat as an independent to become the leader of the opposition.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The independent Electoral and Boundaries Commission oversees elections in Barbados in a professional manner. Its five commissioners are chosen on the basis of expertise by the prime minister and the opposition for a maximum term of five years.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Political parties form and operate freely. New parties emerged in 2018 to challenge the traditionally dominant BLP and DLP, including the United Progressive Party, the Barbados Integrity Movement, and Solutions Barbados; but all failed to win any seats. In June 2019, Joseph Atherley launched the People's Party for Democracy and Development—a self-described socialist and Christian movement that was joined by two opposition senators.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties have a realistic chance of gaining power, which has historically rotated peacefully between the BLP and DLP. The BLP's landslide victory over the DLP in 2018 highlighted the political system's competitiveness.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and candidates are generally able to express their political choices without interference from actors that are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Barbados's population is fully enfranchised, with adult citizens, Commonwealth citizens, and foreigners with seven years' residency able to vote. Laws protect the political rights of women, but conservative, discriminatory attitudes and marginalization can discourage women from running for office. Women compose only 20 percent of the House of Assembly.

Mia Mottley became the country's first female prime minister in 2018. During the campaign, Mottley endured a number of discriminatory attacks from some political opponents who insinuated that she is gay. The BLP has called for greater tolerance toward LGBT+ people.

C. FUNCTIONING OF GOVERNMENT: 10 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

The prime minister and members of parliament are largely unimpeded in their ability to craft and implement policy, notwithstanding the powerful role played by labor unions and the demands of international creditors.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Barbados's government has failed to implement key anticorruption measures. Civil society groups, business figures, and the attorney general have complained of serious incidences of corruption, but no major officials have faced arrest under the Mottley administration. Potential whistleblowers fear costly defamation suits.

The Integrity in Public Life Bill—which would strengthen protections for whistleblowers, require members of Parliament to declare their personal wealth, and create a new anticorruption investigative unit—was unveiled in June 2018, but is yet to be made law. The 2018 bill was brought to Parliament for debate in December 2019.

Barbados is one of just seven countries in the Americas to have neither signed nor ratified the Inter-American Convention on Mutual Assistance in Criminal Matters. Barbados is

also yet to ratify the UN Convention against Corruption (UNCAC), having signed the treaty in 2003, despite promises by Marshall to do so in 2019. However, in January 2018 Barbados ratified the Inter-American Convention against Corruption, having signed it in 2001.

In Transparency International's Global Corruption Barometer published in September 2019, perceived corruption was the lowest in the Americas, with 37 percent of respondents believing that corruption had risen in the past year, and 55 percent believing that the Mottley administration is doing a good job in fighting corruption.

C3. Does the government operate with openness and transparency? 3 / 4

The government largely operates with transparency, however, Barbados lacks key laws to ensure this openness persists. Notably, a long-promised Freedom of Information Act and a measure that would require public officials to disclose income and assets have yet to be enacted. Information on the country's national budget is difficult to obtain.

The newly elected BLP government initially demonstrated an inclination towards greater transparency and scrutiny by the press. The Barbados Government Information Service has dramatically improved the functionality and accuracy of its web portal, which contains information about government policies. In June 2018, the government revealed the full extent of the country's debt burden and financial liabilities.

However, the Mottley administration has been criticized for not updating Parliament more actively about the country's foreign debt, its decision to default on external credit for an entire year, and for paying \$27 million to an advisory firm contracted to restructure Barbados's debt.

CIVIL LIBERTIES: 57 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The media are free from censorship and government control. Newspapers, including the two major dailies, are privately owned. Four private and two government-run radio stations operate in the country. The government-owned Caribbean Broadcasting Corporation (CBC) is the only local television station. While broadly balanced, it has faced criticism from both the DLP and BLP that it has failed to give them sufficient coverage when they are in opposition.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution guarantees freedom of religion, which is widely respected for mainstream religious groups. However, members of Barbados's small Rastafarian and Muslim communities have reported some discrimination.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is respected, though members of the government occasionally disparage academics who criticize government policy.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Freedom of speech is largely respected in Barbados, with commentators and members of the public free to express their views on most topics without encountering negative consequences.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12**E1. Is there freedom of assembly? 4 / 4**

Barbados's legal framework guarantees freedom of assembly, which is upheld in practice. A number of protests took place peacefully in 2019, including a small group demonstrating before an Organization of American States (OAS) meeting in September over its stance on Venezuela.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate without restriction or surveillance. There are a number of NGOs active in the country, which primarily focus on cultural issues, homelessness, environmentalism, and women's rights.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The right to form labor unions is respected, and unions are active and politically influential. In September 2019, construction workers represented by the Barbados Workers' Union (BWU) staged a walkout over plans to require them to work on Saturdays without extra pay. The matter was referred to the Labor Department in October. Less than a week later, workers at utility firm Barbados Light and Power staged a brief walkout.

F. RULE OF LAW: 14 / 16 (-1)**F1. Is there an independent judiciary? 4 / 4**

The judiciary generally operates with independence. The Supreme Court includes a high court and a court of appeals. The Caribbean Court of Justice is the highest appellate court for Barbados.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Constitutional guarantees of due process are generally upheld. The court system continued to face excessive delays and a large backlog of around 1000 cases in 2019, although the government plans to appoint more judges to address this issue. In 2017, the judiciary adopted a protocol to prevent gender discrimination in the administration of justice. The protocol, drafted with UN support, was the first of its kind in the Caribbean Community (CARICOM).

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4 (-1)

Barbados is free from war and insurgencies. However, there are occasional complaints of excessive force by the Royal Barbados Police Force. There is also growing concern about gun violence, with the murder rate in 2019 (49) exceeding the record of 2006 (35) and a significant increase from 2018 (28). In January 2019, Prime Minister Mottley increased police patrols and surveillance after a spate of murders and nonfatal violence occurred in January.

The government has taken some positive steps to address prison overcrowding and abuse. Legal changes in April 2019 complied with a June 2018 ruling by the Caribbean Court of Justice that the mandatory death penalty in Barbados for those convicted of murder was unconstitutional. However, the attorney general indicated his ongoing support for the death penalty, which remains on the statute book. A number of prisoners are currently on death row and more than 70 await trial for murder. The last execution occurred in 1984.

Score Change: The score declined from 4 to 3 due to the increasing rate of homicides.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women make up half of the country's workforce, although they earn less than men for comparable work. As of 2017, workplaces have been required to articulate a policy against sexual harassment. LGBT+ people face discrimination in housing, employment, and health care. In June 2018, LGBT+ rights activists filed a petition at the Inter-American Commission on Human Rights to challenge laws that criminalize same-sex sexual relations. The laws are largely unenforced. In April 2019, a man used a meat cleaver to attack a transgender woman; the court ordered him to pay a \$230 fine or face three months in prison. The sentence left the victim of the attack fearing for her safety, as she believes her attacker might seek retribution.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

Individuals in Barbados are generally free to move, live, and work across the territory as they see fit.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The legal framework generally supports property rights and private-business activity. The government has worked to ensure a healthy environment for business and to attract domestic and foreign investment, particularly in the tourism industry.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Violence against women remains widespread, and laws addressing domestic violence are not well enforced. Reports of child abuse have increased in recent years, according to the US State Department. Same-sex marriage remains illegal.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

Residents generally have access to economic opportunity, and the law provides some protections against exploitative labor practices. However, nearly 18 percent of the population lives in poverty.

The government has taken steps to crack down on human trafficking, including police raids, screening of vulnerable people, training officials to detect possible trafficking victims, and awareness campaigns. However, there have been no prosecutions for trafficking since 2013, and government agencies that work on trafficking-related issues are poorly funded.

Belarus

Population: 9,500,000

Capital: Minsk

Freedom Status: Not Free

Electoral Democracy: No

Overview: Belarus is an authoritarian police state in which elections are openly rigged and civil liberties are curtailed. After permitting limited displays of liberalism during the pursuit of better relations with the European Union (EU) and the United States, the government visibly backtracked to strengthen control over the scarce space for freedom.

KEY DEVELOPMENTS IN 2019

- Candidates affiliated with President Alyaksandr Lukashenka won every lower-house seat in the November parliamentary election. The two legislators unaffiliated with Lukashenka in the last parliament were kept off the ballot.
- In March, Marina Zolotoya, editor in chief of independent news site TUT.by, was fined over a 2018 allegation that the outlet illegally accessed the output of state-run wire agency BeITA.
- In May, authorities arrested over 100 Roma in the city of Mahiliou after a police officer was found dead, though they were released several days later. The head of Lukashenka's office apologized, but the interior minister denied accusations of xenophobia surrounding the arrests.

POLITICAL RIGHTS: 5 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is elected for five-year terms without limits. President Lukashenka was first elected in 1994, in the country's only democratic election. He has since extended his rule in a series of unfair contests, securing his fifth consecutive term in a noncompetitive presidential race in 2015.

Organization for Security and Co-operation in Europe (OSCE) monitors noted that longstanding deficiencies in Belarusian elections were unaddressed, including a restrictive legal framework, media coverage that fails to help voters make informed choices, irregularities in vote counting, and restrictions on free expression and assembly during the campaign period. The group concluded that the elections fell considerably short of democratic standards.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The 110 members of the Chamber of Representatives, the lower house of the National Assembly completely subordinate to the president, are elected by popular vote to four-year terms in single-member districts. The upper house, the Council of the Republic, consists of 64 members serving four-year terms; regional councils elect 56 and the president appoints 8.

A parliamentary election was held in November 2019, nearly a year ahead of schedule. Candidates loyal to President Lukashenka won every seat in the lower house, while independent candidates won none. OSCE election monitors reported that some ballot boxes were stuffed, and that observers were often prohibited from observing ballot boxes or papers.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The legal framework for elections fails to meet democratic standards. Among other problems, electoral commission members of all levels are politically aligned with and dependent on the government, and independent observers have no access to ballot-counting processes. Members of opposition parties were effectively barred from participating in

precinct-level electoral commissions ahead of the November 2019 election; of the 63,646 people serving in these commissions, only 21 came from opposition groups.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Involvement in political activism is considered risky in Belarus, and can result in a loss of employment, expulsion from educational institutions, smear campaigns in the media, fines, and the confiscation of property.

There is no official progovernment political party, and very few lawmakers are affiliated with any party. Political parties face formidable challenges when seeking official registration. While the Tell the Truth movement was registered in 2017 after six failed attempts, authorities have repeatedly blocked registration of the Belarusian Christian Democracy party, which has been seeking official status for over a decade. Such futile attempts to gain official status serve to discourage other politically active Belarusians from organizing and attempting to gain formal party recognition.

Independent and opposition legislators also face difficulty registering their candidacies. Electoral officials rejected over 150 candidates seeking to contest the November 2019 election, many of them opposition members, by claiming that their submitted signatures were invalid. Two lawmakers who were not aligned to Lukashenka in the last parliament were among those kept off the ballot.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Belarus has never experienced a democratic transfer of power, and there is effectively no opportunity for genuine opposition candidates to gain power through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

While private citizens and political candidates have some limited opportunities to express their views and make political choices, Lukashenka's regime is unaccountable to voters, and meaningful participation in politics is generally not possible.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

No registered party represents the specific interests of ethnic or religious minority groups. Women formally enjoy equal political rights and are well represented in the lower house; 40 percent of legislators elected in November 2019 were women. However, women have historically been underrepresented in leadership positions.

Women's advocacy groups have diverging positions on promoting the political rights of women, with some such groups taking the position that there is no need for gender equality initiatives in Belarus. There has been some visible activism by women's groups seeking to raise awareness of gender-based violence, but the government has largely refrained from addressing their concerns.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The constitution vests power in the president, stating that presidential decrees have higher legal force than legislation. Lukashenka, who was not freely elected, considers himself the head of all branches of government.

C2. Are safeguards against official corruption strong and effective? 1 / 4

The state controls at least 70 percent of the economy, and graft is encouraged by a lack of transparency and accountability in government. There are no independent bodies to investigate corruption cases, and graft trials are typically closed. Presidential clemency is issued occasionally to free convicted corrupt officials, some of whom Lukashenka puts back into positions of authority.

C3. Does the government operate with openness and transparency? 1 / 4

The government largely fails to adhere to legal requirements providing for access to information. In recent years, authorities have moved to make some basic information about government operations available online.

CIVIL LIBERTIES: 14 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? 0 / 4

The government exercises unrestricted control over mainstream media. The 2008 media law secures a state monopoly over information about political, social, and economic affairs. Libel is both a civil and criminal offense, and the criminal code contains provisions protecting the “honor and dignity” of high-ranking officials. The government owns the only internet service provider and controls the internet through legal and technical means. The official definition of mass media includes websites and blogs, placing them under the Information Ministry’s supervision. Most independent journalists operate under the assumption that they are under surveillance by the Committee for State Security (KGB). Journalists are also subject to fines, detention and criminal prosecution for their work; the Belarusian Association of Journalists (BAJ) counted 44 fines levied against freelance journalists throughout 2019.

In March 2019, Marina Zolotoya, editor in chief of independent news site TUT.by, was ordered to pay a 7,650-ruble (\$3,600) fine and over 6,000 rubles (\$2,800) in legal costs over an allegation that TUT.by and news agency BelaPAN illegally accessed the materials of state-run wire agency BeITA. Authorities raided TUT.by and BelaPAN offices over the allegation in 2018, detaining 11 journalists from the outlets; Zolotoya was the only individual to be subsequently tried.

In April 2019, police raided the offices of independent online television station Belsat; they were investigating a public official’s libel complaint over the station’s coverage of a 2018 corruption case. Police interrogated four staff members and seized equipment, which was returned several days later. That same month, blogger Siarhej Piatrukhin was convicted of libel and slander for publishing online videos that detailed allegations of police abuse in 2018, and was fined 9,180 rubles (\$4,400).

Journalists also face the risk of assault; in January 2019, freelancer Kastus Zhukouski and a passenger attacked by masked assailants after his car broke down. Zhukouski, who has been assaulted several times in the past, fled Belarus with his wife and daughter later that month to seek asylum in an undisclosed country.

The government is additionally known to curtail media activity through the use of antiextremism legislation. In March 2019, two Russian journalists were arrested in Minsk on charges of “distributing extremist content.” A May 2019 report from the UN’s special

rapporteur on human rights in Belarus noted that the journalists were members of a research group on violence.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Despite constitutional guarantees of religious equality, government decrees and registration requirements maintained some restrictions on religious activity. Legal amendments in 2002 provided for government censorship of religious publications and barred foreigners from leading religious groups. The amendments also placed strict limitations on religious groups active in Belarus for less than 20 years. In 2003, the government signed a concordat with the Belarusian Orthodox Church, which is controlled by the Russian Orthodox Church, giving it a privileged position.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Academic freedom remains subject to intense state ideological pressures. Academic personnel face harassment and dismissal if they use a liberal curriculum or are suspected of disloyalty. Students and professors who join opposition protests face threat of dismissal and revocation of degrees.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The use of wiretapping and other surveillance by state security agencies limits the right to free private discussion. Private citizens often avoid discussing sensitive issues over the phone or via internet communication platforms, for fear that state security agents are monitoring conversations.

In May 2019, the Minsk City Court sentenced a Belarusian to three years in a penal colony over a 2017 social media post that was ruled to incite ethnic hatred. This was the first conviction handed down under a criminal code article banning hate speech.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

The government restricts freedom of assembly. Protests require permission from local authorities, who often arbitrarily deny it. The law on mass events was amended in January 2019, but recommendations from human rights advocates were ignored, and the legislation did not strengthen the right to assemble.

Protesters have been subjected to fines, harassment, and detention for their efforts in 2019. An unauthorized opposition rally held on March 25, which is unofficially celebrated as an independence day, was dispersed by the authorities in Minsk; 15 people were immediately detained, and 2 were held overnight. In December 2019, protesters who demonstrated against deepening ties with Russia in an unauthorized rally were allowed to assemble, but subsequently received heavy fines.

In 2019, activists continued their protests against the opening of a restaurant near Kupaty, the site of mass executions during the Stalinist repressions of the 1930s; plainclothes police officers sought to intimidate protesters by filming their activities. In April, police dismantled 70 memorial crosses constructed by activists and detained at least 12 participants.

A long-running protest against a new battery factory in the city of Brest continued in 2019, with participants facing continued harassment by authorities. Battery production was

delayed in June over environmental concerns, but the government did not revoke previous fines or charges against protesters.

The government also used its control of the internet to inhibit protests in 2019; in May, President Lukashenka signed a decree banning websites calling for “unauthorized protests” ahead of the European Games, which Belarus hosted in June.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights and governance-related work? 1 / 4

Freedom of association is severely restricted. Registration of groups remains selective, and regulations ban foreign assistance to entities and individuals deemed to promote foreign meddling in internal affairs. A few human rights groups continue to operate, but staff and supporters risk prosecution and fines for their activism.

Participation in unregistered or liquidated organizations, which had been criminalized in 2005, was decriminalized in 2018. Instead, the Criminal Code introduced the prospect of large fines which, like recent efforts to fine rather than detain protesters, make civil liberties infringement less visible to rights watchdogs and democratic governments.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Independent labor unions face harassment, and their leaders are frequently fired and prosecuted for engaging in peaceful protests. No independent unions have been registered since 1999, when President Lukashenka issued a decree setting extremely restrictive registration requirements.

In July 2019, Lukashenka signed an amendment to the Labor Code that empowers employers to sign short-term contracts with workers without their consent, while restricting workers’ abilities to leave jobs at will.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 0 / 4

Courts are subservient to the president, who appoints Supreme Court justices with the approval of the rubber-stamp parliament.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The right to a fair trial is not respected in cases with political overtones. In a departure from international norms, the power to extend pretrial detention lies with a prosecutor rather than a judge. The absence of independent oversight allows police to routinely and massively violate legal procedures. The government regularly attacks attorneys, who often remain the only connection between imprisoned activists and their families and society.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Law enforcement agencies have broad powers to employ physical force against suspects, who have little opportunity for recourse if they are abused. Human rights groups continue to document instances of beatings, torture, and pressure during detention.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Authorities have sought to increase the dominance of the Russian language. Official usage of Belarusian remains rare. The UN Educational, Scientific, and Cultural Organization

(UNESCO) recognizes Belarusian as “vulnerable.” The share of first-grade students who study in Belarusian fell to 9.7 percent in 2019 from 16.7 percent in 2009.

Ethnic Poles and Roma often face undue pressure from authorities. In May 2019, authorities detained 100 Roma in Mahiliou after a police officer was found dead in the city. They were released several days later, and the police officer’s death was ruled a suicide; the head of President Lukashenka’s office apologized to the community, but the interior minister did not, and denied accusations of xenophobia.

Widely accepted societal values hold that women should be mothers. Women receive social benefits including generous maternity leave, but are also prohibited from entering 181 occupations in Belarus.

LGBT+ people face widespread societal discrimination, and law enforcement authorities are reluctant to investigate and prosecute attacks against them. In August 2019, a filmmaker and two friends were assaulted over the filmmaker’s perceived sexual orientation on a street in Minsk. A Minsk court sentenced the assailant to one-and-one-half years of house arrest in December.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Opposition activists are occasionally detained at the border for lengthy searches. Passports are used as a primary identity document in Belarus, and authorities are known to harass people living in a different location than indicated by domestic stamps in their passport.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 2 / 4

Limits on economic freedom have eased in recent years, allowing for greater property ownership and small business operations. However, state interference in the economy still affects larger businesses, and large business owners are never secure from arbitrary government pressure and harassment.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence is a pervasive problem in Belarus. In 2018, President Lukashenka blocked a draft domestic violence prevention law jointly developed by law enforcement agencies and civil society representatives. He called attitudes against the corporal punishment of children “nonsense from the West” and insisted that “good” punishment of children could be useful to them.

The constitution explicitly bans same-sex marriage. Belarus led a 2016 effort to block LGBT+ rights from being part of a UN international initiative focused on urban areas.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Mandatory unpaid national work days, postgraduate employment allocation, compulsory labor for inmates in state rehabilitation facilities, and restrictions on leaving employment have led labor activists to conclude that all Belarusians experience forced labor at some stage of their life. The lack of economic opportunities led many women to become victims of the international sex trade.

In 2018, the government revived a plan to tax the unemployed by mandating full payment for housing and utility services starting in 2019. An attempt to impose the tax in 2017 was met with mass protests that were brutally suppressed.

Belgium

Population: 11,500,000

Capital: Brussels

Freedom Status: Free

Electoral Democracy: Yes

Overview: Belgium is a stable electoral democracy with a long record of peaceful transfers of power. Political rights and civil liberties are legally guaranteed and largely respected. Major concerns in recent years have included the threat of terrorism, and corruption scandals that have unsettled the country's complex institutional setting and political landscape.

KEY DEVELOPMENTS IN 2019

- The federal and regional elections in May shifted the established balance of power in Belgian politics: parties on the far-left and far-right of the political spectrum gained seats, while establishment parties saw their support dwindle. No governing coalition had been formed by the end of the year.
- In October, police rescued 12 migrants in the back of a refrigerated truck in a high-way parking area in the north of the country. Authorities were investigating the existence of a human trafficking ring; two days before this, British officials had found 39 people dead in the back of a truck entering the United Kingdom from Belgium.

POLITICAL RIGHTS: 39 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The Belgian monarchy is largely ceremonial, although the king retains constitutional authority to mediate the process of government formation. The prime minister, who is the leader of the majority party or coalition, is appointed by the monarch and approved by the legislature. In October 2019, Sophie Wilmès was appointed prime minister of the caretaker, interim government, while governing coalition talks continued. Wilmès is the first woman to hold the position in Belgium.

Belgium's multilayered subnational administrative units have their own governments with varying degrees of autonomy. In addition to the three main geographic divisions of French-speaking Wallonia in the south, Flemish-speaking Flanders in the north, and the bilingual Brussels capital region, there are overlapping governments for the French community, the Flemish community, and the German-speaking community. Beneath these are provincial and various local governments.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Belgium's federal parliament consists of two houses: the Chamber of Representatives and the Senate. The 150 members of the lower house (the Chamber) are elected directly by proportional representation. The Senate is composed of 50 members selected by community and regional parliaments, and an additional 10 members chosen by the first 50 based on the results of the Chamber of Representatives elections. Members serve five-year terms in both houses, and elections are generally free and fair.

In the May 2019 elections, establishment parties lost significant shares of support to parties on the far-left and far-right of the political spectrum. The center-right, separatist party, New Flemish Alliance (N-VA), lost some power, taking 25 seats in the Chamber of Representatives (down 8 seats), while far-right, separatist party Flemish Interest (VB) made large gains (15 seats), filling 18 seats in the Chamber. The francophone Socialist Party (PS) won 20 seats, down 3 from the previous election. The francophone Ecolo (in Wallonia and Brussels), paired with their Flemish-speaking counterpart Groen (in Flanders and Brussels) together grabbed 21 seats, a significant increase. The Christian Democratic and Flemish party (CD&V), the Workers' Party of Belgium (PvdA in Flemish, PTB in French) and the Open Flemish Liberals and Democrats (VLD) took 12 seats each. The francophone Movement for Reform (MR) of incumbent prime minister Charles Michel, won 14 seats. A governing coalition had not formed by the end of 2019; a long period without a government that is not historically unusual for Belgium.

Regional elections held on the same day in May showed a similar trend, with losses by establishment parties in all parts of the country. However, the N-VA remained the biggest party in Flanders and was able to form a government in coalition with the CD&V and the VLD in October (the same coalition that existed after the 2014 elections). The PS remained the biggest party in Wallonia and formed a new coalition government with Ecolo and MR in September. In Brussels, a coalition was formed between PS and Socialist Party Differently (SP.A), the Ecolo and Groen, the liberal VLD, and the francophone party DéFI.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Despite the complexity of the political system, the electoral laws and framework are generally fair and impartially implemented.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The party system is robust but highly fragmented, with separate Flemish and Walloon political parties representing various positions on the left-right spectrum.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Belgium's coalition-based politics allow individual parties to move easily in and out of government, and there is a long record of peaceful transfers of power between rival parties at the federal level. The most recent such transfer occurred after the 2014 elections, when the center-right MR captured the premiership from the left-leaning PS. The 2018 local elections showed a weakening of the federal governing parties, aside from the N-VA, whose departure from the government in December 2018 was seen as part of its preparation for the May 2019 federal elections. The 2019 regional and federal elections showed decreasing support for establishment parties and increasing support for far-right, far-left, and green parties across the country.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

The political choices of voters and candidates are generally free from undue interference.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Members of minority groups are free to participate in national and subnational politics, and women also enjoy full political rights. In the 2019 elections, women were elected to approximately 43 percent of the seats in the Chamber of Representatives (4 percent more than in the 2014 elections); they fill 65 seats out of 150. The Senate must have a minimum of 20 women senators.

C. FUNCTIONING OF GOVERNMENT: 11 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

Elected officials generally adopt and implement laws and policies without improper interference from unelected entities, though the difficulty of forming majority coalitions has sometimes disrupted governance over the past decade. The country went roughly 19 months without a government in 2010–11 due to protracted coalition talks. The current negotiation to form a new federal government after the May 2019 elections were still ongoing at the end of the year, and a caretaker government chaired by Sophie Wilmès is currently in charge.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Public officials can face heavy fines and up to 10 years' imprisonment for corruption-related offenses, and enforcement of anticorruption legislation is generally adequate. However, recent corruption scandals have drawn attention to abuses involving politicians who hold multiple positions on the boards of public and private entities, with some officials holding more than a dozen paid positions.

In September 2019, journalists reported that Belgian foreign minister, and nominee for the European Union's justice commissioner, Didier Reynders, was under investigation for his part in corruption linked to business deals in Libya, Kazakhstan, and the Democratic Republic of Congo. A former Belgian spy testified to prosecutors against Reynders and his associate Jean-Claude Footinoy as having committed bribery and money-laundering. Their alleged schemes included clandestine arms sales, pay-offs from a Congolese election candidate for diplomatic support, and kickbacks on the construction of the Belgian embassy in Kinshasa.

C3. Does the government operate with openness and transparency? 4 / 4

The law provides mechanisms for the public to access government information, and these procedures generally function in practice. Legislators and other high-ranking elected officials are required by law to regularly disclose their assets as well as paid or unpaid mandates, executive functions, and occupations to the Court of Audit. Information about asset declarations is not publicly accessible, but declarations of interests are published in the official government gazette.

CIVIL LIBERTIES: 57 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16****D1. Are there free and independent media? 4 / 4**

Freedom of the press is guaranteed by the constitution and generally respected by the government, though some law enforcement actions affecting journalists have raised concerns in recent years. Belgians have access to numerous public and private media outlets that present a range of views. Internet access is unrestricted.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

More than half of the country's population identifies as Roman Catholic. Freedom of religion is generally protected, but members of minority religious groups have complained of discrimination and harassment. A ban on the partial or total covering of the face in public locations, which is understood to target Muslims, has been in effect since 2011. Offenders can face a fine or up to a week in jail. The most recent (2018) US Department of State's *Report on International Religious Freedom* noted that anti-Muslim and antisemitic incidents continue to affect the Jewish and Muslim communities.

In December 2019, the town of Aalst renounced its United Nations Educational, Scientific, and Cultural Organization (UNESCO) designation associated with its Carnival, after a long dispute over a racially insensitive float in the Carnival's parade. Town officials claim the float—featuring stereotypical depictions of a Jew with a hooked nose, sitting on piles of money—is meant to be humorous, while UNESCO, Jewish groups, and the European Union have condemned its antisemitic message, reminiscent of 1930s Nazi propaganda.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government does not restrict academic freedom. Schools are free from political indoctrination, and there are no significant impediments to scholarly research or discussion.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is open and vibrant, and freedom of expression is guaranteed by the constitution, though there are laws banning incitement to hatred and other such offenses.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by law and generally respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Freedom of association is guaranteed by the constitution, and nongovernmental organizations operate without undue restrictions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers at companies that employ more than 50 people have the right to organize and join unions and to bargain collectively. Employers found guilty of firing workers because of union activities are required to reinstate the workers or pay an indemnity.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent by law and in practice, and court rulings are duly enforced by other state entities.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The judicial process generally guarantees a fair trial, and the authorities typically observe safeguards against arbitrary arrest and detention. Extraordinary security measures adopted in the period surrounding terrorist attacks in 2015 and 2016 have eased significantly

in the years since, though a 2017 legal change increased the maximum length of detention in police custody without a judicial order from 24 to 48 hours.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Although conditions in prisons and detention centers meet most international standards, the facilities continue to suffer from overcrowding and other problematic living conditions.

There have been no major terrorist attacks in Belgium since 2016, and in January 2018 the government lowered its terrorism threat level from three to two on a four-point scale, except in undisclosed high-risk areas.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Antidiscrimination legislation prohibits bias and acts of hatred and incitement based on categories including gender, race, ethnicity, nationality, and sexual orientation. Nevertheless, some groups, including immigrants, Belgians of African descent, and Romany residents, continue to face a degree of discrimination in practice.

In February 2019, UN experts stated that racial discrimination is institutionally endemic in Belgium and called for recognition of its history of human rights abuses in its colonial rule over the Congo. In response, former prime minister Charles Michel put forward an official apology in April for Belgium's kidnapping, segregation, deportation, and forced adoption of children during colonial rule.

Legislation adopted in 2017 tightened Belgium's asylum policies, in part by reducing the time and scope for appeals of negative asylum decisions and expanding the grounds for detention of asylum seekers. Advocacy organizations said that the changes often reduced the country's standards to the minimum allowed by the European Union.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The law provides for freedom of domestic movement and foreign travel, and the government upholds these rights in practice. There are no restrictions on the right to change one's place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The legal framework supports property rights, and commercial activity is regulated without arbitrary interference.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

There are few significant restrictions on personal social freedoms. Belgium legalized same-sex marriage in 2003, and in 2006 same-sex couples gained the right to adopt children.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Immigration has increased in recent years, but labor-market integration of non-EU immigrants and their native-born children is comparatively low.

Despite government efforts to combat the problem, Belgium remains a destination country for human trafficking, particularly for sexual exploitation and domestic labor;

victims generally originate in Eastern Europe, Asia, and Africa. In October 2019, police rescued 12 migrants in the back of a refrigerated truck in a highway parking area in northern Belgium. Officials began coordinating with British authorities to investigate a human trafficking ring, after British police found 39 bodies in the back of a truck crossing into the United Kingdom from Belgium.

Belize

Population: 400,000

Capital: Belmopan

Freedom Status: Free

Electoral Democracy: Yes

Overview: Belize is a democracy that has experienced regular rotations of power through competitive elections. Civil liberties are mostly respected. Government corruption is a concern, as is the high rate of violent crime. Authorities have been slow to address persistent problems of police brutality and human trafficking within the country's borders.

KEY DEVELOPMENTS IN 2019

- In March, the opposition People's United Party (PUP) filed a Supreme Court claim against Prime Minister and Finance Minister Dean Barrow and an aide, for allegedly spending \$645 million from Petrocaribe without parliamentary authorization. The court heard the case in November, with a ruling due in January 2020.
- The US State Department's annual *Trafficking in Persons Report* noted two new human trafficking prosecutions, the first in four years.
- A long-running border dispute with Guatemala remains unresolved. In March, three Guatemalan gun boats blocked a Belize Coast Guard patrol from accessing the Sarstoon River, which is part of Belizean territory.

POLITICAL RIGHTS: 35 / 40 (-1)

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister, usually the leader of the largest party in the parliament, is head of government. Formally, the prime minister is appointed by the governor general, who represents the British monarch as head of state. The legitimacy of the prime minister is largely dependent on the conduct of legislative elections, which are typically credible and well administered. Dean Barrow, the prime minister since 2008, returned for another term following the victory of his United Democratic Party (UDP) in the 2015 elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 31 members of the House of Representatives are directly elected to five-year terms. The Senate has 12 seats. The ruling party, the opposition, and several civil associations select the senators, who are then appointed by the governor general.

In the 2015 legislative polls, the incumbent UDP increased its representation to 19 seats in the House of Representatives and entered an unprecedented third consecutive term in government. The opposition People's United Party (PUP) took the remaining 12 seats. Observers from the Organization of American States (OAS) said the polls were conducted in a fair and professional manner.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Electoral laws are generally fair, although ahead of the 2015 polls it was reported that the chief elections officer and her family were threatened by masked men. In response, police provided added security at her home. Separately, the OAS has suggested that the role of the Elections and Boundaries Commission and the Elections and Boundaries Department be strengthened, and that authorities work to reduce partisanship associated with the confirmation of their appointees. It further noted that voter lists should be reviewed.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties can organize freely. The effects of the country's "first-past-the-post" electoral system have entrenched the two largest parties. While a number of smaller parties have competed, only the PUP and UDP have won seats in the parliament.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The political system allows for opposition parties to increase their support or gain power through elections. Since 1984 there have been fairly regular transfers of power between the two main parties.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Recent elections, including those in 2015, have been viewed as generally free of undue interference from entities outside the democratic political sphere. However, the OAS has raised concerns about the potential impact of unregulated campaign financing on the transparency of the political process.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women hold only two seats in the current House of Representatives and three seats in the Senate. There were 11 women candidates out of a total of 88 in the 2015 elections. In municipal elections held in March 2018, women won 18 of the 67 seats. No woman was elected as a mayor. However, women play a significant role in the political system more generally.

Indigenous people, particularly those of Mayan descent, are not well represented in politics. LGBT+ people face discrimination, and this affects their ability to engage fully in political and electoral processes. A collection of religious denominations nominate one member of the Senate, but non-Christian groups are not included in the process.

C. FUNCTIONING OF GOVERNMENT: 9 / 12 (-1)**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

The elected prime minister, cabinet, and national legislative representatives are duly seated following elections and are able to freely determine the policies of the government.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Belize continues to struggle with corruption, and there is little political will to address the problem. Anticorruption laws are poorly enforced; for example, no one has ever been prosecuted under the Prevention of Corruption in Public Life Act, which has been on the books for over 20 years.

C3. Does the government operate with openness and transparency? 3 / 4 (-1)

The government generally engages in policymaking with openness and transparency, though there are persistent problems with officials' financial disclosure statements, and procurement processes. While the law requires public officials to submit annual financial disclosure statements for review by the Integrity Commission, the body had been defunct for years until members were finally appointed by the ruling party and the opposition in 2017. There is little opportunity for the public to challenge the disclosures.

Members of Belize's business community allege that favoritism influences the government's awarding of licenses and public contracts. The International Monetary Fund (IMF) in its October 2019 mission report recommended that authorities implement and enforce asset declaration rules and strengthen the rules on conflicts of interest.

Recent corruption scandals have involved allegations that the Ministry of Natural Resources illegally distributed land to UDP supporters, as well as a separate controversy regarding the alleged unlawful sale of passports by the Immigration and Nationality Department. In March 2019, the opposition PUP filed a Supreme Court claim against Prime Minister Dean Barrow (who is also the finance minister) and Financial Secretary Joseph Waight for spending \$645 million of Petrocaribe funds without parliamentary authorization. The opposition said it was in violation of the Finance and Audit Reform Act and the Constitution of Belize; the government claimed the spending was due to urgent and unforeseen circumstances. The Supreme Court heard the case in November, with a ruling due in January 2020.

Score Change: The score declined from 4 to 3 because rules aimed at ensuring government transparency are weak and inconsistently enforced.

CIVIL LIBERTIES: 51 / 60 (+1)**D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16****D1. Are there free and independent media? 3 / 4**

The constitution guarantees freedom of the press, though it includes exceptions for interests such as national security, public order, and morality. While reporting generally covers a wide range of viewpoints in practice, journalists sometimes face threats, physical harassment, or assault in the course of their work.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is constitutionally protected and largely respected in practice. Religious groups must register with the authorities, and foreign missionaries are required to obtain a visa and permit, but the procedures are not onerous.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant constraints on individual expression regarding politics or other such matters, whether in private discussion or on social media.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12 (+1)**E1. Is there freedom of assembly? 4 / 4**

Freedom of assembly is constitutionally protected, and the government generally respects this right. Protests occasionally lead to clashes with police, though no major incidents have been reported in recent years.

Score Change: The score improved from 3 to 4 because demonstrations are unrestricted, and recent protests have not been marred by violence.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights-and governance-related work? 4 / 4

Nongovernmental organizations are generally free from government interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Unions are free to form and operate, and employers have been penalized for violating union rights under the labor code. However, while labor unions are active and politically influential, their ability to protect workers' rights is limited in practice. There are some restrictions on the right to strike, including an official definition of "essential" workers that is broader than the International Labour Organization's standard.

F. RULE OF LAW: 12 / 16**F1. Is there an independent judiciary? 3 / 4**

The judiciary is generally independent, despite lacking resources and periodic attempts by political and business interests to interfere with its composition. In a long-running dispute, a group of companies controlled by businessman Michael Ashcroft have attempted to have Samuel Awich removed as a judge on the Court of Appeal, Belize's highest judicial body.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Detainees and defendants are guaranteed a range of legal rights, which are mostly respected in practice. However, police have reportedly detained suspects without charge for longer than is permitted by the law, and have used the threat of extended detention to intimidate suspects. Judicial delays and a large backlog of cases contribute to lengthy trials and other procedures, with many defendants spending years in pretrial detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Belize is free from major threats to physical security, such as war and insurgencies, but the long-running border dispute with Guatemala remains unresolved. Tensions have lessened in recent years, but there are occasional incidents. In March 2019, three Guatemalan

gun boats blocked a Belize Coast Guard patrol from accessing the Sarstoon River, which is part of Belizean territory.

The homicide rate remains high, with 143 murders recorded in 2018; in the first 11 months of 2019, there were 120 murders. That figure amounts to 36 murders per 100,000 people, which placed Belize among countries with the highest murder rates in the world. The violence is localized around the south side of Belize City, though some violent crime has spread to other parts of the country.

Cases of police brutality continue to be reported. The Police Amendment Act, promulgated in April 2018, was designed to improve disciplinary procedures and increase penalties for police misconduct.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution and laws protect against many forms of discrimination, but there are no specific provisions addressing sexual orientation or gender identity.

Discrimination against LGBT+ people persists. In 2016, the country's Supreme Court struck down a portion of the criminal code that outlawed same-sex sexual activity. The government accepted the decriminalization, but in September 2017 it appealed the portion of the judgement finding that unconstitutional discrimination based on sex includes sexual orientation. The Court of Appeal had yet to rule on the government's petition at the end of 2019.

Women face employment discrimination and are less likely than men to hold managerial positions. However, the government has actively pursued programs aimed at encouraging gender equality and protecting women's rights.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The government generally respects freedom of internal movement and foreign travel.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 3 / 4

Individuals have the right to own property and establish private businesses. However, legal regulations are at times poorly enforced. Leaders of the indigenous Maya community say their ancestral land rights are not protected, particularly with regard to oil exploration and logging activities.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are generally respected, though domestic violence remains a serious problem despite government measures to combat it. Rape is illegal, but reporting and conviction rates are low, and sentences are sometimes light.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Some legal protections against exploitative working conditions are respected and enforced. However, Belizean and foreign women and girls are vulnerable to sex trafficking, and migrant workers are sometimes subjected to forced labor in agriculture, fisheries, and retail businesses. The US State Department's *Trafficking in Persons Report* for 2019 noted two new trafficking prosecutions, the first in four years, and increased resources for the antitrafficking police unit. However, the report also noted that "the government did not

investigate or prosecute any public officials for complicity in trafficking-related offenses, despite allegations of official complicity.”

Benin

Population: 11,800,000

Capital: Porto-Novo

Freedom Status: Partly Free

Electoral Democracy: No

Status Change: Benin’s status declined from Free to Partly Free because a new electoral code and a series of decisions by the courts, electoral authorities, and the government resulted in the exclusion of all opposition parties from the April 2019 parliamentary elections.

Overview: Benin had been among the most stable democracies in sub-Saharan Africa, but President Patrice Talon began using the justice system to attack his political opponents after taking office in 2016, and new electoral rules effectively excluded all opposition parties from the 2019 parliamentary elections. Protests surrounding those elections were met with harsh restrictions on civil liberties, including an internet shutdown and deadly police violence against demonstrators.

KEY DEVELOPMENTS IN 2019

- The courts, electoral officials, and the government implemented a new electoral code in a manner that effectively prevented all opposition parties from participating in the April legislative elections, resulting in a National Assembly composed entirely of government supporters.
- Internet service was shut down on election day, and security forces used gunfire to disperse protests in the months surrounding the vote.
- Two journalists were charged during the year with publishing false news under a 2017 digital media law.
- As part of a crackdown on President Talon’s chief opponents, former president Thomas Boni Yayi was held under de facto house arrest for several weeks after the elections and fled the country in June. The runner-up in the 2016 presidential election, Lionel Zinsou, was barred in August from standing for office for five years due to alleged campaign violations.

POLITICAL RIGHTS: 21 / 40 (-11)

A. ELECTORAL PROCESS: 5 / 12 (-4)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is elected by popular vote for up to two five-year terms and serves as both the chief of state and head of government. In the 2016 presidential election, none of the 33 candidates won a majority of votes in the first round, leading to a second round in which Patrice Talon defeated former prime minister Lionel Zinsou of the incumbent Cowry Forces for an Emerging Benin (FCBE) with 65 percent of the vote. Talon, Benin’s richest businessman, ran as an independent, supported by the business sector and a number of small political parties. The election was generally held in accordance with international standards,

although some delays in voting were reported due to voter card shortages and the late delivery of materials to polling stations.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4 (-2)

Delegates to the 83-member, unicameral National Assembly serve four-year terms and are elected by proportional representation. The April 2019 legislative elections were not free or fair, as the implementation of new electoral rules effectively prevented all opposition parties from participating. Observers canceled poll-monitoring plans for fear of violence, turnout fell to about a quarter of eligible voters amid a boycott by opposition supporters, there was an internet shutdown on election day, and security forces violently suppressed protests before and after the balloting, resulting in several deaths. Only two progovernment parties, the Progressive Union and the Republican Bloc, won seats, taking 47 and 36, respectively.

In November, the new National Assembly adopted a package of constitutional amendments, including provisions that imposed a three-term limit on legislators, expanded the assembly to 109 seats, and extended its terms from four years to five beginning in 2026 in order to align them with those of the president. The next legislative elections would still occur in 2023.

Score Change: The score declined from 3 to 1 because all opposition parties were barred from competing in the parliamentary elections, and the polls themselves were marred by a large-scale voter boycott and an internet shutdown.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4 (-2)

Elections are conducted by the Autonomous National Electoral Commission (CENA). In the past, the CENA generally administered elections fairly and transparently. However, following the passage of a restrictive electoral law in 2018, the Constitutional Court—headed by the president’s former personal lawyer—ruled in February 2019 that parties must obtain a “certificate of conformity” from the Ministry of the Interior, and the CENA declared in March that five of the seven party lists lacked the necessary certificate or otherwise failed to meet the requirements of the electoral law. The two party lists cleared for the elections were both loyal to the president. Although reforms to the constitution and electoral code were adopted in November, the key rules that led to the exclusion of opposition parties remained in place.

Score Change: The score declined from 3 to 1 because a new electoral code passed in 2018 was interpreted by the Constitutional Court and enforced by the Interior Ministry and electoral commission in a manner that led to the exclusion of all opposition parties from the parliamentary elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16 (-6)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4 (-2)

Since the reintroduction of multiparty elections in 1991, Benin has generally had a large number of active political parties. However, the electoral code passed in 2018, aimed at decreasing the quantity of parties, established restrictive rules including an unusually high 10 percent threshold for party lists to win representation in the parliament and a dramatic

increase in obligatory financial deposits for presidential candidates and legislative party lists—though the sums for presidential candidates were reduced again under legislation passed in November 2019.

While all opposition parties were excluded from the April 2019 parliamentary elections, the Ministry of the Interior eventually granted the FCBE legal recognition under the 2018 electoral code in September, after some of the party's officials agreed to remove two former ministers from its leadership. The two were living abroad and faced legal proceedings in Benin. The Social Liberal Union (USL)—a prominent opposition party whose leader, Sébastien Ajavon, was similarly living in exile—continued to lack legal recognition at year's end.

Score Change: The score declined from 4 to 2 due to onerous and politicized party registration requirements that played a role in the disqualification of all opposition parties ahead of the 2019 parliamentary elections, and continued state interference with those parties in the aftermath of the elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4 (-2)

Talon's defeat of Zinsou, outgoing president Boni Yayi's chosen successor in the 2016 election, marked Benin's fourth transfer of power between rival groups at the presidential level since multiparty elections were restored in 1991.

In recent years, however, the government has introduced significant obstacles to opposition parties and presidential candidates, and leading opposition figures have been harassed by authorities and targeted for prosecution on a variety of charges. Boni Yayi, who is affiliated with the FCBE, was placed under de facto house arrest for 52 days following the April 2019 elections, then fled the country after he was released in June. Zinsou, who was living in exile, received a suspended six-month prison sentence in absentia and a five-year ban on running for office in August for alleged 2016 campaign violations. Ajavon, the 2016 third-place candidate, remained in France in 2019 after receiving a 20-year prison sentence in absentia on drug trafficking charges in 2018.

Among the constitutional amendments adopted by the legislature in November 2019 was a change to clarify that no president can serve more than two terms in his life, even if they are nonconsecutive. Some in the opposition alleged that this language was aimed at Boni Yayi, who stepped down after two terms in 2016. In addition, future candidates for president and the newly created position of vice president would have to obtain the endorsement of at least 10 percent of the country's mayors and National Assembly deputies, a threshold that would be especially difficult for the opposition to meet given the composition of the newly elected legislature.

Score Change: The score declined from 3 to 1 because the one-sided 2019 parliamentary elections left opposition parties with no representation in the legislature, and opposition prospects in future elections were diminished by new constitutional amendments and the prosecution of key leaders.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4 (-1)

Politics have generally been free from interference by the military. Although soldiers and police used lethal force to break up opposition protests during 2019, it was not yet clear that the security forces had become politicized.

The role of personal wealth in politics, however, has increased in recent years, with higher campaign costs and clientelist structures boosting the careers of wealthier politicians. Talon himself developed his private businesses in part by financing the previous campaigns of Boni Yayi and other political elites and then securing lucrative contracts. After becoming president, Talon allegedly attempted to bribe lawmakers during his initial attempts to win passage of constitutional amendments.

Score Change: The score declined from 4 to 3 due to the rising role of private wealth and clientelism in the political system in recent years.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4 (-1)

Women and minority groups are not legally excluded from participation in the political process, but cultural factors do limit women's political engagement. Women won just 7 percent of the seats in the April 2019 parliamentary elections. The constitutional amendments passed in November included 24 reserved seats for women in the enlarged 109-seat National Assembly that would be elected in 2023, though there were no such provisions for municipal and local assemblies.

Benin has historically been divided between northern and southern ethnic groups, and political parties often rely on ethnic bases of support. Talon is considered to be aligned with southerners, though his stated policy is to prioritize merit over ethnic balance in his appointments. In practice, most of his political appointees, including the head of the Constitutional Court, are from the Gbe-speaking region in the south, and the May 2019 election of a southerner as president of the National Assembly broke with a tradition of ensuring that the legislative leader comes from a different region than the chief executive.

Score Change: The score declined from 4 to 3 because the current president has overseen a concentration of power in the hands of southern ethnic groups, and the 2019 parliamentary elections reinforced the poor representation of women in the political system.

C. FUNCTIONING OF GOVERNMENT: 7 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4 (-1)

The president and the National Assembly generally determine government policies. However, the current National Assembly was not elected freely or fairly, and its complete lack of opposition members seriously undermines its role as an independent branch of government.

The government is not always able to implement its policies across all of the country's territory. In many rural areas, the state struggles to deliver basic services, and citizens rely on local customary and religious leaders to fill the gap.

Score Change: The score declined from 3 to 2 because the flawed 2019 parliamentary elections produced a legislature that had little democratic legitimacy and could not serve as a meaningful check on the executive.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a widespread problem. The government's main anticorruption body, the National Anti-Corruption Authority (ANLC), has the ability to hear complaints,

recommend remedies, and pass cases to the courts, but it has no law enforcement powers of its own. In September 2019, the ANLC president accused the CENA of irregularities in its disqualification of all but two parties for the April parliamentary elections.

Corrupt officials rarely face prosecution, contributing to a culture of impunity. The Court of Punishment of Economic Crimes and Terrorism (CRIET) was established in 2018 to focus on the prosecution of corruption, drug trafficking, and terrorism cases. However, critics have argued that the new court targets the government's political opponents and journalists; Ajavon, the exiled leader of the USL, was one of the first to be sentenced by the new court. Parliamentary immunity has been used to avoid corruption charges in the past; under Talon, immunity has been removed for some opposition members.

C3. Does the government operate with openness and transparency? 3 / 4

The 2015 Information and Communication Code provides for public access to government records. However, information deemed sensitive, including national security, trade, and judicial documents, remains restricted.

Benin has long been obliged as a member of the West African Economic and Monetary Union to convert its Chamber of Accounts, part of the Supreme Court, into a more independent Court of Auditors, responsible for auditing government finances. The constitutional amendments adopted in November 2019 called for the creation of a Court of Auditors, whose head would be appointed by the president. Meanwhile, the executive branch's General Inspectorate of Finance, under the direct control of the president, has been used in recent years to harass the opposition rather than promote transparency. For example, the former mayor of Cotonou, a prominent member of the opposition, was audited four times in 2017.

CIVIL LIBERTIES: 45 / 60 (-2)

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Constitutional guarantees of freedom of expression are largely respected in practice. Print media exhibit pluralism of opinion and viewpoints. However, most media outlets receive direct financial support from politicians, and few are considered genuinely independent.

Defamation remains a crime punishable by fines, and media outlets that are critical of the government have increasingly risked suspension in recent years. The High Authority for Audiovisual Media and Communication suspended one of the country's most popular newspapers in 2018 for publishing articles critical of the president, and shut down four broadcasters for technical violations in 2016. One of these, a television station owned by Ajavon, remains closed despite a 2017 court ruling that it be permitted to reopen.

A 2017 digital media law enables the government to prosecute and imprison journalists for online content that is deemed to be false or to harass individuals. The measure has been used repeatedly to punish journalists and bloggers in recent years. Casimir Kpédjo, editor of the *Nouvelle Economie* newspaper, was arrested in April 2019 for publishing "false" information about the national debt. Ignace Sossou of Benin Web TV received a suspended one-month prison sentence and a fine in August for publishing "false" information about tax evasion; in December he was arrested again over online posts about the public prosecutor and quickly sentenced to 18 months in prison for "harassment."

Also during 2019, the shutdown of internet service and access to social media on election day in April disrupted news organizations' ability to report on matters of acute public interest.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is constitutionally guaranteed and generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is largely respected. In February 2018, police arrested nine students at the University of Abomey-Calavi in Cotonou for protesting increased enrollment fees, but the students were released after three days, following a strike by three student unions.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no major restrictions on personal expression, and individuals generally are not subject to surveillance or reprisals when discussing political or other sensitive matters.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12 (-2)

E1. Is there freedom of assembly? 2 / 4 (-2)

Freedom of assembly has traditionally been respected; permit and registration requirements for demonstrations are not always enforced. However, in the months before the April 2019 elections, local authorities in some areas issued blanket bans on protests. Police and military personnel used means including tear gas, batons, water cannons, and gunfire to disperse opposition protests both before and after the elections, sometimes resulting in fatalities. For example, at least four protesters were killed during such incidents in February, another four deaths were reported in April and May, and seven more were reported during a series of clashes in Tchaourou in June. In addition to the internet shutdown on election day, partial disruptions were imposed on other occasions during the year, apparently to suppress demonstrations.

Score Change: The score declined from 4 to 2 because security personnel violently repressed opposition protests before and after the legislative elections, sometimes with lethal force.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations, including human rights groups, generally operate freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The right to form unions is respected. However, employees in the public sector are restricted in their ability to bargain collectively. In 2018, newly appointed justices of the Constitutional Court reinstated a law prohibiting public employees in the defense, health, justice, and security sectors from striking, and a new law limited strikes to a maximum of 10 days per year for private-sector workers and public employees not covered by the existing ban.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 2 / 4

Although the judiciary has demonstrated some independence, the courts are susceptible to corruption, and the process of nominating and promoting judges lacks transparency.

Judicial independence was further undermined by the 2018 appointment of President Talon's personal lawyer, Joseph Djogbénou, as president of the Constitutional Court. The court's decision later that year to reverse an earlier ruling on public-sector strikes intensified concerns about its autonomy, as did the body's 2019 decision to require that parties obtain a certificate of conformity from the government in order to take part in the parliamentary elections.

Critics have argued that the CRIET also lacks independence. In addition to allegations that the anticorruption court has been used to prosecute the president's political opponents, judges on the court were appointed in 2018 by government decree, in lieu of a transparent confirmation process.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process usually prevails in criminal and civil matters. However, judicial inefficiency, corruption, and a shortage of attorneys in the north inhibit the right to a fair trial. Lack of resources contributes to often lengthy pretrial detentions. Arbitrary arrests and detentions occasionally occur.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The population is free from war and other major threats to physical security, though the threat of terrorism may be growing in the north. In May 2019, two French tourists and their guide were kidnapped by Islamist militants in a park near the border with Niger and Burkina Faso; the guide was killed, while the tourists were rescued during a raid in Burkina Faso.

Prison conditions are often harsh, and prisoners face overcrowding, lack of access to food and water, and occasional physical abuse. Police brutality also remains a problem, including beatings and torture of suspects; perpetrators are frequently shielded from prosecution by their superiors. Security personnel were criticized for repeatedly using live ammunition and other excessive force during protests in 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Relations among Benin's ethnic groups are generally amicable, despite recent political tensions. Minority ethnic groups have typically been represented in government agencies, the civil service, and the armed forces. The constitution prohibits discrimination based on race, gender, and disability, but not sexual orientation. The only legislation directly restricting the rights of LGBT+ people is the penal code of 1996, which imposes a higher age of consent for same-sex sexual activity (21) than for heterosexual activity (13). LGBT+ people face social stigma and discrimination in practice.

Women experience discrimination in employment and access to credit, health care, and education.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Individuals can generally move freely throughout the country. However, in some rural areas, cultural traditions force women to remain indoors for extended periods. Roadblocks set up by the police can make travel difficult, and police officers occasionally demand bribes for travelers to pass through.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Reforms to the business registration process, anticorruption efforts, and other regulatory changes since 2010 have improved Benin's environment for private business activity. However, it is difficult to register property, and the enforcement of contracts is uneven. Despite laws guaranteeing equal rights to inheritance for women, many women are denied the right to inherit property in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence remains a serious problem, and women are often reluctant to report instances of domestic abuse. A 2003 law that prohibits female genital mutilation reduced the incidence of the practice, but it still persists, particularly in the northeast. Although the law prohibits marriage for those under 18 years old, the government allows exceptions for those aged 14 to 17 if there is parental consent. Child marriage and forced marriage remain common in rural areas.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Legal protections against forced labor and other exploitative working conditions are unevenly enforced, with poor conditions more prevalent in the large informal sector. Human trafficking is widespread in Benin, despite a recent uptick in prosecutions for the crime. The practice of sending young girls to wealthy families to work as domestic servants has led to cases of exploitation and sexual slavery. Children are also exploited for agricultural labor and work in various trades.

Bhutan

Population: 800,000

Capital: Thimphu

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Bhutan is a constitutional monarchy that has made significant strides toward becoming a consolidated democracy over the past decade. It has held multiple credible elections and undergone transfers of power to opposition parties. Ongoing problems include discrimination against Nepali-speaking and non-Buddhist minorities, media self-censorship, and, increasingly, the use of libel and defamation cases to silence journalists.

KEY DEVELOPMENTS IN 2019

- Parliament's lower house voted to decriminalize same-sex relations in June by repealing sections of Bhutan's criminal code. The repeal remained pending before the upper house at year's end.
- In a July report, a working group of the Office of the UN High Commissioner for Human Rights (OHCHR) warned that Bhutanese detained under national security laws, including political prisoners detained before the democratic era, suffered due process violations including a lack of legal representation.

POLITICAL RIGHTS: 29 / 40**A. ELECTORAL PROCESS: 10 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4**

King Jigme Khesar Namgyel Wangchuck formally succeeded his father in 2008. The monarch is head of state, appoints a number of high officials in consultation with other bodies, and retains a waning degree of influence over ministerial positions. The king nominates the leader of the majority party in the elected National Assembly to serve as prime minister. The 2018 National Assembly election, held that September and October, was free and fair, and resulted in a sizable victory for the United Party of Bhutan (DNT), which was formerly in the opposition. After the DNT's victory, the king appointed Lotay Tshering as prime minister.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The constitution provides for a bicameral Parliament, with a 25-seat upper house, the National Council, and a 47-seat lower house, the National Assembly. Members of both houses serve five-year terms. The king appoints five members of the nonpartisan National Council, and the remaining 20 are popularly elected as independents; the National Assembly is entirely elected. The April 2018 upper-house election saw record turnout; some observers ascribed the higher turnout to reforms designed to encourage voting and make casting ballots easier for residents, such as a new system of voting by post. The National Assembly election was held in two rounds in September and October 2018, with the two parties that won the most support in the first round advancing to the second. The DNT, which launched in 2013, won 30 out of 47 seats, followed by the Bhutan Peace and Prosperity Party (DPT), which won 17 seats. The then ruling People's Democratic Party (PDP) did not advance to the runoff.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Elections are administered by the Election Commission of Bhutan (ECB). The commission is thought to act impartially, although some of its regulations regarding which parties can compete in elections are controversial.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4**

Citizens must receive government approval to form political parties. Obtaining approval is sometimes difficult, and the government has denied registration to several newly formed parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The opposition has a realistic chance to win elections, and there is now regular turnover in control of government. In 2018, the DNT won control of Parliament for the first time, and another opposition party, the DPT, finished second, despite having won no seats in 2013.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

India still has some influence over the choices of Bhutanese voters and politicians. In 2013, just before that year's parliamentary election, India withdrew subsidies for oil and kerosene. Many observers viewed the decision as retaliation for the then DPT government's move toward closer ties with China and an attempt to swing the election toward the PDP. China does not have an official diplomatic relationship with Bhutan but has assiduously courted Bhutanese leaders in recent years, especially since a 2017 standoff between China and India over territory claimed by both Bhutan and China.

The royal family also retains significant influence, although it has significantly retreated in recent years. Most members of the political elite, including members of Parliament, steadfastly support the king and are hesitant to take any positions in direct opposition to the royal family.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Electoral rules stipulate that political parties must not be limited to members of any regional, ethnic, or religious group. There is no party that represents Nepali speakers. Citizenship rules are strict, and many Nepali-speaking people have not attained citizenship, effectively disenfranchising them. International election monitors have noted that Nepali speakers have been turned away from voting.

Women are underrepresented in public office, but the proportion of women in the National Assembly increased from 8 percent to 15 percent following the 2018 election. Although no women were elected to the National Council in 2013, two women won seats in 2018; men won eighteen. Traditional customs inhibit women's political participation, though electoral reforms introduced for the that year's polling also boosted turnout, including among women. The government has supported several programs to empower women and increase their engagement in politics.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Bhutan has made a successful transition from a system in which the monarch and his advisers dominated governance to one in which policies and legislation are mostly determined by elected officials.

While China has become an important factor in recent years, India maintains a significant influence on Bhutanese policymaking. India specifically maintains a hold on Bhutanese foreign policy based on a bilateral treaty between the two countries first signed in 1947. India also provides significant foreign aid to Bhutan. As a result, the Bhutanese government is hesitant to make policies that will upset the relationship with India.

C2. Are safeguards against official corruption strong and effective? 3 / 4

The government generally enforces anticorruption laws effectively. The 2006 Anti-Corruption Act established whistle-blower protections. The Anti-Corruption Commission (ACC), which had its role strengthened and expanded in 2011, is tasked with investigating and preventing graft, and has successfully prosecuted several high-profile cases. In December 2019, a Panbang court convicted a local district leader of embezzlement and issued a 10-year sentence; he was accused of colluding with Bhutan Oil Corporation (BOC) employees to inflate bills for purchases of oil, gasoline, and lubricants. The employees, who were acquitted, were previously investigated by the ACC in 2016, and the case was forwarded to prosecutors in 2017.

Nepotism and favoritism in public procurement and government employment remain problematic.

C3. Does the government operate with openness and transparency? 3 / 4

Although Bhutan lacks comprehensive freedom of information legislation, the government has strengthened transparency by making the salaries of officials public and making the central and local budgets more open to review. A right to information law passed by the National Assembly in 2014 was designed to put the onus on government officials and agencies to release information. However, the National Council still has not approved the bill.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -1 / 0

The government has for decades attempted to diminish and repress the rights of ethnic Nepalis, forcing many of them to leave Bhutan. The government expelled a large percentage of Nepali speakers in the early 1990s; in 1992, well over 100,000 refugees living in Nepal were denied reentry to Bhutan. A resettlement effort aimed at transferring the refugees to other countries began in 2007, resulting in the resettlement of the majority of refugees; however, 7,000 people remain in refugee camps, which the Office of the UN High Commissioner for Refugees (UNHCR) ultimately aims to close.

CIVIL LIBERTIES: 30 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 2 / 4

While there are multiple private media outlets, many depend on advertising from state bodies, and Bhutan's media environment remains subject to a high degree of self-censorship, especially regarding criticism of the royal family. Powerful individuals can use defamation laws to retaliate against critics. In 2018, a journalist was sentenced to three months in prison for libel, after she posted on Facebook about a woman who allegedly mistreated her stepdaughter.

The Bhutan Information Communications and Media Act 2018, which came into force that January, replaced a 2006 law. The government said it would strengthen the independence of the media and promote a free and vibrant media industry. The legislation mandated the establishment of an independent body called the Media Council, which was fully operational by September 2019. The council monitors the media to determine which content is harmful or offensive. Press freedom advocates fear that the new body will further erode press freedom and contribute to greater self-censorship.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The constitution protects freedom of religion, but local authorities are known to harass non-Buddhists. While Bhutanese of all faiths can worship freely in private, people experience pressure to participate in Buddhist ceremonies and practices.

Christian churches have often been unable to obtain registration from the government, which means that they cannot raise funds or buy property, placing constraints on their activities. Christian children are sometimes not allowed into schools based on their religion.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Few restrictions on academic freedom have been reported. However, Bhutanese university students are often hesitant to speak out on controversial political issues and practice self-censorship. Students, in conducting research, tend to receive negative feedback for posing questions that could be considered offensive or too blunt.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Freedom of expression is constitutionally guaranteed and generally respected. However, under the National Security Act, speech that creates or attempts to create “hatred and disaffection among the people” or “misunderstanding or hostility between the government and people,” among other offenses, can be punished with imprisonment. The broad language of the law makes it vulnerable to misuse.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees freedom of assembly, but this right is limited by government-imposed restrictions. Public gatherings require government permission, which is sometimes denied. Curfews and restrictions on the location of demonstrations also serve to curtail assembly rights.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Nongovernmental organizations (NGOs) that work on issues related to ethnic Nepalis are not allowed to operate, but other local and international NGOs work with increasing freedom on a wide range of issues. Under the 2007 Civil Society Organization Act, all new NGOs must register with the government. Registration is granted to NGOs that are determined by the government to be “not harmful to the peace and unity of the country.”

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The constitution nominally guarantees the right of workers to form unions, but the right to strike is not legally protected. Workers may bargain collectively, and antiunion discrimination is prohibited. Most of the country’s workforce is engaged in small-scale agriculture and is therefore not unionized.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 3 / 4

The independence of the judiciary is largely respected. Senior judges are appointed by the king on the recommendation of the National Judicial Commission. However, the rulings of judges often lack consistency, and many people view the judiciary as corrupt.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Although the right to a fair trial is largely guaranteed and arbitrary arrest is not a widespread problem, plaintiffs and defendants in civil disputes often represent themselves. Many people who are unable to repay debts are held in detention, which is considered arbitrary under international law.

A number of political prisoners, who were detained before Bhutan transitioned to its current democratic system, remain imprisoned. In July 2019, the Working Group on Arbitrary

Detention (WGAD) of the OHCHR reported that individuals detained under national security laws, including political prisoners, suffered due process violations including the lack of legal representation. In December 2019, a campaign group that included members of the Bhutanese diaspora and resettled refugees petitioned for the release of these prisoners.

Overall, however, the rule of law and due process has improved substantially in civil and criminal matters. In recent years, Bhutan's courts have functioned with a relatively high degree of effectiveness.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The civilian police force generally operates within the law, and incidents of excessive force are rare. In recent years, the crime rates have generally been low. However, insurgents from the Indian state of Assam sometimes enter Bhutan and undermine security. Occasional instances of kidnapping and robbery occur along the border with India.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The constitution protects against discrimination based on sex, race, disability, language, religion, or societal status. However, Nepali-speaking people reportedly face employment discrimination and other forms of bias.

LGBT+ people experience societal discrimination and social stigma, and there are no specific legal protections for transgender people. In June 2019, the National Assembly voted to repeal criminal code provisions that criminalize same-sex relations; the issue remained pending before the National Council at year's end.

Despite recent gains, discrimination in employment and education persists for women in Bhutan.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Bhutanese citizens generally have the freedom to travel domestically and internationally. However, the government has established different categories of citizenship, which restricts foreign travel for some. These restrictions reportedly have the greatest effect on Nepali speakers. Bhutanese security forces sometimes arrest Nepali people seeking to enter the country.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Individuals generally have rights to own property and establish businesses, but the process of registering a new business can be cumbersome and hinder business development. Some ethnic Nepalis who lack a security clearance certificates face difficulties in starting a business. The property registration process can also be lengthy.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Reports of domestic violence have increased in recent years. Societal taboos lead many incidents of rape and domestic violence to go unreported. Child marriage still occurs with some frequency; according to UN Children's Fund (UNICEF) data from 2017, 26 percent of women are married before age 18.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Female household workers, who often come from rural areas or India, are vulnerable to forced labor and other abuse, as are foreign workers in the construction and hydropower sectors. Child labor continued to be a problem in 2019, mostly in the agriculture and construction sectors. Women and girls often serve as household workers, and are vulnerable to abuse.

Sex trafficking remained a problem in 2019, and the government's enforcement efforts were inadequate to address it effectively. The US State Department noted that Bhutan may have launched only one investigation into possible sex trafficking in the 2019 edition of its *Trafficking in Persons Report*. However, the government has previously provided funds for an NGO that helps shelter trafficking survivors.

Bolivia

Population: 11,500,000

Capital: La Paz (administrative), Sucre (judicial)

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Bolivia is a democracy where credible elections have been held regularly. However, electoral manipulation in 2019 prompted mass protests and violence that led to the resignation of long-time president Evo Morales, with new general elections expected in 2020. Child labor and violence against women are persistent problems, independent and investigative journalists face harassment, and the judiciary is politicized and hampered by corruption.

KEY DEVELOPMENTS IN 2019

- Early results of the October presidential election suggested that a runoff between President Evo Morales and the main opposition candidate, former president Carlos Mesa, was likely. Soon after, election officials released an updated vote count showing Morales with an outright victory, triggering mass protests and counter-protests, violent confrontations between civilians, and deadly crackdowns by the police. The unrest, which resulted in the deaths of at least 30 people, ultimately forced President Evo Morales to resign after he lost the support of the police and armed forces.
- After Morales and numerous other top officials resigned, Jeanine Áñez Chavez, a senator and the highest-ranking official in the line of succession who had not stepped down, announced that she had assumed the presidency on an interim basis, and the constitutional court quickly affirmed the move. Áñez indicated that she would only serve until a new election could be held.
- Due to the irregularities in the October elections, the results of the vote for legislative representatives were also considered invalid. The legislature approved a measure in November that permits new legislative elections alongside the new presidential election expected in 2020.
- In December, the Organization of American States (OAS), which had been invited to audit the elections, released a final report concluding that the overall results were not verifiable due to “willful manipulation” abetted by the Supreme Electoral Tribunal (TSE).

POLITICAL RIGHTS: 25 / 40 (-3)**A. ELECTORAL PROCESS: 8 / 12 (-2)****A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4 (-1)**

Bolivia's president is both chief of state and head of government, and is directly elected to a five-year term. In the 2014 general elections, Evo Morales of the Movement toward Socialism (MAS) was reelected president with 61 percent of the vote, and an OAS election observation mission said the poll's result reflected the will of the people. A 2017 Constitutional Tribunal ruling, confirmed by the TSE in December 2018, permit Morales to run for a fourth term; the controversial rulings followed the failure of a 2016 referendum on extending term limits.

Early results of the October 2019 presidential election suggested that a runoff between Morales and the main opposition candidate, former president Carlos Mesa, was likely. Soon after, election officials released an updated vote count showing Morales with an outright victory, prompting mass demonstrations. In the vote's immediate aftermath, an OAS electoral observation mission released sharp criticism of the tally that showed Morales with an outright victory, saying it contradicted independent counts and that a runoff round should go forward. Morales maintained that his victory was legitimate, but also invited the OAS to audit the election, and it sent a delegation of experts to do so.

As protests and counterprotests—and accompanying violence—intensified, Morales, vice president Álvaro García Linera, and a host of other top officials resigned in November, after Morales lost the support of the military and police force. Two days later, Jeanine Áñez Chavez, a senior senator and the highest-ranking official in the line of succession who had not yet resigned, announced that she had stepped into the presidency on an interim basis, and the constitutional court quickly affirmed the move. Áñez indicated that she would only serve until a new election could be held.

The OAS mission's final report, issued in December, said it had found “overwhelming evidence” of “a series of intentional operations aimed at altering the will expressed at the polls,” including falsification of the signatures of poll officials, electronic results being re-directed to hidden servers and manipulated, and complicity of electoral officials. At year's end, new elections were expected in 2020.

Score Change: The score declined from 4 to 3 because the presidential election was tainted by attempted manipulation, and a series of resignations resulted in a senator serving as interim president pending a repeat election.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The Plurinational Legislative Assembly (ALP) consists of a 130-member Chamber of Deputies and a 36-member Senate. Legislative terms are five years.

The 2014 legislative elections were generally free and fair. However, due to the irregularities in the 2019 general election, the results of the vote for legislative representatives were considered invalid and the ALP approved a law in November to that permits new legislative elections alongside the new presidential election expected in 2020.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4 (-1)

For years, Bolivian politics were characterized by efforts by Morales' MAS to abolish presidential term limits. In 2015, the legislature voted to call for a referendum to amend the

constitution to allow Morales to run for a third consecutive term under the 2009 constitution—effectively allowing him to run for a fourth term; voters rejected the change in 2016. In 2017, MAS lawmakers activated a procedure consulting the Plurinational Constitutional Tribunal (or TCP, whose justices were selected by the MAS-dominated legislature) to declare the articles banning reelection unconstitutional. In 2017, the court assented, effectively overturning the results of the previous year’s referendum and clearing the way for Morales’s run for a fourth term in 2019.

The final report of the OAS on the 2019 elections described extensive evidence that the elections’ overall results were not verifiable, due to “willful manipulation” abetted by a biased TSE. In particular, the report excoriated TSE members for allowing electronic voting results to be diverted to shadowy external servers, “destroying all trust in the electoral process” and “making data manipulation and tally sheet forgery possible.” A new independent TSE was appointed in December, increasing the likelihood of free and fair elections in 2020.

Score Change: The score declined from 2 to 1 due to evidence election officials played a key role in manipulating the results of the presidential election.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16 (-1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Citizens have the right to organize political parties. MAS has dominated politics since Morales’s election to the presidency in 2005, drawing support from social movements, trade unions, and civil society actors. Morales’s maneuvers to achieve a reelection bid were a core issue in the rancorous 2019 campaign period. The most prominent opposition party, Comunidad Ciudadana (Citizen Community) attracted those who opposed his persistent efforts to extend his term.

In September 2018, the MAS-dominated ALP passed the Political Organizations Law, which contains a provision requiring intraparty primaries; opposition leaders said the provision hampers the ability of opposition parties to form coalitions to challenge the MAS by mandating that coalitions be formalized months before the intraparty primaries are held. In late 2018 and 2019, that provision became a topic of contention between the ALP and the TSE, leading to the resignation of TSE officials in 2018 and 2019.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

There are no formal institutional barriers that prevent opposition parties from participating in elections. However, the overwhelming dominance of the MAS, aided by its use of public resources to back its campaigns, has made it difficult for opposition parties to gain power through elections. In the 2019 presidential election, the manipulation of results prevented a runoff between Morales and Mesa, the second-place candidate.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4 (-1)

People are generally free to make political decisions without undue influence from the military, foreign powers, or other influential groups. However, opposition members have claimed that under Morales, public employees have been coerced by their employers to attend pro-government rallies.

In the run-up to the 2019 elections, some ruling-party supporters and members declared that they would not allow opposition candidates to campaign in territorial jurisdictions controlled by organizations aligned with the MAS. Later, as postelection protests grew, Morales supporters (with Morales's approval) blockaded neighborhoods, roads, and other facilities in order to prevent the opposition from mobilizing. In one instance, an opposition leader who had planned to lead a protest march in La Paz was prevented by protesters and airport officials from leaving the La Paz airport upon arrival. He was ultimately unable to travel beyond the airport by land, and flew back to Santa Cruz.

Those protesting against Morales organized road blockades in some cities, to which sympathizers of the MAS reacted by trying to forcefully break them, or with counter blockades aimed at limiting the food supply to the cities.

Opposition supporters also carried out some acts of intimidation. The mayor of Vinto, a MAS member, was attacked by antigovernment protesters and forced to march through the streets, and to sign a hastily prepared resignation letter. Supporters of Morales and government officials also experienced violence, including the burning of houses of MAS legislators and mayors and even the looting of Morales's house in Cochabamba.

Score Change: The score declined from 3 to 2 because nonstate actors blockaded neighborhoods and committed acts of violence in order to prevent political mobilization during the year's crisis.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The constitution recognizes 36 indigenous nationalities within a plurinational state, and formalizes political autonomy in indigenous territories. Adult citizens enjoy universal and equal suffrage. Although they are well represented in government, the interests of indigenous groups are often overlooked by politicians.

Formally, Bolivia has progressive legislation that guarantees equal political representation for women and seeks to protect them from political violence. While women are well-represented in politics, sexism and patriarchal attitudes undermines their work, particularly at local levels.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Elected officials are free to set and implement government policy without undue interference from nonstate actors. However, opposition members charge that years of a MAS majority in the legislature, combined with Morales's powerful presidency, has allowed for strong executive influence on legislative processes.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Anticorruption laws are poorly enforced, and corruption affects a range of government entities and economic sectors, including law enforcement bodies and extractive industries. Public procurement processes are frequently compromised by bribery.

C3. Does the government operate with openness and transparency? 2 / 4

Bolivia has no law guaranteeing access to public information. Elected officials by law must make asset declarations, but these are unavailable to the public.

CIVIL LIBERTIES: 38 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 2 / 4

While the constitution guarantees freedom of expression, in practice, journalists encounter harassment in connection with critical or investigative reporting. Harassment of critical media outlets has at times come from MAS government officials, who have characterized journalists as liars and participants in an international conspiracy against Morales. Media outlets with editorial positions that were perceived as hostile by the Morales administration have been denied access to public advertising contracts. In the run-up to the 2019 elections, the TSE banned the publication of an opinion poll carried out by a public university in collaboration with a research foundation and several media groups. The TSE claimed that the poll violated technical and source-of-funding criteria established in the electoral legislation. However, civil society organizations claimed that the poll was banned because it suggested that the ruling party was losing support. The TSE warned that outlets could be sanctioned for publishing the poll, and most declined to do so.

After the 2019 elections, media outlets and journalists faced physical attacks from both Morales and opposition supporters, as well as attacks by security forces. After Morales resigned, journalists and media outlets who criticized the interim government faced harassment. In November, the new communications minister, Roxana Lizárraga, threatened critical journalists with deportation and sedition charges.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is guaranteed by the constitution and generally upheld in practice. The 2009 constitution ended the Roman Catholic Church's official status, and created a secular state.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is legally guaranteed and upheld in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is robust and generally free from interference or surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12 (-1)

E1. Is there freedom of assembly? 2 / 4 (-1)

Bolivian law protects the right to peaceful assembly. However, many past protests have been marred by clashes between demonstrators and police, as well as clashes between protesters and counterprotesters around divisive issues.

In 2019, freedom of assembly deteriorated during the violent protests and counterprotests that surrounded the election and Morales' resignation. When sympathizers of Morales protested in the cities of Cochabamba and El Alto in November, the interim government replacing his administration deployed security forces to forcibly disperse them. In Cochabamba, peasants attempted to enter the city to organize a rally, but their protest turned violent and nine people died in a confrontation with the army and police. Protesters in El Alto blocked the road to a gas storage facility that held the entire fuel supply for La Paz. When a combined army and police operation tried to disperse them, the protesters attempted to invade the facility using explosives, and about 10 protesters died in resulting clashes

with security forces. These events were deemed massacres in a preliminary report by the Inter-American Commission on Human Rights (IACHR). The unrest resulted in the deaths of at least 30 people, and hundreds of injuries.

Score Change: The score declined from 3 to 2 due to violence that accompanied postelection protests.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Many nongovernmental organizations (NGOs) operate, but they are subject to some legal restrictions. In 2016, the TCP dismissed a petition arguing that two statutes in the country's NGO law gave the government license to dissolve NGOs. Government officials have at times smeared rights groups as antigovernment conspirators.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Labor and peasant unions are an active force wielding significant political influence.

The country's official labor code is inconsistent with Bolivian law; for example, it prohibits public sector unions, yet many public workers are able to legally unionize. A National Labor Court hears cases of antiunion discrimination, but tends to hand down verdicts slowly, and penalties for antiunion discrimination are not consistently applied.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

Bolivia stands as the sole country that appoints justices via popular elections. However, judges on the Supreme Court, the TCP, and other entities are first nominated through a two-thirds vote in the legislature. This allowed the MAS to dominate the candidate selection process, producing a lenient judiciary. The popular election of judges has politicized and factionalized appointments, creating opportunities for corruption. In addition to its politicization, the judiciary remains overburdened and beset by corruption.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Many people have difficulty accessing the justice system because they lack resources to travel to courts and other relevant offices, and also because services, where provided, are often insufficient and inefficient. In criminal matters, people accused of committing crimes can go years before they have a formal trial. Police are poorly paid and receive inadequate training, and corruption within the police force remains a problem.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Morales supporters and opponents clashed violently in several cities following the 2019 elections and Morales's resignation. Both sympathizers and detractors of Morales had access to explosives, including dynamite, rocket launchers, and Molotov cocktails, and used them against each other and the security forces. Morales opponents were reportedly shot at in the localities of Montero and Vila. The houses of journalists and activists who had been critical of Morales were burnt, as were a number of public buses in La Paz. By year's end, a political dialogue backed by the European Union (EU), United Nations, and Episcopal Conference, among others, opened, and violence receded before reaching the point of civil war or insurgency.

Impunity for crimes has prompted some to engage in vigilante justice against alleged criminals. Assaults in prisons continue to pose a significant problem.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The 2010 antiracism law contains measures to combat discrimination and impose criminal penalties for discriminatory acts. However, racism and associated discrimination is common in the country, especially against indigenous groups.

Bolivia has laws in place that prohibit discrimination against LGBT+ people. However, these laws are rarely enforced, and lesbian, gay, bisexual, and transgender people experience widespread societal discrimination. Chi Hyun Chung, a Presbyterian minister who considers homosexuality to be an illness requiring psychiatric treatment, ran for president in 2019 and made an open anti-LGBT+ rights agenda part of his platform; he came in third in the October elections.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

There are no formal limits on people's ability to change their place of residence, employment, or education, but choices can be limited by socioeconomic difficulties. Roads are occasionally blockaded as part of protest actions, impeding free movement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Women enjoy the same formal rights to property ownership as men but discrimination is common, leading to disparities in property ownership and access to resources.

The rights of indigenous people to prior consultation in cases of natural resource extraction and land development are not fully upheld by law or in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The constitution reserves marriage as a bond between a man and a woman, and makes no provision for same-sex civil unions.

Domestic violence, which mainly affects women, is a serious problem, and laws criminalizing violence against women are not well enforced. Many women lack access to birth control and reproductive health care.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Bolivia is a source country for the trafficking of men, women, and children for forced labor and prostitution, and the country faced increased international criticism over permissive legislation regarding child labor in 2018: in December of that year, Morales signed a measure to change the minimum working age to 14 years old.

Bosnia and Herzegovina

Population: 3,500,000

Capital: Sarajevo

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Bosnia and Herzegovina (BiH) is a highly decentralized parliamentary republic whose complex constitutional regime is embedded in the Dayton Peace Agreement, which ended the 1992–95 Bosnian War. Political affairs are characterized by severe partisan gridlock among nationalist leaders from the country’s Bosniak, Serb, and Croat communities. Corruption remains a serious problem.

KEY DEVELOPMENTS IN 2019

- In April, the government of the Serb-majority Republika Srpska (RS), one of BiH’s two main constituent entities, unveiled plans to create an auxiliary police force. The move triggered a political crisis, as it was perceived by many in the Federation of BiH—the country’s other main entity—and the international community as part of an attempt to paramilitarize and politicize law enforcement bodies in the RS.
- In September, BiH held its first LGBT+ pride march in Sarajevo. While there was a degree of opposition among local conservative groups, as well as a counterdemonstration on the same day, the event itself proceeded peacefully.
- In December, more than a year after the country’s 2018 general elections, a new central government was finally formed and approved by the parliament. The Federation and a number of its cantons had yet to form governments at year’s end.

POLITICAL RIGHTS: 19 / 40

A. ELECTORAL PROCESS: 6 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The 1995 Dayton Accords that ended the civil war in BiH created a loosely knit state composed of two entities—the Federation, whose residents are mainly Bosniak and Croat, and the Serb-dominated RS—that operate under a weak central government. The position of head of state is held by a three-member presidency comprising one Bosniak, one Serb, and one Croat; they are each elected to a four-year term, which they serve concurrently.

The chair of the Council of Ministers, or prime minister, is nominated by the presidency and approved by the House of Representatives. The chair in turn nominates other ministers for approval by the House.

The October 2018 elections were once again led by the country’s three entrenched nationalist blocs: the Bosniak nationalist Party of Democratic Action (SDA), the Croat nationalist Croatian Democratic Union (HDZ-BiH), and the Serb nationalist Alliance of Independent Social Democrats (SNSD). Milorad Dodik of the SNSD, the longtime president of the RS entity, won the Serb seat in BiH’s state presidency, and Šefik Džaferović of the SDA won the Bosniak seat. However, Željko Komšić of the center-left Democratic Front party decisively defeated the HDZ-BiH incumbent for the Croat seat of the presidency.

International observers raised serious concerns about the integrity of the elections. Among other problems, more than 450,000 ballots, about 7 percent of those cast, were disqualified by the Central Electoral Commission (CIK), fueling suspicions of potential voter fraud.

In December 2018, five parties from across the political spectrum formed a coalition without the SDA in the Sarajevo Canton, and the SNSD formed another government in the RS, with Radovan Višković replacing Željka Cvijanović, now the entity president, as prime minister. While the Federation and a number of cantons had yet to form their governments at the end of 2019, a new state-level central government was finally formed and approved in December, more than a year after the elections. Zoran Tegeltija of the SNSD became prime minister; the HDZ, the SDA, and two smaller SDA allies also received cabinet posts.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The Parliamentary Assembly, a state-level body, has two chambers. The 15-seat upper house, the House of Peoples, consists of five members from each of the three main ethnic groups, elected by the Federation and RS legislatures for four-year terms. The lower house, the House of Representatives, has 42 popularly elected members serving four-year terms, with 28 seats assigned to representatives from the Federation and 14 to representatives from the RS.

The SDA, HDZ-BiH, and SNSD dominated the 2018 general elections, capturing nine, five, and six seats in the highly fragmented House of Representatives and many other legislative posts at the entity, canton, and municipal levels. However, they faced stiff competition from other parties, particularly the Social Democratic Party, which took five House of Representatives seats, and the left-wing Democratic Front–Civic Alliance, which won three. Nine smaller parties also won representation at the state level. Election monitors noted significant irregularities and a decline in overall quality as compared with prior polls. Turnout was down slightly, at about 53 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Under BiH's constitutional regime, the CIK administers elections with the help of municipal election commissions. Both are subject to significant political party interference. The CIK is a largely ineffectual body, unable to act decisively without political support.

Conflicts over fair ethnic representation continue to surround aspects of the constitution and electoral laws. For example, BiH citizens who do not identify as members of the country's Bosniak, Serb, or Croat "constitutive peoples" remain barred from the presidency and membership in the House of Peoples, despite 2009 and 2016 rulings by the European Court of Human Rights that the exclusion of members of other ethnic groups violated the European Convention on Human Rights. The Federation's upper house, also known as the House of Peoples, was not fully seated until several months after the 2018 elections due to a legal dispute over its system of ethnic seat allocations. The dispute also held up the formation of the state-level House of Peoples, whose members are appointed by the entity legislatures. Separately, the city of Mostar has not held municipal elections since 2008 due to an unresolved legal dispute over the allocation of city council seats between Croats and Bosniaks.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4**

Political parties typically organize and operate freely, though the political arena in the Federation is generally limited to Bosniaks and Croats, while Serbs control politics in the RS. Coalitions at all levels of government shift frequently, but incumbent parties maintain their positions with the help of vast patronage networks, making it difficult for smaller reform-oriented forces to achieve meaningful breakthroughs.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

There are no explicit legal barriers preventing opposition parties from entering government, but expansive veto powers granted to the constitutive peoples and their representatives have helped the dominant nationalist parties to manipulate the system and shut out reformist

and multiethnic challengers. This is particularly apparent in the RS, where the SNSD has maintained a tight grip on power for more than a decade. The pattern was largely reinforced in the 2018 elections, despite the HDZ-BiH's defeat in the contest for the Croat seat of the state presidency. A reform-oriented coalition government headed by the antinationalist Naša Stranka (Our Party) took office in the Sarajevo Canton, but in December 2019 a bloc led by the SDA began the process of toppling the cantonal government.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

In addition to domestic problems like the politicization of public resources and the influence of corrupt patronage networks, certain foreign powers wield outsize influence in the Bosnian political sphere. Serbia and Croatia exert leverage through their respective local allies, the SNSD and the HDZ-BiH. Russia and Turkey have also offered support to preferred parties and candidates.

The Office of the High Representative (OHR), which was created by the Dayton Accords, operates under the auspices of the United Nations and has the authority to remove elected officials if they are deemed to be obstructing the peace process. In recent years, however, the OHR has been reluctant to intervene in the country's politics.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Political rights in BiH are in large part contingent on one's ethnic background and place of residence. Ethnic minorities including Jews and Roma are constitutionally barred from the presidency and from membership in the House of Peoples, despite the European Court of Human Rights rulings against those provisions. Serbs who live in the Federation and Croats and Bosniaks who live in the RS are also excluded from the presidency. Some Croats argue that their rights to representation are violated by electoral laws allowing non-Croats a significant voice in the selection of the Croat member of the presidency and Croat members of the House of Peoples. Women are underrepresented in politics and government. Nine women won seats in the House of Representatives in 2018.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Government formation and policy implementation are seriously impeded by the country's complex system of ethnic representation. Under the Dayton Accords, representatives from each of the three major ethnic groups, at both the state and entity levels, may exercise a veto on legislation deemed harmful to their interests. The 14-month delay in the formation of the state-level government after the 2018 elections, and the ongoing deadlock in the Federation and some cantons at year's end in 2019, underscored the severity of the problem.

The state government is also undercut by movements within each of BiH's entities for greater autonomy. In the RS, the hard-line SNSD government has deepened its security ties with Russia. Evidence emerged in 2018 that Dodik had hosted Russian-trained paramilitaries from Serbia—who were said to be establishing a paramilitary unit within the RS—in the entity's presidential palace. Follow-up reports found a sharp increase in the RS government's procurement of arms, which the OHR characterized as a push to militarize the entity's police force. In April 2019, Dodik announced plans to form an auxiliary police force in the RS. The move triggered a cascade of similar efforts by individual cantonal governments

in the Federation, and by the Federation government itself. After international mediation, Dodik opted instead to form a gendarmerie unit in September.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains widespread and systemic, and legislation designed to combat the problem is poorly enforced. When corruption probes are actually opened, they rarely result in convictions. In 2017, Transparency International BiH said it had noted a significant decline in the efficiency of corruption adjudication in the country over the last eight years. The relatively few cases filed in 2019 focused mostly on low-level officials and minor offenses. One major scandal during the year involved a video recording that allegedly implicated the president of BiH's High Judicial and Prosecutorial Council (HJPC) in bribe taking; the council's disciplinary commission, in which HJPC members review the conduct of fellow members, dropped the complaint in June.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations remain largely inaccessible to the public. Procurement awards are often made in secret and, according to a 2017 report published by Mediacentar Sarajevo, a local nongovernmental organization (NGO), most public institutions do not comply with BiH's legal requirements related to freedom of information. Candidates for major offices are obliged to make financial disclosures, but the relevant laws do not meet international standards, and the resulting disclosures are considered unreliable. Debate and decisions on matters of great public interest, including legislation and subjects pertaining to European Union accession, routinely occur during interparty negotiations that take place behind closed doors, outside of government institutions.

CIVIL LIBERTIES: 34 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16

D1. Are there free and independent media? 2 / 4

Freedom of expression is legally guaranteed but limited in practice. Journalists face political pressure as well as harassment, threats, and assaults in the course of their work. There is a large private media sector, including outlets that are affiliated with local political parties and those that belong to major international news networks. Public broadcasters in both entities, and at the canton level, often operate as partisan platforms; this is especially pronounced with the entity broadcaster in the RS, RTRS, whose coverage serves the interests of the SNSD.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is not subject to formal restrictions, but in practice religious communities face some discrimination in areas where they constitute a minority. Acts of vandalism against religious sites continue to be reported.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

The education system is racked by corruption and clientelism, and the curriculum is politicized at all levels of education. There is evidence of political interference in the operation of university student groups, in particular by the SDA at the University of Sarajevo. At some schools in the Federation, Bosniak and Croat students are divided into separate classes on the basis of their ethnicity. Some Bosniak returnees in the RS have sent their children to

temporary alternative schools to avoid curriculums they call discriminatory, and some Serb families have described discriminatory educational environments in the Federation.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Freedom of expression for individuals is generally protected from overt government interference. However, peer pressure and the risk of an adverse public reaction remain significant curbs on the discussion of sensitive topics. The news media often report on “controversial” social media posts by members of the public.

Conditions are more repressive in the RS than in the rest of BiH. In April 2019, businessman Slaviša Krunic, a prominent critic of the RS government, was ambushed and killed near Banja Luka. Three suspects were formally charged with carrying out the murder in December, but little was publicly known about the motives or potential organizers behind the crime. Krunic’s killing was only the most dramatic in a spate of assaults and threats against critics of Dodik and his government in recent years.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is generally respected in BiH, and peaceful protests are common. However, demonstrators sometimes encounter administrative obstacles or police violence. In 2018, persistent and often large-scale protests followed the unexplained death—and presumed murder—that March of David Dragičević, a 21-year-old Banja Luka resident whose case touched on broader concerns about policing and the rule of law in the RS. Dragičević’s father and opposition leaders accused the RS police, prosecutor’s office, and political leadership of either playing a role in or covering up his son’s death. In 2019, RS police continued to ban and disperse “Justice for David” protests, and dozens of past participants were charged with disturbing public order; Dragičević’s father fled to Austria, and his mother, who resides there, was facing trial in the RS on protest-related charges at year’s end.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

The NGO sector in BiH remains robust but is sometimes exposed to government pressure and interference, with more difficult conditions in the RS. There have been reports of prolonged tax investigations of NGOs by the RS government. Many organizations rely on government funding, posing a potential conflict if they seek to criticize the authorities. In 2018, a proposed RS law that would have placed restrictions on foreign donations to NGOs was withdrawn in the face of organized objections from civil society.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Labor unions operate freely in the whole of BiH, although workers often have limited bargaining power in practice. The right to strike is legally protected, but labor law in the Federation erects significant barriers to the exercise of this right. Legal protections against antiunion action by employers are weakly enforced. The leading political blocs in the country exercise significant control over unions in their respective strongholds.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is formally independent, but weak in practice, and the Constitutional Court continues to face challenges from the SNSD and HDZ-BiH in particular. Dozens of

Constitutional Court decisions have been disregarded by political leaders, as has some jurisprudence from the European Court of Human Rights. Individual judges are also subject to political pressure, interference, and intimidation regarding the cases before them. The 2019 corruption scandal surrounding the HJPC, which appoints and supervises judges, raised further concerns about judicial independence.

The existence of four separate court systems—for the central state, the RS, the Federation, and the self-governing Brčko district—contributes to overall inefficiency.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Guarantees of due process are inconsistently upheld, with judges often failing to manage trials effectively and contributing to extensive delays. Access to adequate legal counsel can be contingent on one's financial standing. Police corruption is a problem and sometimes stems from links to organized crime. Public prosecutors are widely reputed to be corrupt and under political control.

The process of prosecuting war crimes in domestic courts has been slow, with political interference and courts' lack of resources and capacity exacerbating a large backlog of cases. Despite efforts to reinvigorate the process, impunity for war crimes including killings and sexual violence has persisted.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Although overall violent crime rates are not unusually high for the region, organized crime is a significant problem, and high-profile incidents in recent years have fueled public frustration with the police and judicial system. Harassment by police remains routine for vulnerable groups, which now includes a significant number of migrants. Many prisons are overcrowded or feature other substandard conditions, and detainees are subject to physical abuse by prison authorities.

Active land mines dating to the 1990s continue to pose a threat to civilians. The recent reports of paramilitary activity and rearmament by politically controlled police units have raised concerns about the possibility of renewed conflict.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Discrimination against minorities is illegal but nevertheless widespread, particularly against members of the Romany minority. Bosniaks and Croats in the RS experience difficulties accessing social services. People who returned to their homes after being displaced during the war face discrimination in employment and housing in regions where their ethnic group constitutes a minority. Women are legally entitled to full equality with men but encounter discrimination in the workplace in practice.

Members of the LGBT+ community face discrimination, harassment, and occasional physical attacks, and authorities often fail to adequately investigate and prosecute crimes against LGBT+ people. However, in September 2019 the country held its first LGBT+ pride parade. The Sarajevo event, supported by a large coalition of civil society groups as well as members of the international community, proceeded peacefully despite opposition and counterdemonstrations by religious, conservative, and nationalist groups.

More than 50,000 migrants and asylum seekers arrived in the country during 2018 and 2019, marking a sharp increase from previous years. While the vast majority traveled on to other locations, some 8,000 remained stranded in BiH as of late 2019. Most lacked

accommodation and basic services while in the country, as the authorities' limited capacity to provide for them was overwhelmed. Conditions in the migrant camps remained extremely poor at the end of 2019, and incidents of violence between migrants and local community members have increased, including at least one reported murder of a migrant in the Herzegovina region in October. In December, after widespread criticism of conditions in the squalid Vučjak migrant camp in northwestern Bosnia, hundreds of camp residents were moved to facilities near Sarajevo.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The law protects freedom of movement, and this right is generally upheld in practice. Land mines limit movement in some areas. Corruption and bureaucratic obstacles can hamper people's ability to change their formal residency or place of employment.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Although the legal framework broadly supports property rights and private business activity, widespread corruption and patronage remain major barriers to free enterprise. There is no comprehensive legislation on restitution of property seized during and after World War II, and individuals who returned to their homes after being displaced by the 1992–95 war have faced attacks on their property. The European Commission has called for further progress on compensating people for property that cannot be returned.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individual freedom on personal status matters such as marriage and divorce is generally protected. Same-sex marriage is not recognized, though as of 2019 the Federation government was considering ways to regulate such partnerships. Child marriage is relatively common in Romany communities.

Domestic violence remains a serious concern despite some government efforts to combat it. Incidents of abuse are believed to be considerably underreported, and civic groups have found that law enforcement authorities are often reluctant to intervene or impose strong penalties.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Legal protections against exploitative working conditions are poorly enforced, and workers in some industries face hazardous conditions. Patronage and clientelism continue to adversely affect hiring practices and contribute to de facto restrictions on economic opportunity.

According to the US State Department's 2019 *Trafficking in Persons Report*, both Bosnian and foreign adults and children are subject to trafficking for the purposes of sexual exploitation and forced labor in BiH, with Romany children particularly vulnerable to forced begging and forced marriages that amount to domestic servitude. The report found that the government was making efforts toward prosecuting perpetrators, protecting victims, and preventing trafficking, though its efforts in the second area decreased somewhat during the coverage period.

Botswana

Population: 2,300,000

Capital: Gaborone

Freedom Status: Free

Electoral Democracy: Yes

Overview: While it is considered one of the most stable democracies in Africa, Botswana has been dominated by a single party since independence. Media freedom remains under threat. The indigenous San people, as well as migrants, refugees, and LGBT+ people, face discrimination.

KEY DEVELOPMENTS IN 2019

- The ruling Botswana Democratic Party (BDP) secured a parliamentary majority in the October elections, and interim president Mokgweetsi Masisi was sworn in for a full term in November. While regional observers called the contest free and fair, the opposition claimed that that it was rigged.
- In June, a judicial panel ruled that a criminal statute banning same-sex relations was unconstitutional, though the government publicly vowed to appeal the decision in July.
- Isaac Seabelo Kgosi, the former head of the Directorate of Intelligence and Security Services (DISS), was arrested in January on suspicion of tax evasion. A trial against Kgosi was still pending at year's end.

POLITICAL RIGHTS: 28 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is indirectly elected by the National Assembly for a five-year term and is eligible for reelection. The vice president is appointed by the president and confirmed by the National Assembly. The president holds significant power, including the authority to prolong or dismiss the National Assembly. In 2018, Vice President Mokgweetsi Masisi was named interim president when the term of his predecessor, Ian Khama, expired. The BDP won a majority of seats in the National Assembly in the October 2019 election, which was held concurrently with local government races. Masisi was sworn into office in early November.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Botswana has a unicameral, 65-seat National Assembly. Voters directly elect 57 members to five-year terms, while 6 members are nominated by the president and approved by the National Assembly. The president and attorney general serve as ex officio members. The BDP won 38 seats with 52.7 percent of the vote in the October 2019 elections, while the Umbrella for Democratic Change (UDC) won 15 seats with 35.9 percent of the vote, the Botswana Patriotic Front (BPF) won 3 seats with 4.4 percent of the vote, and the Alliance of Progressives (AP) won 1 seat with 5.1 percent of the vote.

Southern African Development Community (SADC) and African Union (AU) election observers called the poll free and fair, but criticized the lack of indelible ink and the use of translucent ballot boxes at polling stations. The UDC, however, claimed that voters were allowed to cast multiple ballots, and that voters and election officials were bribed. The UDC petitioned the High Court to throw the results out, but their case was dismissed in late December 2019.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Independent Electoral Commission (IEC) administers elections, and is generally considered independent and capable. However, a voter registration drive preceding the 2019 elections saw the theft of two voter registration books, containing a few dozen complete and incomplete registration forms, from an electoral officer's house. The IEC was also affected by budgetary constraints and a shortage of staff, which impacted its voter education and registration drives.

The Electoral Amendment Act of 2016, which originally mandated electronic voting for the 2019 elections, caused controversy after its passage. The opposition Botswana Congress Party (BCP) claimed that electronic voting was susceptible to manipulation in favor of the BDP, and threatened to boycott the 2019 polls. The government withdrew several sections of the act in 2018, including the electronic voting mandate, and the BCP settled a lawsuit against the government in April 2019.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The right of political parties to form and operate is guaranteed in law and is respected in practice. However, the opposition has alleged that the BDP abuses state resources, including the influential state media, to its own benefit. The lack of a public financing system also leaves opposition parties at a disadvantage. However, the withdrawal in 2018 of a section of the Electoral Amendment Act of 2016 that increased fees for candidates brought some relief to opposition parties.

The UDC claimed that its leader, Duma Boko, faced harassment and interference from government agencies during the 2019 election campaign. In July, the party reported that the Botswana Unified Revenue Service (BURS) harassed Boko's family members, and asked them about his movements. In early October, Boko reported that he was harassed by police officers and alleged that the authorities impounded a light aircraft used by the UDC to campaign in remote areas.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

The BDP, drawing on the advantages of its long incumbency, has dominated the political landscape since 1966; no opposition party has ever won power.

In 2012, several opposition parties formed the UDC to contest elections. However, infighting within the UDC—including the 2018 expulsion of the Botswana Movement for Democracy (BMD)—threatened to affect its competitiveness ahead of the 2019 contests. The opposition vote was further split when former president Khama quit the ruling BDP in April 2019 and helped form the BPF.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People's political choices are largely free from domination by unelected outside groups. The House of Chiefs, a 35-member body composed mostly of traditional leaders, representatives they elect, and representatives appointed by the president, advises legislators on tribal and customary matters. While the House of Chiefs is not decisive in affecting the popular will, election observers noted the potential for tribal chiefs to influence voters.

Election monitors also noted that Botswana's political parties rely on foreign donations, which could allow for external interference in domestic politics.

There have been some past reports of vote buying during elections.

B4. Do all segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women have full political rights, but cultural factors limit their participation, and their interests are not necessarily addressed by elected leaders. Only 11 female candidates ran for seats in 2019, a decline from the 17 who participated in 2014. Seven women currently sit in the National Assembly.

Smaller ethnic and tribal groups tend to be left out of the political process. People with disabilities have participated at low levels in recent parliamentary elections. Political parties generally do not represent the interests of LGBT+ people.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Elected executive and legislative officials determine government policies. However, opposition parties have criticized the executive branch for dominating the National Assembly and rushing bills through the legislative process without adequate deliberation or consultation. In 2016, lawmakers approved an amendment that increased the number of National Assembly members appointed by the president from four to six. Opposition leaders argued that the change would further strengthen executive power at the expense of the legislative branch.

In 2018, Masisi transferred the DISS and the Financial Intelligence Agency (FIA) to the president's office, prompting concerns about the improper centralization of power. The DISS was formerly part of the Justice Ministry, while the FIA was part of the Finance Ministry.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption laws are generally well enforced. In 2017, Botswana enacted a bill to protect whistleblowers. In August 2019, the National Assembly passed the Declaration of Assets and Liabilities Bill, which was originally proposed in 1996, though opposition parties questioned its effectiveness in fighting corruption.

However, Botswana's main anticorruption agency, the Directorate on Corruption and Economic Crime (DCEC), has been accused of ineffectiveness in fully pursuing high-level cases, and its independence was questioned when it was transferred to the Office of the President in 2012. The DCEC also disclosed difficulty in recruiting qualified staff in its 2018 annual report. Despite these challenges, the DCEC revived 13 cases that were previously closed for lack of evidence in April 2019.

The authorities also grappled with new corruption cases in 2019. Isaac Seabelo Kgosi, the former head of the DISS, was arrested on suspicion of tax evasion in January. The state

seized several of Kgosi's assets in July, and a trial against him was still pending at year's end. In August, President Masisi's permanent secretary, Carter Morupisi, was charged with money laundering, bribery, and abuse of office for misappropriating funds from Capital Management Botswana (CMB), a public asset management body. Morupisi's wife also faced charges, and their trial was pending at year's end.

C3. Does the government operate with openness and transparency? 2 / 4

Botswana lacks a freedom of information law, which limits government transparency. Budget processes are opaque, and public contracts are often awarded through patronage networks. Section 44 of the Corruption and Economic Crime Act prohibits publishing information on DCEC investigations. Public officers and the heads of private organizations are now expected to disclose their assets under the Declaration of Assets and Liabilities Act, but opposition lawmakers called the legislation ineffective ahead of its August 2019 passage.

Election monitors noted that the IEC provided limited information on the electoral process in their report on the October 2019 polls.

CIVIL LIBERTIES: 44 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

Freedom of expression is constitutionally guaranteed. However, journalists have endured harassment and intimidation under Khama's government, and concerning incidents have also been reported under the Masisi administration.

State-run media outlets dominate the broadcasting sector, and have exhibited a pro-government bias in their programming. However, election observers reported that state-run media provided unbiased coverage of the October 2019 polls. A government ban on advertising in private media remains in place, and harms the competitiveness and economic viability of many outlets. The 2008 Media Practitioners Act (MPA) established a statutory media regulatory body and mandated the registration of all media workers and outlets—including websites and blogs—with violations being punishable by a fine or prison time. A UDC lawmaker called for the MPA's repeal with a parliamentary motion, but it was defeated in April 2019.

Journalists have faced harassment and scrutiny from the DISS, as well. A group of detectives and DISS personnel, who were investigating Isaac Kgosi on allegations that he unlawfully revealed the identity of intelligence agents earlier in the year, raided the home of Tsaone Basimanebotlhe, a political reporter for news site Mmegi, in July 2019. The agents ordered her to surrender her mobile phone, admonished her for informing her editor of the raid, and threatened colleagues who visited her home with arrest.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally respected, though all religious organizations must register with the government.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Although academic freedom is generally respected, professors often practice self-censorship when addressing sensitive topics. In the past, foreign academics have been deported for publishing work that was critical of the government, contributing to cautiousness among many scholars.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Freedom of expression is constitutionally protected, but is restricted in practice, prompting self-censorship among members of the public. Insulting the president, a lawmaker, or public official is punishable by a fine. The 2008 Public Service Act restricts the ability of public-sector workers to air their political views. In recent years, the DISS has developed capacity to monitor private online communications.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is guaranteed by the constitution and largely upheld in practice. However, the Public Order Act requires citizens to seek permission from the police to exercise this right. The constitutionality of this clause has been questioned in the past, and permission at times has been denied on unclear grounds by the police.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs), including human rights groups, generally operate without restrictions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The right to form a union is respected, but the Trade Dispute Act places restrictions on who can strike. As a result, the government declares many strikes to be illegal, putting employees' jobs at risk. The law does not always protect workers from antiunion discrimination by employers.

In 2018, the government attempted to derecognize public service unions for alleged noncompliance with provisions of the Public Service Act of 2008, but a trade court blocked the attempt. President Masisi promised to restore the dormant Public Service Bargaining Council (PSBC) that year, but this did not occur by the end of 2019.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 3 / 4

The judiciary is generally independent and free from interference. In 2017, a judicial crisis involving former President Khama's attempts to reappoint justices after their fixed terms raised concerns over executive interference, but there were no controversies of that scale since. However, there have been calls to improve the transparency, impartiality, and public oversight of the selection and appointment processes for judges.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The right to a fair trial is protected by the constitution and generally upheld in practice. However, the judiciary lacks human and financial resources, which has led to case backlogs, lengthy pretrial detentions, and the postponement of cases. Attorneys are provided to all defendants in capital cases, but defendants in noncapital cases must pay for their own counsel. The DISS has the power to arrest suspects without a warrant if agents believe they have committed or will commit a crime.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Although citizens are largely protected from the illegitimate use of force, corporal punishment is sometimes imposed. Instances of police brutality have been reported, and perpetrators are rarely held accountable. Botswana still lacks an independent body to investigate police abuses. The DISS has historically been besieged by corruption allegations and has been accused of unlawful arrests and extrajudicial killings.

Over the past two decades, at least 30 Namibians and 22 Zimbabweans were killed in antipoaching operations. In 2018, President Masisi ended an unwritten shoot-to-kill policy originally adopted in at least 2013, and possibly earlier, to deter wildlife poachers; the ban on poaching was revoked altogether in May 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Customary law, commonly applied in rural areas, often discriminates against women. The indigenous San people tend to be economically marginalized and lack access to education and other public services including use of their language in schools, government meetings, and state media. There have been reports of beatings, abuse, and arbitrary arrests of San by police and park rangers. Botswana has no human rights body to investigate violations.

Same-sex relations were criminalized until June 2019, when a judicial panel ruled that the ban was unconstitutional. However, the government vowed to appeal the ruling in July, and the case remains pending at year's end.

Refugees in Botswana have been detained in encampments and have been denied the ability to work and integrate into local communities. In September 2019, the government returned 94 refugees to Namibia; the refugees, who number over 800, originally fled in 1999 after a secession attempt there failed. They previously opposed voluntary repatriation for fear of persecution by the Namibian government.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Most citizens can move freely throughout the country and travel internationally. However, in addition to the movement restrictions on refugees and asylum seekers, San have limited access to their traditional lands in the Central Kalahari Game Reserve. The government's long-standing policy has been to relocate San out of the reserve, and those who still have relatives living there must apply for a permit to visit them.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Botswana has generally sound legal protections for property rights, and they are enforced in practice. However, customary law discriminates against women in property and inheritance matters; for example, a woman has no right to her husband's property upon his death. The country's regulatory framework is considered conducive to establishing and operating private businesses.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence and rape are pervasive problems. The law does not recognize spousal rape as a crime. Customary law restricts women's rights within a marriage. When

husbands and wives separate, custody is traditionally granted to the father. Child and forced marriages still occur under customary law. In 2018, Parliament passed the Penal Code Amendment Bill, which introduced stronger penalties for rape, and raised the age of consent from 16 to 18.

Women can experience harassment for not dressing conservatively.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Workers enjoy a number of protections against exploitative labor practices. However, employer abuses in retail stores, the tourism industry, and private security sector are an ongoing problem. Botswana lacks a strong regulatory framework for labor brokers that dispatch workers to clients on short-term contracts, in which exploitation is common. Human trafficking remains an ongoing challenge. The Anti-Human Trafficking Act was amended in 2018 to include stiffer financial penalties.

Brazil

Population: 209,300,000

Capital: Brasilia

Freedom Status: Free

Electoral Democracy: Yes

Overview: Brazil is a democracy that holds competitive elections, and the political arena is characterized by vibrant public debate. However, independent journalists and civil society activists risk harassment and violent attack, and the government has struggled to address high rates of violent crime and disproportionate violence against and economic exclusion of minorities. Corruption is endemic at top levels, contributing to widespread disillusionment with traditional political parties. Societal discrimination and violence against LGBT+ people remains a serious problem.

KEY DEVELOPMENTS IN 2019

- In June, revelations emerged that Justice Minister Sérgio Moro, when he had served as a judge, colluded with federal prosecutors by offering advice on how to handle the corruption case against former president Luiz Inácio “Lula” da Silva, who was convicted of those charges in 2017. The Supreme Court later ruled that defendants could only be imprisoned after all appeals to higher courts had been exhausted, paving the way for Lula’s release from detention in November.
- The legislature’s approval of a major pension reform in the fall marked a victory for Brazil’s far-right president, Jair Bolsonaro, who was inaugurated in January after winning the 2018 election. It also signaled a return to the business of governing, following a period in which the executive and legislative branches were preoccupied with major corruption scandals and an impeachment process.
- Officials at various levels of government frequently sought to suppress critical reporting and prohibit artistic expression, notably that which addressed LGBT+ issues. Several journalists who wrote critical stories about Bolsonaro were the targets of hacking and other technical attacks. Two journalists were shot and killed during the year.

- In June, despite intense pressure from some religious and political leaders, the Supreme Court ruled that it was unconstitutional to exclude sexual minorities from the nation's antidiscrimination law, offering LGBT+ people increased legal protection.

POLITICAL RIGHTS: 31 / 40 (+1)

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

Brazil is a federal republic governed under a presidential system. The president is elected by popular vote for a four-year term and is eligible for reelection to a second term.

In the 2018 race, candidates made their cases to voters disillusioned by persistent, high-level corruption scandals, and increasingly concerned by a difficult economic environment and a rise in violent crime. Jair Bolsonaro, then of the far-right Social Liberal Party (PSL), won the election, taking 55.1 percent of the vote in a runoff against Fernando Haddad of the leftist Workers' Party (PT). Bolsonaro's campaign was characterized by a disdain for democratic principles and aggressive pledges to wipe out corruption and violent crime. An Organization of American States (OAS) election observation mission generally praised the poll's administration, and stakeholders quickly accepted its result. However, the highly polarized campaign was marred by the spread of fake news, conspiracy theories, and aggressive rhetoric on social networks and online messaging services (notably WhatsApp). There were also frequent preelection threats and violence targeting candidates, political supporters, journalists, and members of the judiciary. While most of the reported incidents appeared to involve attacks by Bolsonaro supporters, his backers were also targeted. Among these attacks, PT campaign buses were shot at in March 2018, and Bolsonaro was stabbed at a rally in early September, forcing him to cut back on public appearances a month before the election.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Legislative elections are generally free and fair. The bicameral National Congress is composed of an 81-member Senate and a 513-member Chamber of Deputies. Senators serve staggered eight-year terms, with one- to two-thirds coming up for election every four years. Members of the Chamber of Deputies serve four-year terms.

In October 2018 elections, the PT lost seats but remained the largest party in the lower house, with 56 deputies. Bolsonaro's PSL captured 52 seats, up from just a single seat previously. In the Senate, the center-right Brazilian Democratic Movement (MDB, previously PMDB) maintained its lead with a total of 12 seats, while the Brazilian Social Democratic Party (PSDB) holds 9, followed by the Social Democratic Party (PSD), Democrats (DEM), and PT, which will each hold 4 seats. Bolsonaro's PSL entered the chamber after capturing 4 seats.

The 2018 legislative elections were held concurrently with the first round of the presidential election, thus campaigning took place in the same highly polarized environment, marked by aggressive rhetoric and instances of political violence. In one instance, a gay candidate contesting a spot in the São Paulo legislature was surrounded by a group of men and slapped while campaigning.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Brazilian election laws are generally well enforced. A Supreme Electoral Court presides over cases related to violations of electoral law.

In a 6-1 ruling in August 2018, the Supreme Electoral Court declared that former president Luiz Inácio “Lula” da Silva was ineligible to run as a presidential candidate based on a “clean slate” law that prohibits candidates with criminal sentences confirmed on appeal from running for office. Lula withdrew in favor of replacement Haddad shortly before the deadline for candidate registration. The UN Human Rights Committee had urged authorities to guarantee his rights to political participation and allow him to run “until his appeals before the courts have been completed in fair judicial proceedings.”

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Brazil has an unfettered multiparty system marked by vigorous competition among rival parties. The electoral framework encourages the proliferation of parties, a number of which are based in a single state. Some parties display little ideological consistency. Party switching is common by members of Congress, rendering electoral coalitions fragile. The sheer number of parties means that the executive branch must piece together diverse and often ideologically incoherent coalitions to pass legislation. After a month of internal disputes in the PSL, Bolsonaro left the party to create a new one in November 2019, the Alliance for Brazil (APB).

Ahead of the 2018 elections, 35 parties were registered, 30 of which won seats in the lower chamber—the largest number of parties seated there since Brazil’s return to electoral politics in 1985. However, political parties operate with little transparency and under no governance rules. Independent candidates are not allowed to register and run for any office.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties are able to compete freely and gain power through elections. Ahead of the 2018 polls, Bolsonaro’s former small, far-right PSL succeeded in attracting widespread support in a short amount of time.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Recent investigations into corruption have exposed how powerful business interests undermine democratic accountability by facilitating or encouraging corruption among elected officials. Criminal groups have carried out attacks against political candidates. Ongoing investigations of the 2018 assassination of councilwoman Marielle Franco revealed the growing power of militia groups in Rio de Janeiro State.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The constitution guarantees equal rights without prejudice, but some groups have greater political representation than others. Afro-Brazilians and women and their interests remain underrepresented in electoral politics and in government. As a result of the 2018 elections, women hold 15 percent of seats in the Chamber of Deputies, and 16 percent in the Senate. However, Bolsonaro’s cabinet has only 2 of 22 chairs headed by women.

Increasing societal discrimination and violence against LGBT+ people can discourage their political participation. In March 2018, Rio de Janeiro councilwoman Marielle Franco, a black lesbian politician who was an outspoken advocate for minorities, was murdered. The

crime remains unsolved, and the ongoing investigations have revealed corruption schemes and a growing power of militia groups in Rio de Janeiro state, including in the local police force. The revelations in September 2019 led the attorney general to demand that the investigations be transferred to the federal court.

C. FUNCTIONING OF GOVERNMENT: 7 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4 (+1)

Widespread corruption undermines the government's ability to make and implement policy without undue influence from private or criminal interests.

In recent years, the functioning of government was severely hampered by an impeachment crisis that saw the removal of President Dilma Rousseff on charges she had improperly manipulated the state budget. Her term was completed by Michel Temer, who had been vice president; Temer soon became the subject of separate charges by the attorney general of bribery and obstruction of justice, which the lower house subsequently blocked. Corruption was a chief concern for voters in during the 2018 elections that brought Bolsonaro to power—as well as a more autonomous legislature. Bolsonaro was inaugurated on January 1, 2019, and his administration, in concert with Congress, has been able to govern more effectively than in recent years.

Congressional leaders have gained political prominence, as Bolsonaro has declined to forge a coalition with the legislative branch. The speaker of the Chamber of Deputies, Congressman Rodrigo Maia, played a crucial role in the approval of pension reforms in October 2019 and is leading, along with the Ministry of Finance, the economic agenda. Congress has also blocked some of the more conservative initiatives of the government, such as expanding the right to bear arms by presidential decree.

Score Change: The score improved from 2 to 3 because the executive and legislative branches were no longer encumbered by the impeachment and corruption crises that had often paralyzed them in previous years.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption and graft are endemic in Brazil, especially among elected officials. Beginning in 2014, an ongoing investigation known as Operation Car Wash has focused on bribery, money laundering, and bid-rigging involving state oil company Petrobras and private construction companies. In addition to former Petrobras executives and heads of major construction firms, its findings have also implicated elected officials from across the political spectrum.

However, a series of investigative reports known as Vaza Jato, or Car Wash Leaks, published by the online outlet the Intercept Brasil beginning in June 2019, exposed an improper relationship between former judge Sérgio Moro (Bolsonaro's current Justice Minister) and federal prosecutors, in which Moro had shared advice on how to prosecute high-level corruption cases, including Lula's. Lula, who began serving a 12-year sentence in 2018 after being conviction on corruption charges, was freed in November 2019, after the Supreme Court ruled that defendants must be released while appeals are pending.

Separately, Senator Flávio Bolsonaro, one of three politician sons of President Bolsonaro, remained under investigation at the end of 2019 for diverting public resources when he was a state deputy in Rio de Janeiro.

In October 2019, the Organization for Economic Co-operation and Development (OECD) Working Group on Bribery decided, for the first time since 1999, to send a mission

to assess Brazil's compliance with the OECD Anti-Bribery Convention over concerns of recent legislative and judicial decisions. Its mandate included study of a new Abuse of Authority Bill enacted the previous month, whose broad definition of abuse has prompted worries of potential misuse.

Former president Temer was arrested in March and May 2019 on corruption charges. He was released within a few days on both occasions, but remains the subject of investigation.

C3. Does the government operate with openness and transparency? 2 / 4

Brazil enacted an Access to Information Law in 2012, but in practice, the government does not always release requested information, and when doing so, not always in machine-readable formats. Compliance with the legislation also varies among Brazil's 26 states and the Brasília Federal District.

CIVIL LIBERTIES: 44 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF 14 / 16 (-1)

D1. Are there free and independent media? 3 / 4

The constitution guarantees freedom of expression, and the media scene is vibrant. However, investigative journalists, particularly those who cover corruption and crime, face threats, harassment, obstruction, and violence, which in some cases has been deadly. In May 2019, Robson Giorno, a reporter and owner of a local news outlet in the city of Maricá, in Rio de Janeiro State, was shot to death outside his house; he was a potential candidate for the municipal elections in 2020. In June 2019, also in Maricá, local news reporter Romário da Silva Barros was shot to death, with police saying the killing may have been related to his work.

Journalists who criticized Bolsonaro faced online and offline harassment, and outlets that carried such criticism faced economic pressure from the government. Several journalists who wrote critical stories about Bolsonaro were the targets of hacking and other technical attacks.

In October 2019, Secretary of Social Communication of the Presidency Fabio Wajngarten suggested a boycott to media outlets that supposedly spread "fake news," after *Folha de São Paulo*, Brazil's largest newspaper, published a report linking Bolsonaro to an electoral fraud investigation. In November, Bolsonaro excluded the newspaper from federal contracts, including advertising and subscriptions, but later retreated from the decision. Separately, in July, the participation of Miriam Leitão, a journalist and writer who has faced personal criticism from Bolsonaro, was canceled in a Santa Catarina book fair after organizers received complaints and threats over her participation.

In April, the Supreme Court demanded the removal of press reports about a secretive investigation it had launched over what it characterized as threats and attacks on court's integrity, prompting criticism from press freedom advocates. The action was later revoked.

Artists and artistic works have also been suppressed and in some cases attacked. On Christmas Eve, the office of the comedy group Porta dos Fundos was attacked with firebombs as its members prepared to screen a film it had produced with Netflix in which Jesus was portrayed as gay. Ongoing investigations suggest the involvement of a far-right group. At least four plays were canceled in federal theaters over their content, and the Federal Agency of Cinema (ANCINE) canceled grants to fund films dealing with LGBT+ people or issues, though a federal court ordered the ANCINE to resume funding. In September, Rio de Janeiro's mayor, Marcelo Crivella, ordered the recall of a comic book over its depiction

of a kiss between two male characters. The decision sparked intense backlash and a judicial battle which ended with a ruling from the Supreme Court against the recall. Bolsonaro in May 2019 characterized such repression of artistic expression not as censorship, but rather the “preservation of Christian values.”

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution guarantees freedom of religion, and the government generally respects this right in practice. However, violence against Afro-Brazilian religious groups are on the rise, especially in Rio de Janeiro’s favelas. As of September 2019, the Commission to Combat Religious Intolerance, composed of judges and public prosecutors, had counted 176 Afro-Brazilian temples (“terreiros”) closed during the year after assaults or threats from evangelical drug dealers; these groups operate and claim territory like other Brazilian drug-trafficking operations, but also seek to repress faiths that do not align with their own.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic debate is vibrant and freedom is generally unrestricted in schools and universities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4 (-1)

People are generally able to express personal views in public without fear of surveillance or retaliation. However, in the tense 2018 campaign atmosphere, some political speech was met with acts of violence. In October 2018, a 63-year-old capoeira master died after being stabbed by a Bolsonaro fan at a bar in Salvador; the man had attacked him after he expressed his support for Haddad. A prevalence of violent homophobic rhetoric in 2018 and 2019 has contributed to a sense of fear among many that open discussion of LGBT+ rights and issues could be met with harassment or attack.

Intimidation and harassment by progovernment troll groups on social media remains a serious problem in Brazil, and one that has been met with little concern by authorities. In early 2019, there were several cases of academics, politicians, and activists leaving the country in response to online attacks and threats.

In 2019, authorities’ toleration of progovernment troll groups, their overt hostility toward criticism and LGBT+ activism and artistic expression, and their frequent attempts to cancel or prohibit various journalistic and artistic events encouraged greater self-censorship among ordinary people, who increasingly risk repercussions for expressing their views on certain topics.

Score Change: The score declined from 4 to 3 because authorities’ toleration of progovernment trolls on social media and expressions of hostility toward government critics and LGBT+ activism have resulted in greater self-censorship among ordinary people.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 3 / 4

While freedom of assembly is generally respected, police or other security agents sometimes use excessive force against demonstrations.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Nongovernmental organizations (NGOs) are able to operate freely in a variety of fields. However, activists working on land rights and environmental protection issues have faced harassment, threats, and violence in recent years. Preliminary data from the Pastoral Land Commission shows that at least seven indigenous leaders were killed in 2019, the highest number in 11 years.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Industrial labor unions are well organized, and although they are politically connected, Brazilian unions tend to be freer from political party control than their counterparts in other Latin American countries. However, controversial labor reforms enacted in 2017 diminished the strength and role of unions in collective bargaining with businesses.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 3 / 4

The judiciary, though largely independent, is overburdened, inefficient, and often subject to intimidation and other external influences, especially in rural areas. Despite these shortcomings, the country's progressive constitution has resulted in an active judiciary that often rules in favor of citizens over the state.

In June 2019, revelations emerged that Justice Minister Moro, when he had served as a judge, colluded with federal prosecutors by offered advice on how to handle a corruption case against former president Luiz Inácio "Lula" da Silva, who was convicted of those charges in 2017. Moro has not denied the existence of the leaked text messages at the center of the revelations, but claims they were misrepresented by the Intercept Brasil, which published them, and do not show misconduct.

F2. Does due process prevail in civil and criminal matters? 2 / 4

The judiciary generally upholds the right to a fair trial. However, federal, state, and appellate courts are severely backlogged. The state struggles to provide legal counsel for defendants and prisoners who are unable to afford an attorney. Access to justice also varies greatly due to Brazil's high level of income inequality. Under a 2017 law, members of the armed forces and military police accused of certain serious crimes against civilians can be tried in military, rather than civilian, courts.

In March 2019, the Supreme Court opened a secretive investigation, without the participation of the Attorney General's Office, into what was characterized as false news about and threats to the court, and at least 60 cases developed from the investigation. Prosecutors filed lawsuits against the investigation, arguing that it fell outside the Supreme Court's jurisdiction. The court attempted to suppress media reports about the investigation and cases that came from it, but relented after sharp criticism from press freedom groups.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Brazil has a high homicide rate, though it had decreased in recent years due in part to a cease-fire among some of the more highly organized drug-trafficking groups, as well as modest successes in security reforms by previous administrations. In September 2019, the Brazilian Forum of Public Security reported a rate of 27.5 homicides per 100,000 residents in 2018, a 10.8 percent decrease over the previous year. Many of the victims are bystanders

caught in crossfire between highly organized and well-armed drug-trafficking outfits, as well as between those outfits and security forces.

Brazil's police force remains mired in corruption, and serious police abuses, including extrajudicial killings, continued in 2019. Police officers are rarely prosecuted for abuses, and those charged are almost never convicted. A 2019 Brazilian Forum of Public Security report found that, on average, 17 people died per day in 2018 due to the actions of police officers, a 19.6 percent increase from the previous year.

Conditions in Brazil's severely overcrowded prisons are life-threatening, characterized by disease, a lack of adequate food, and deadly gang-related violence. Violence is more likely to affect poor, black prisoners. Wealthy inmates often enjoy better conditions than poorer prisoners.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Some populations are not able to fully exercise their human rights in practice. Many indigenous communities—who comprise about 1 percent of the population—suffer from poverty and lack adequate sanitation and education services.

Just over half of Brazil's population identifies as black or of mixed race. Afro-Brazilians suffer from high rates of poverty and illiteracy, and almost 80 percent of Brazilians living in extreme poverty are black or mixed race. Victims of violence in Brazil are predominantly young, black, and poor.

Although Brazil has a largely tolerant society, it reportedly has one of the world's highest levels of violence against LGBT+ people. According to Grupo Gay da Bahia, an LGBT+ advocacy organization, 420 LGBT+ people were killed in 2018 as a result of homophobic violence, marking a 6 percent decrease from the group's figures for the previous year. The same group reported that 141 LGBT+ people were killed under the same circumstances in the first five months of 2019.

However, in June 2019, despite intense pressure from some religious and political leaders, the Supreme Court ruled that it was unconstitutional to exclude sexual minorities from the nation's antidiscrimination law. As a result, LGBT+ people will be protected under a criminal law that already prohibits discrimination on the basis "race, color, ethnicity, religion and national origin."

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Brazilians enjoy freedom to travel within and outside of the country, and to make decisions about their places of residence and employment, though access to high-quality education across all levels remains a challenge. Gang violence in favelas at times has impeded free movement, and has prompted schools to shut down temporarily.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

While property rights are generally enforced, laws granting indigenous populations exclusive use of certain lands are not always upheld, sometimes leading to violent conflicts. According to figures released by the Pastoral Land Commission in April 2019, at least 28 people were murdered over land and resource disputes in 2018.

Requirements for starting new businesses are often onerous, but authorities have taken some steps to ease the process. Legislation approved in August 2019 loosened licensing and

inspection requirements for small businesses, for example. Corruption and organized crime can pose obstacles to private business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The government generally does not restrict social freedoms. Same-sex marriage became legal in 2013. However, while a 2006 law sought to address Brazil's high rates of impunity for domestic violence, violence against women and girls remains widespread. Abortion is legal only in the case of rape, a threat to the mother's life, or a rare and usually fatal brain deformity in the fetus. These restrictions limit women's reproductive choices and impinge on family planning.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Slavery-like working conditions pose a significant problem in rural and, increasingly, in urban zones. A 2012 constitutional amendment allows the government to confiscate all property of landholders found to be using slave labor, a measure criticized by Bolsonaro.

The government has sought to address the problem of child labor by cooperating with various NGOs, increasing inspections, and offering cash incentives to keep children in school and legislation enacted in 2014 classifies the sexual exploitation of minors as "a heinous crime."

Brunei

Population: 400,000

Capital: Bandar Seri Begawan

Freedom Status: Not Free

Electoral Democracy: No

Overview: Brunei is an absolute monarchy in which the sultan exercises executive power. There are no elected representatives at the national level. Freedoms of the press and assembly are significantly restricted. Online speech is monitored by authorities, but lively nevertheless.

KEY DEVELOPMENTS IN 2019

- In April, Brunei implemented the second phase of its controversial Sharia (Islamic law) penal code; the code, which applies to Muslims and non-Muslims, includes whippings, amputation, and death by stoning as possible sentences. In May, the sultan issued a de facto moratorium on the death penalty, but did not address the code's other provisions.
- The government continued prosecuting cases of corruption during the year. In November, a former oil company official was indicted over undocumented income from other sources; his trial was ongoing at year's end.
- In December, a former civil servant received an 18-month sentence in absentia for criticizing halal certification regulations in a 2017 Facebook post. The civil servant, who fled to Canada to seek asylum in 2018, was the first to be convicted under the Sedition Act.

POLITICAL RIGHTS: 7 / 40**A. ELECTORAL PROCESS: 0 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4**

The hereditary sultan, Hassanal Bolkiah Mu'izzaddin Waddaulah, is the head of state and prime minister, and continues to wield broad powers under a long-standing state of emergency imposed in 1984.

In recent years, Brunei has appeared to be paving the way for Hassanal's son, Prince Al-Muhtadee Billah, to take power. There are no indications that any transition would involve moving away from a traditional monarchy.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The unicameral Legislative Council has no political standing independent of the sultan, who appoints its members. Brunei has not held direct legislative elections since 1962.

Elections are held for village-level councils that play a consultative role, though candidates are vetted by the government.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

There are no national-level electoral laws, since there have not been any national, direct legislative elections in over five decades.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4**

Genuine political activity by opposition groups remains extremely limited. The National Development Party (NDP) was permitted to register in 2005 after pledging to work as a partner with the government and swearing loyalty to the sultan; it is the only registered party.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

There are no national-level elections in which opposition forces could gain power. Since the National Solidarity Party was deregistered without explanation in 2007, the NDP has been Brunei's sole legal political party. It has no formal political role, few activities in practice, and a small membership, and is unable to challenge the sultan's power in any meaningful way.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

With the dominance of the sultan and lack of elections, residents have few avenues for genuine and autonomous political participation. However, people have some very limited ability to challenge unpopular policies through the organization of social movements.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Ethnic and religious minorities have few opportunities for political participation, even on a local level. Village council candidates must be Muslim, and ministers and deputy ministers must be Muslim and Malay unless the sultan grants an exception.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

None of Brunei's national-level policymakers are chosen through elections. The sultan wields broad powers, and is counseled by appointed advisory bodies and the appointed legislature.

C2. Are safeguards against official corruption strong and effective? 3 / 4

In 2015, the government enacted amendments to the Prevention of Corruption Act, which strengthened the anticorruption framework by establishing new conflict of interest rules for public officials, among other provisions. The government claims to have a zero-tolerance policy on corruption, and its Anti-Corruption Bureau has successfully prosecuted a number of lower-level officials in recent years. In 2018, two former judges were indicted for allegedly embezzling over \$7 million from a court's bankruptcy office. Their trial was still in session at the end of 2019.

In November 2019, prosecutors accused Ibrahim bin Abdul Gani, a former Brunei Shell Petroleum (BSP) officer, of possessing "unexplained property." Prosecutors alleged that Gani did not maintain necessary documentation for previous lottery winnings or income from investments; his trial began in December and was ongoing at year's end.

C3. Does the government operate with openness and transparency? 1 / 4

Although the appointed Legislative Council has no independent power, it formally passes the state budget and engages in question-and-answer sessions with government officials. The council meets once each year for a session lasting approximately two weeks. However, in general there is little transparency in the operations of the Brunei government.

CIVIL LIBERTIES: 21 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

Officials may close newspapers without cause and fine and imprison journalists for up to three years for reporting deemed "false and malicious." Brunei's only television station is state-run. The country's main English-language daily newspaper, the *Borneo Bulletin*, is controlled by the sultan's family and its journalists often practice self-censorship. Another former English-language newspaper, the *Brunei Times*, closed abruptly in 2016, allegedly after complaints from the Saudi embassy in Brunei over critical coverage of Saudi hajj policies. A new online outlet, the Scoop, which launched in 2017, contains somewhat independent coverage of Brunei society and politics.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The state religion is the Shafi'i school of Sunni Islam, but the constitution allows for the practice of other religions. Non-Shafi'i forms of Islam are actively discouraged, and marriage between Muslims and non-Muslims is not allowed. Muslims require permission

from the Ministry of Religious Affairs to convert to other faiths. Christians are allowed to hold low-key Christmas celebrations inside churches or at homes, but not outdoors or at shopping malls.

In 2014, Brunei implemented new criminal regulations based on Sharia, which include limits on the use of certain words and expressions deemed to be sacred to Islam in reference to other religions. The code also includes a ban on proselytizing of a religion other than Islam to Muslims or atheists, and requires Muslims to participate in religious observances. In April 2019, the government implemented a second phase that mandated death by stoning for insulting the prophet Muhammad, though a moratorium on capital punishment was issued in May.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom is respected to some extent, although institutions must seek approval from authorities to host visiting scholars, public lectures, and conferences. Scholars reportedly practice self-censorship or release their work under pseudonyms in overseas publications.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

The government utilizes an informant system to monitor suspected dissidents, and online communications are monitored for subversive content. Nevertheless, Brunei has an active online discussion community, although there are reports of self-censorship online regarding issues related to the monarchy.

In December 2019, a former civil servant who criticized the government's halal certification policy in a 2017 Facebook post was given an 18-month sentence in absentia. The civil servant, who was the first to be convicted under the Sedition Act, fled to Canada to seek asylum in 2018.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Long-standing state-of-emergency laws continue to restrict freedom of assembly. No more than 10 people can assemble for any purpose without a permit, and these laws are frequently enforced.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Most nongovernmental organizations (NGOs) are professional or business groups, although a few work on issues related to social welfare. All groups must register, registration can be refused for any reason, and registered groups can be suspended.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The law guarantees the right to form and join a union, but the agreement that had permitted Brunei's only active union, the Brunei Oilfield Workers Union, is now expired. Strikes are illegal, and collective bargaining is not recognized.

F. RULE OF LAW: 5 / 16 (-1)

F1. Is there an independent judiciary? 1 / 4

Brunei has a dual judicial system of secular and Sharia courts; all senior judges are appointed by the sultan. The courts appear to act independently when handling civil matters, and have yet to be tested in political cases or under the new regulations.

F2. Does due process prevail in civil and criminal matters? 2/ 4

Civil and criminal law is based on English common law and is enforced in secular courts, while Sharia is enforced in Sharia courts. People detained under the Internal Security Act (ISA) lack due process rights including the presumption of innocence.

The country's controversial penal code, based on Sharia, was delayed for several years; Brunei introduced the first phase in 2014 but held off on implementing the second of three envisioned phases, which contains penalties including amputations and death by stoning, until April 2019. Many of the Sharia rules overlap with existing provisions of the civil and criminal laws, but there are different sentences and burdens of proof under the new code.

The government only provides an attorney to indigent defendants in death penalty cases. To address this gap in access to justice, the Law Society of Brunei launched a pilot program for the country's first legal aid fund in 2018, but attorneys are only provided to defendants who plead guilty.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1/ 4 (-1)

Brunei retained the death penalty for crimes including drug trafficking before the new Sharia code was launched. However, no individual has been executed since 1957. Prison conditions generally meet international standards.

Sharia-based criminal statutes implemented in April 2019 contain more severe penalties for violations including consensual same-sex relations, theft, and adultery; they vary from whippings to amputations and death by stoning. In May, the sultan issued a "de facto moratorium on capital punishment," but did not issue clarification on the other provisions.

Score Change: The score declined from 2 to 1 because the government partially implemented penal code changes that introduced punishments including amputation and death by stoning for a wide range of moral, religious, and ordinary criminal offenses.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Brunei citizenship is inherited from citizen fathers. Citizen mothers must complete an application to pass citizenship on to children born to a noncitizen father. Thousands of stateless residents of Brunei, including longtime ethnic Chinese residents, are denied the full rights and benefits granted to citizens.

LGBT+ people living in Brunei are subject to severe penalties for same-sex relations under Sharia-based laws. Under regulations introduced in April 2019, consensual same-sex acts can be punished by death, or by whipping if the offenders are female.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS 7 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4**

Freedom of movement is respected. All government employees, domestic and foreign, must apply for permission to travel abroad, but permission is easily obtained. Stateless children do not have free access to education and instead must apply to enroll in schools; if accepted they sometimes have to pay tuition not required of citizens.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Brunei citizens are able to own property and can establish businesses with relative ease, but protections for private property are not strong. State-linked firms dominate many sectors of the economy and the government heavily subsidizes a number of industries.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Islamic law generally disadvantages women in matters involving divorce and child custody. The new Sharia penal code criminalizes “indecent behavior,” enjoins women to dress “modestly,” and makes abortion and extramarital sex capital offenses. There is no specific law against domestic violence, and although rape is a capital crime, spousal rape is not criminalized.

Transgender people are prohibited from dressing in line with their gender identity under the Sharia-based penal code.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

There is no private-sector minimum wage in Brunei. Labor inspections are frequent, but are often aimed at identifying undocumented migrant workers. Migrants who come to Brunei to serve as household workers are often coerced into involuntary servitude or debt bondage, and can be subject to varying forms of abuse. Workers who overstay visas are regularly imprisoned and, in some cases, caned.

According to the US State Department’s 2019 *Trafficking in Persons Report*, Brunei has made little progress in fighting human trafficking over the previous year. The State Department noted that no prosecutions took place during the reporting period, while victims are at risk of prosecution and deportation. The government operates a shelter for women and boys who are trafficked, but adult males do not receive shelter or services.

Bulgaria

Population: 7,000,000

Capital: Sofia

Freedom Status: Free

Electoral Democracy: Yes

Overview: Bulgaria’s democratic system holds competitive elections and has seen several transfers of power in recent decades. The country continues to struggle with political corruption and organized crime. The media sector is less pluralistic, as ownership concentration has considerably increased in the last 10 years. Journalists encounter threats and even violence in the course of their work and are sometimes fired for not following the editorial line. Ethnic minorities, particularly Roma, face discrimination. Despite funding shortages and other obstacles, civil society groups have been active and influential.

KEY DEVELOPMENTS IN 2019

- In December, the parliament reinstated the state subsidies for political parties, which had controversially been cut in July. The July amendment to the Political

Parties Act also lifted the ceiling on donations for political parties by private persons, businesses, and other organizations.

- In September, the director general of the Bulgarian National Radio (BNR) removed a prominent journalist from a live-broadcast and suspended BNR programming for an unprecedented five hours. Civil society's strong reaction prompted the formation of a parliamentary committee to investigate the events. BNR's director was ousted in October.
- In September, an outcry from right-wing political groups claimed the judiciary's independence was threatened, after an Australian national, convicted of killing a law student in 2007, was granted parole. The groups called for the dissolution of the Bulgarian Helsinki Committee due to its role in providing legal assistance to the convicted man.

POLITICAL RIGHTS: 34 / 40 (+1)**A. ELECTORAL PROCESS: 11 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

The president, who is directly elected for up to two five-year terms, is the head of state but has limited powers. In 2016, former air force commander Rumen Radev—an independent supported by the opposition Bulgarian Socialist Party (BSP)—defeated parliament speaker Tsetska Tsacheva of the Citizens for European Development of Bulgaria (GERB) party, taking more than 59 percent of the vote. The election was generally well administered, and stakeholders accepted the results.

The legislature chooses the prime minister, who serves as head of government. Prime Minister Boyko Borisov, of the center-right GERB, returned to office after his party's victory in the 2017 parliamentary elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral National Assembly, with 240 members, is elected every four years in 31 multimember constituencies. The 2017 elections were deemed free and fair by international observers. GERB led with 95 seats, followed by the BSP with 80, the nationalist United Patriots alliance with 27, the Movement for Rights and Freedoms (DPS) with 26, and the right-wing populist Volya with 12. Following the elections, a coalition government of GERB and the United Patriots took office.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Central Election Commission administers Bulgarian elections and generally works professionally and impartially, though some flaws have been reported in past elections. The parliament passed controversial reforms to the electoral laws in 2016, introducing compulsory voting and new rules on voting abroad that limited the number of polling places and led to protests throughout the diaspora. In 2017, the Constitutional Court struck down the law on compulsory voting.

Changes to the electoral system in a 2016 referendum, such as the introduction of a majoritarian system for parliamentary elections, were supported by a majority of voters yet failed to reach the turnout threshold for the vote to be binding.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Bulgaria's party system is competitive and quite volatile, featuring both long-term players like the BSP and DPS, as well as cycles in which new parties emerge while others decline or disappear. GERB first won seats in the parliament only in 2009, and the 2017 elections featured the emergence of the United Patriots alliance with 27 seats.

A controversial clause of the 2016 referendum—cutting state subsidies for political parties—was enacted by Parliament in July 2019. Parliament also amended the Political Parties Act, removing the ceiling on donations to political parties by private persons, businesses, and other organizations, without introducing any further requirements on spending or reporting standards. Major opposition party BSP and other political experts criticized these changes, seeing their potential to undermine political pluralism and encourage corrupt practices. In December, after the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE) voiced concerns about these amendments, Parliament voted to partially reinstate the state subsidy for political parties. However, no restrictions on private donations were reintroduced.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been multiple peaceful transfers of power between rival parties through elections since the end of communist rule in 1990. In the 2017 parliamentary elections, the BSP, currently the main opposition party, gained 41 seats compared with the previous balloting. At the European Parliament elections in May 2019, BSP gained an additional seat (currently 5).

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Bulgarians are generally free to make independent political choices. However, economic oligarchs dominate the major political parties and influence their platforms, a problem that is exacerbated by a lack of transparency in campaign finance law and the lack of limits to private donations for political parties that was lifted in July 2019.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

While marginalized groups generally have full political rights, the law dictates that electoral campaigns must be conducted in the Bulgarian language, which hinders outreach to non-Bulgarian-speaking minority groups. The ethnic Turkish minority is represented by the DPS, but the Roma are more marginalized. Small Romany parties are active, and many Roma reportedly vote for the DPS, though none hold seats in the parliament. Members of far-right nationalist parties, including the United Patriots, engage in hate speech against Roma, ethnic Turks, Jews, Muslims, migrants, and refugees, among other groups, particularly during election periods, raising concerns about the normalization of xenophobia and discrimination.

There are currently 62 women in the 240-seat parliament, and the representation of women in politics remains an issue.

Further problems come from the influence of oligarchs on the vote in smaller municipalities and within marginalized groups in particular, an issue that is called the “controlled vote.”

C. FUNCTIONING OF GOVERNMENT: 9 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected executive and legislative officials are generally able to set and implement policies without undue interference from external or unelected entities. However, oligarch politicians dominate the government and greatly influence policymaking.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Bulgaria, which joined the European Union (EU) in 2007, has struggled to meet the bloc’s anticorruption requirements amid resistance from much of the political class. Anti-corruption laws are not adequately enforced, including in high-profile cases, contributing to a culture of impunity. The country remains subject to long-term monitoring by the EU’s cooperation and verification mechanism, whose annual reports have called for new legislative efforts to combat corruption.

In January 2018, the parliament overrode a presidential veto and adopted legislation that created a centralized anticorruption commission to replace multiple existing bodies. The record of the commission’s achievements is mixed to date—despite having extensive prerogatives that were further boosted at the end of 2018, some of its flagship cases were overturned in court, while analysts have raised serious concerns that the organization is politically motivated. In July 2019, a scandal involving the personal assets of the anticorruption commission’s director led to his resignation, further undermining both the commission’s authority in society and its effectiveness.

C3. Does the government operate with openness and transparency? 3 / 4 (+1)

Although Bulgaria has laws meant to ensure that the government operates with transparency, they are only partially enforced. While the transparency in the work of Parliament, the cabinet, municipal bodies, and others has increased considerably in recent years, public access to information about the budgets and spending of various government agencies is sometimes inadequate or presented in an inaccessible way. In January 2019, Bulgaria halted its citizenship by investment program due to concerns from the EU that the program lacked transparency.

Score Change: The score improved from 2 to 3 because access to information about the work of the parliament, the cabinet, and municipal bodies has improved considerably in recent years.

CIVIL LIBERTIES: 46 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16 (-1)

D1. Are there free and independent media? 2 / 4 (-1)

The constitution protects freedom of expression, including for the press, but journalists face threats and pressure from private owners or public media management. Even though the media sector remains pluralistic, many outlets are dependent on financial contributions from the state (through advertising), putting pressure on them for government-friendly coverage.

Several negative developments both in the private and public media occurred in 2019. After Swedish entertainment conglomerate Modern Times Group (MTG) sold the largest

Bulgarian private media group (Nova Broadcasting Group) to Bulgarian businessmen Kiril and Georgi Domuschiev in April 2019, contracts of prominent investigative journalists working on a political show at Nova TV were terminated, putting extra pressure on journalists there to follow the new pro-government editorial line.

In July 2019, the pro-government journalist and former politician Emil Koshlukov was appointed director general of the public broadcasting group Bulgarian National Television (BNT). Critical voices at BNT were silenced after several journalists and executives were dismissed. In September, a similar attempt at the public Bulgarian National Radio (BNR) by its newly appointed director sparked public outrage. Prominent journalist Silvia Velikova, known for her critical investigating, was removed during a live-broadcast and subsequent programming was suspended for five hours. The incident was investigated by a special parliamentary commission, and the BNR director was dismissed in October.

Many analysts voiced concerns that Bulgarian prosecutor general's office was targeting voices critical of government. Two journalists were detained and questioned in 2018 after investigating the destruction of documents that may have exposed a fraud scheme in Bulgarian politics related to projects funded by the EU. In March 2019, the investigative news site Bivol exposed the corrupt dealings of the head of the anticorruption commission, Plamen Georgiev, as well as several other GERB members of parliament. Subsequently, a European warrant for Bivol's editor-in-chief was issued by the Bulgarian prosecutor general, allegedly for his links to a cyberattack that leaked the personal data of over five million Bulgarian taxpayers. Many saw the investigation as retribution for Bivol's critical work. Representatives of the prosecutor's office have attacked journalists and media outlets critical of their work with increasing regularity, which has been met with strong outcries from the Bulgarian chapter of the Association of European Journalists, among others.

Score Change: The score declined from 3 to 2 due to sustained pressure by the government and pro-government investors on independent media.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is generally respected, but members of minority faiths in what is a mostly Orthodox Christian country have reported instances of harassment and discrimination, and some local authorities have prohibited proselytizing and other religious activities by such groups. A 2016 law that imposed fines for the wearing of face-covering garments in public locations was widely understood to be directed against Muslims. The United Patriots, along with other parties, have tried to limit foreign donations to religious denominations as well as proselytizing by foreign nationals. The Religious Denominations Act which entered into force in early 2019 thwarted those efforts. It raised the state subsidies for religious denominations with adherents comprising a minimum of one percent of the population to 10 leva (US\$5.81) per person.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally upheld in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Freedom of expression is guaranteed by the constitution, and there are no significant impediments to free and open private discussion.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12**E1. Is there freedom of assembly? 4 / 4**

The authorities generally respect constitutional guarantees of freedom of assembly. A number of mass demonstrations proceeded without incident during 2019, with participants airing grievances on several issues, including the controversial nomination procedure for the next prosecutor general.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate freely and have a degree of influence, though they experience funding shortages, often rely on foreign donors, and sometimes face hostility from politicians and interest groups.

In 2019, nationalist politicians, including defense minister Krasimir Karakachanov and European Parliament member Angel Chavdarov Djambazki, called for the prosecutor general to disband the Bulgarian Helsinki Committee in the wake of the Jock Palfreeman court case. Though the call was declared unfounded, attacks against human rights watchdogs continued (against Roma minority rights-focused groups in particular) and intensified, particularly during the two electoral campaigns in 2019—for European Parliament in May and local elections in October.

Analysts have expressed significant concerns over the treatment of human rights watchdogs by the prosecutor general and his deputy. For a second consecutive year, in 2019 Prosecutor General Sotir Tzatarov returned, unopened, the Bulgarian Helsinki Committee's (BHC) annual report on the state of human rights in Bulgaria, refusing to read or discuss it. Then Deputy Prosecutor General Ivan Geshev emailed the BHC two books, having marked chapters referring to Bulgarian resistance against Ottoman rule in 19th century and to a story about a Roma mother abusing the trust of her Bulgarian neighbors helping her sick child. Geshev became the prosecutor general in December.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers have the right to join trade unions, which are generally able to operate, but some public employees cannot legally strike. Collective bargaining is legal—collective contracts are listed in a specialized public registry. Trade unions are partners to the government and business in discussing public budgets and other issues (retirement age, pensions reforms, and healthcare reforms, for example), yet their voice and influence is weak.

F. RULE OF LAW: 10 / 16**F1. Is there an independent judiciary? 3 / 4**

Bulgaria's judiciary has benefited from legal and institutional reforms associated with EU membership, but it is still prone to politicization. A new Supreme Judicial Council (SJC), responsible for judicial and prosecutorial appointments and management, was installed under revised rules in 2017, with half the members (six judges, four prosecutors, and an investigator) elected by their peers and half by a two-thirds parliamentary majority.

Tensions have increased in recent years between the prosecutor general's office and some of the courts, with high-ranking prosecutors verbally attacking the Supreme Court of Cassation (SCC) and its court decisions, and the SJC (taking the side of the prosecutors) launching disciplinary procedures against judges. Tensions grew in the wake of the selection process for the new prosecutor general. Within a seven-year-mandate and without much accountability, the authority of the prosecutor general is a major point of contention with regard to Bulgaria's judicial system.

In September, the judges involved in the Jock Palfreeman case were attacked by their peers on the SJC. In response, 292 judges voiced their concern over the growing political pressure on Bulgarian courts.

Attacks against the president of the SCC, Lozan Panov, by the prosecutor general's office, pro-government media, and the SJC have prompted public demonstrations in his defense.

Political parties Ataka and the Bulgarian National Movement (VMRO) attempted to pressure the courts by organizing demonstrations in front of the courthouse during the last hearing on the Jock Palfreeman case in early October 2019.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Constitutional rights to due process are not always upheld. Police have been accused of misconduct, including arbitrary arrests and failure to inform suspects of their rights. Public trust in the justice system is low due to its reputed vulnerability to political and outside pressure.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Although the population faces few acute threats to physical security, police brutality, including abuse of suspects in custody, remains a problem. Overcrowding and violence plague many of Bulgaria's prisons. Organized crime is still a major issue, and scores of suspected contract killings since the 1990s are unsolved.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Ethnic minorities, particularly Roma, face discrimination in employment, health care, education, and housing, though the government and NGOs operate a number of programs meant to improve their social integration. Authorities periodically demolish illegally constructed or irregular housing—mostly in areas occupied by Roma—without providing alternative shelter.

Migrants and asylum seekers have reportedly faced various forms of mistreatment by Bulgarian authorities, including beatings and extortion. According to a July 2018 report by the Bulgaria-based Foundation for Access to Rights, the rate of detention for asylum seekers has remained high despite a decline in new arrivals in recent years.

Discrimination based on sexual orientation or gender identity is illegal, but societal bias against LGBT+ people persists. In July 2018, the Constitutional Court ruled that the Council of Europe's Istanbul Convention on preventing gender-based violence was unconstitutional, finding fault with its conceptualization of gender. Conservative critics argued that the convention would create a basis for expanded rights for LGBT+ people.

The annual gay pride celebrations in Sofia is routinely attacked by nationalist groups. Its ban was a major item on the platforms of right-leaning candidates for 2019 European Parliament and local elections. In spring 2019, the Strategy for the Child (outlining state policies for child protection) was attacked by a malicious campaign of nationalist and radical conservative groups to subvert the Istanbul convention ratification. Protests by these groups against the newly adopted Social Services Act led to the November resignation of the minister for social and labor policy and the postponement of the Act's entry into force, leaving many marginalized groups without much needed social services.

A gender equality law passed in 2016 was designed to foster equal opportunity for women, but discrimination in employment persists: women are employed less often and paid less than men.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

For the most part, Bulgarians face no major restrictions on their freedom of movement. Corruption and bias can sometimes hamper efforts to change one's place of employment. In 2017, the government issued a rule that restricted the ability of asylum seekers to move outside of the district where they are housed.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal and regulatory framework is generally supportive of property rights and private business, though property rights are not always respected in practice, and corruption continues to hamper business and investment. The gray economy of undeclared business activity is estimated at nearly 30 percent of the country's economy.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The law generally grants equal rights to men and women regarding personal status matters such as marriage and divorce. Domestic violence remains a problem. People who have experienced domestic violence and NGOs addressing gender-based violence claim that state authorities are often ineffective in providing protection and pursuing criminal charges when abuse is reported.

Same-sex marriage is illegal in Bulgaria, and same-sex couples are barred from adopting children.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Labor laws provide basic protections against exploitative working conditions, but they do not extend in practice to gray-market employment. Roma and other ethnic minorities are particularly vulnerable to trafficking for sexual and labor exploitation. Although the government has continued to step up efforts to combat trafficking, shelter victims, and punish perpetrators, these measures have not matched the scale of the problem, and punishments remain light in practice.

Burkina Faso

Population: 20,300,000

Capital: Ouagadougou

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Multiparty presidential and legislative elections held in late 2015 ushered in a new government and laid a foundation for the continued development of democratic institutions. Despite extreme poverty, terrorism, and government attempts to curtail press freedoms, civil society and organized labor remain strong forces for democracy and for the respect of civil liberties.

KEY DEVELOPMENTS IN 2019

- Islamist militants launched violent attacks in northern and eastern Burkina Faso throughout the year, targeting Christian churches and individuals wearing Christian paraphernalia. Clashes with militants and reprisals by government forces forced 560,000 Burkinabè to flee their homes by year's end.
- In September, generals Gilbert Diendéré and Djibrill Bassolé, who were accused of plotting a 2015 coup attempt, were convicted by a military tribunal, receiving 20- and 10-year prison terms respectively.
- In June, the parliament adopted a revised penal code that criminalizes the dissemination of information related to terrorist attacks; the revised code also criminalizes speech that can "demoralize" the defense and security services.

POLITICAL RIGHTS: 23 / 40**A. ELECTORAL PROCESS: 7 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4**

The president is head of state and is directly elected to no more than two five-year terms. Roch Marc Christian Kaboré of the People's Movement for Progress (MPP) won the 2015 presidential election with approximately 53 percent of the vote. Observers described the election as the most competitive ever to be held in the country. However, a number of politicians who supported former president Blaise Compaoré's unsuccessful attempt to amend the constitution to allow himself a third presidential term were barred from contesting the election.

The prime minister is head of government and is appointed by the president with the approval of the National Assembly. The prime minister is then responsible for recommending a cabinet that is formally appointed by the president. In January 2019, President Kaboré appointed Christophe Dabiré to serve as prime minister following Paul Kaba Thieba's resignation earlier that month.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The 127 members of the National Assembly are directly elected to five-year terms under a proportional representation system. The 2015 legislative elections were held concurrently with the presidential election and were viewed as generally credible, despite the exclusion of a number of candidates who had supported Compaoré's term-limit changes. The MPP won a plurality in the National Assembly, with 55 of the 127 seats.

Municipal elections held in 2016 reflected continuing erosion of support for the Congress for Democracy and Progress (CDP), the former ruling party, and increasing support for the MPP. Election observers from local civil society groups and international missions noted only minor irregularities in the polls. However, election-related violence prevented polling in a number of districts, which, according to some observers, contributed to relatively low turnout. Makeup elections for several constituencies were held peacefully in 2017, though once again some candidates were reportedly excluded.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Independent National Electoral Commission (CENI) is responsible for organizing elections, and the 2015 and 2016 polls were generally well administered.

The electoral code, adopted in 2018, was criticized by opposition parties for imposing new restrictions on voters living abroad. This code requires either the national identity card or a Burkinabè passport for those living abroad to register to vote, whereas a consular card was previously accepted. Opposition critics claimed that many Burkinabè abroad, particularly those in Côte d'Ivoire, would not possess these documents and therefore be disenfranchised.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4**

The constitution guarantees the right to form political parties, but their ability to participate in political life is sometimes restricted by the government. In August 2019, Ablassé Ouédraogo, leader of opposition party Le Faso Autrement (Faso Otherwise) claimed that the government prohibited his party from participating in a political dialogue. In November, the Patriotic Front for Renewal (FPR), another opposition party, was suspended for three months after calling for the government's resignation.

Major political parties, such as the MPP, CDP, and Union for Progress and Change (UPC), have extensive patronage networks and disproportionate access to media coverage, making it difficult for other political parties to build their support bases.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

The end of former president Compaoré's 27-year regime in 2014 has given way to a freer environment, in which opposition parties were able to consolidate popular support and gain power through recent elections. However, a history of rotation of power between parties has yet to be firmly established.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Burkina Faso's military maintains a significant presence in the political sphere, and the history of military intervention poses a persistent threat to democratic stability. In 2015, the presidential guard, which was loyal to former president Compaoré, attempted to stage a coup d'état. The maneuver sparked widespread protests, and failed after the army's chief of staff moved to support the transitional government.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The constitution enshrines full political rights and electoral opportunities for all segments of the population. However, a small educated elite, the military, and labor unions have historically dominated political life.

Women are underrepresented in political leadership positions and hold 13.4 percent of seats in the parliament. Within parties, women are frequently relegated to women's secretariats that have little influence. Burkina Faso has a gender quota law mandating that women must represent 30 percent of candidate lists, but its application is limited. A revised gender quota law was drafted by civil society groups in March 2019, but has failed to gain any traction.

C. FUNCTIONING OF GOVERNMENT: 6 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4**

Laws are promulgated and debated by the National Assembly. While democratic institutions continue to develop, they are not yet strong enough to withstand the influence of the military and other elite groups. Attacks by Islamic militants, which have increased in frequency in recent years, severely impede the government's ability to implement its policies in the insecure north and east.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption is widespread, particularly among customs officials and municipal police. Anticorruption laws and bodies are generally ineffective, though local nongovernmental organizations (NGOs) provide some accountability by publicizing official corruption and its effects.

C3. Does the government operate with openness and transparency? 2 / 4

The successful 2015 elections and installation of a civilian government signified a marked improvement in government accountability and transparency. However, government procurement processes are opaque, and procedures meant to increase transparency are often not followed. Government officials are required to make financial disclosures, but the information is rarely made public, and penalties for noncompliance do not appear to be enforced.

CIVIL LIBERTIES: 33 / 60 (-4)**D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16 (-2)****D1. Are there free and independent media? 2 / 4 (-1)**

The environment for media has improved since the end of Compaoré's rule. Since then, defamation has been decriminalized, reporters at the public broadcaster have experienced less political interference, and private media operates with relative freedom.

However, a revision of the penal code, adopted by the parliament in June 2019, made disseminating information about terrorist attacks and security force activity, along with the "demoralization" of defense and security forces, criminal offenses punishable by prison terms of up to 10 years. These revisions were subsequently declared constitutional by the Constitutional Council in July. Media outlets have since become more reluctant to report on terrorist incidents, with journalists either delaying their reporting or deferring to official government releases.

Score Change: The score declined from 3 to 2 because the National Assembly passed a revised penal code that imposed penalties on journalists who report information that "demoralizes the defense and security forces," which has caused media outlets to delay their reporting and limit the scope of their coverage.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4 (-1)

Burkina Faso is a secular state, and freedom of religion is generally respected. The population is predominately Muslim with a large Christian minority. Followers of both religions often engage in syncretic practices.

Recent actions by Islamic militant groups, which have attacked and intimidated civilians in the north and east, contributed to increased tensions between Muslims and

Christians. Christian churches were targeted in several deadly attacks during 2019; at least four attacks were recorded in April and May, resulting in the deaths of 20 people. In August, another three people died in attacks on Protestant and Catholic churches in the east.

Christians who wore paraphernalia were also targeted in 2019. Assaultants who attacked a church in April targeted individuals wearing crosses. A May procession of Christians the north was attacked, leaving four people dead. In June, gunmen killed 4 people in the village of Béni for wearing crucifixes.

Muslims have also been attacked while expressing their faith in public; in October, assaultants entered a mosque in the northern village of Salmossi, killing least 15 worshippers.

Score Change: The score declined from 4 to 3 because Islamist militants operating in the north and east carried out direct attacks on religious leaders, worshippers, and ceremonies as well as on individuals wearing Christian paraphernalia.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is unrestricted, though due to the former regime's repressive tactics against student-led protests, a legacy of tension between the government and academic organizations persists. Islamic militant groups in the north have threatened teachers in an effort to force them to adopt Islamic teachings, resulting in the closure of schools.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion is unrestricted in much of the country. However, attacks and intimidation by militant Islamic groups in the north and east, an increased security presence in response to their activities, and the June 2019 penal code revisions have dissuaded people from speaking about local news, politics, and other sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12 (-1)

E1. Is there freedom of assembly? 3 / 4

The constitution guarantees freedom of assembly, which is sometimes upheld in practice. Under the new government, space for demonstrations and protests has opened. However, some demonstrations were banned by government authorities who cited security concerns or were forcibly dispersed in 2019. In late August, trade unions organized nationwide rallies to criticize the country's economic and security troubles; however, their mid-September rally in Ouagadougou was interrupted by police, which used tear gas to disperse 2,000 protesters. In October, the Ouagadougou City Council banned a march planned by the Burkinabé Movement for Human and Peoples' Rights (MBDHP), a local NGO.

In July 2019, the parliament extended a state of emergency that was originally declared in 14 provinces in 2018. The state of emergency, which will expire in 2020, allows the government to restrict the freedom of assembly.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4 (-1)

While many NGOs operate openly and freely, human rights groups have reported abuses by security forces in the past. NGOs still face harassment in carrying out their work, and NGO leaders argue that some legal provisions, including vaguely worded terrorism

laws, are vulnerable to being misused to silence human rights defenders. In December 2019, police detained Kémi Séba, president of NGO Pan-African Emergencies, after he criticized President Kaboré and other African heads of state. Séba was convicted of “contempt of the head of state” and given a suspended prison sentence.

NGO members and activists also risk punishment under the June 2019 penal code revisions. In November 2019, activist Naïm Touré was arrested for “attempted demoralization” of the defense and security forces, but was ultimately released without charge.

Burkina Faso’s insecurity has impacted the ability of NGOs to work freely, with aid workers losing access to large parts of the country due to pervasive violence. NGO workers themselves are at risk of violence; in May 2019, two Democratic Youth Organization (ODJ) activists were killed while traveling to meet a government official in the northern province of Yagha. The ODJ claimed that the government refused to autopsy the victims in November.

Score Change: The score declined from 3 to 2 because increasing insecurity has prevented NGOs from operating in conflict-affected areas.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The constitution guarantees the right to strike. Unions frequently and freely engage in strikes and collective bargaining, and coordinate with civil society to organize demonstrations on social issues. However, the government has used legal means to suppress union activity, including the denial of permits for planned demonstrations.

In June 2019, the National Police Alliance (APN) denounced the government’s refusal to extend legal recognition in spite of a court order.

F. RULE OF LAW: 6 / 16 (-1)

F1. Is there an independent judiciary? 2 / 4

The judiciary is formally independent but has historically been subject to executive influence and corruption. In 2018, a highly anticipated military trial of 84 people accused of involvement in the 2015 coup commenced. Some analysts have questioned whether the accused could receive a fair trial, since the members of the military tribunal ruling on the case are appointed by the Defense Ministry and the president.

Despite these concerns, at least 10 people were convicted by the tribunal in September 2019. Generals Gilbert Diendéré and Djibrill Bassolé, the coup plotters, received 20-year and 10-year prison terms respectively. Fatoumata Diendéré, Gilbert Diendéré’s wife, received a 30-year sentence in absentia for her involvement in the plot. A group of soldiers who participated by arresting government officials during the coup were also convicted, receiving 15- to 19-year sentences.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Constitutional guarantees of due process are undermined by corruption and inefficacy of the judiciary and police force. In April and May 2019, lawyers organized protests against judicial inefficiency and the denial of legal rights for detainees.

The military has been accused of arbitrarily detaining large groups of men in the vicinity of attacks by Islamic militants. While most detainees are released in a matter of days, some are held for months or are summarily executed. In March 2019, the MBDHP reported that at least 60 people were executed by soldiers carrying out a counterterrorism operation in February.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4 (-1)

The security environment has declined in recent years due to activity by Islamic militant groups, bandits, and militias. Traditional leaders, government officials, lawmakers, and civilians are regularly targeted for assassination by Islamic militants. In November 2019, militants attacked a mining convoy, killing at least 37 people and wounding another 60; the attack prompted President Kaboré to announce plans to recruit volunteers to collaborate with security services. In some areas, armed groups operate with sufficient strength to attack military outposts. In late December, two armed groups attacked a military detachment and civilians living in the northern town of Arbinda; while the military repelled the attack, at least 7 soldiers and 35 civilians were killed.

Islamist militants have made multiple incursions into rural towns during 2019, often issuing ultimatums for their residents to leave; this prompted large movements of civilians to urban centers in the north. More than 560,000 Burkinabè were internally displaced at year's end.

The January 2019 killing of the village chief of Yirgou sparked communal clashes between members of the Fulani and Mossi ethnic communities. A series of reprisal attacks, partly organized by the Koglwéogo militia group, against Fulani left approximately 50 people dead by April according to the government; local civil society groups reported that as many as 200 were killed. In August, two Koglwéogo chiefs and five other individuals were arrested for their role in the violence.

In some cases, security forces have engaged in extrajudicial killings and torture, particularly against Fulani. In August 2019, the defense and security services reportedly executed 17 Fulani civilians, collaborating with the Koglwéogo to identify targets. Victims and civil society complain that authorities have failed to investigate human rights abuses perpetrated by security forces.

Allegations of torture and abuse of suspects in custody by the police are common, and prison conditions are poor.

Score Change: The score declined from 1 to 0 due to acute and widespread violence perpetrated by Islamist militants, as well as continued extrajudicial responses by the government.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Discrimination against ethnic minorities occurs, but is not widespread. LGBT+ people, as well as those living with HIV, routinely experience discrimination. While illegal, gender discrimination remains common in employment and education.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4**

Due to insecurity, the government has established a number of heavily guarded checkpoints on roads, and has instituted curfews and states of emergency in some provinces. Schools are a common target of armed groups, with Islamist militants targeting schools that operate in French instead of Arabic.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

In recent years, the government has implemented reforms to reduce the amount of capital necessary to start a business, facilitating the ability to obtain credit information, and improving the insolvency resolution process. However, the business environment is hampered by corruption.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Women face discrimination in cases involving family rights and inheritance. Early marriage remains an issue, especially in the north. The practice of female genital mutilation is less common than in the past, but still occurs. Domestic violence remains a problem despite government efforts to combat it.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Burkina Faso is a source, transit, and destination country for human trafficking. Child labor is present in the agricultural and mining sectors. Women from neighboring countries are recruited by traffickers and transported to Burkina Faso, where they are forced into prostitution.

According to the US Department of State's 2019 *Trafficking in Persons Report*, Burkina Faso has worked to combat human trafficking through expanded efforts to convict perpetrators and protect victims of trafficking. However, the country fell short in key areas, including comprehensive data reporting and the identification and referral of adult victims.

Burundi

Population: 11,500,000

Capital: Bujumbura

Freedom Status: Not Free

Electoral Democracy: No

Overview: Burundi has been in political and economic crisis since 2015. Democratic gains made after the 12-year civil war ended in 2005 have been undone by a shift toward authoritarian politics and violent repression against anyone perceived to oppose the ruling party, the National Council for the Defense of Democracy—Forces for the Defense of Democracy (CNDD–FDD).

KEY DEVELOPMENTS IN 2019

- The Inter-Burundi Dialogue, a mediation effort aimed at ending the political crisis sparked by President Pierre Nkurunziza's 2015 decision to stand for a third term, ended in February without reaching a solution.
- The CNDD–FDD continued to violently repress and intimidate the population. UN investigators, in a report released in September, found that “serious human rights violations, including crimes against humanity,” had continued during the previous 15 months, in a climate of impunity. The report identified the Imbonerakure—the youth wing of the ruling party—as the principal perpetrators, but noted the role of other state agents.

- The United Nations, the International Crisis Group, and others warned of the potential for political violence ahead of the 2020 general elections if the crisis were not resolved, and if polling took place in the current climate of fear, intimidation, and impunity.

POLITICAL RIGHTS: 3 / 40**A. ELECTORAL PROCESS: 0 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4**

Burundi adopted a new constitution in 2005 after a series of agreements ended the country's 12-year civil war. According to the charter, the president appoints two vice presidents, one Tutsi and one Hutu, who must be approved separately by a two-thirds majority in both the lower and upper houses of Parliament.

In April 2015, the ruling CNDD–FDD announced that President Pierre Nkurunziza would seek a third presidential term. Critics charged that the move contravened the constitution and would jeopardize the country's fragile peace. Nkurunziza and his supporters argued that he was eligible to run again because he had been elected by Parliament rather than through a popular vote for his first term in office. Despite widespread public protests and international condemnation, in May 2015 the Constitutional Court ruled in favor of Nkurunziza, even as one of the court's justices fled abroad. Days later, a group of military leaders led a coup attempt against Nkurunziza. Government forces quickly reasserted control and began a crackdown on those suspected of involvement in the plot or opposition to the president. Due to ongoing unrest in the country, the Independent National Electoral Commission (CENI) postponed the presidential poll until that July.

In the election, Nkurunziza defeated National Forces of Liberation (FNL) leader Agathon Rwasa, 69 percent to 19 percent, although the latter boycotted the poll. International observers from some organizations, including the EU and African Union (AU), refused to monitor the election, saying it could not be free or fair given the violence and climate of intimidation. A UN mission observing the poll stated that the environment was not conducive to a free and fair electoral process, and that violence had “remained an unfortunate feature of the entire process.”

In May 2018, Nkurunziza further consolidated his rule through the passage of a constitutional referendum, which, among other provisions, lengthens presidential terms from five to seven years. Nkurunziza has vowed to step down in 2020, despite the fact that the new constitution allows him to stay in power through 2034.

A September 2019 report by the UN Commission of Inquiry on Burundi described a continuing climate of fear and intimidation against anyone who did not show support for the CNDD–FDD. It added that “the theme of the divine origin of the president's power is increasingly common in official speeches delivered by the president and his wife.”

Meanwhile, the Inter-Burundi Dialogue, a mediation effort led by the East African Community (EAC), a regional organization, ended in February 2019 without reaching a solution. The International Crisis Group, in a report on the effort, attributed the failure to an “absence of political will and divisions among [EAC] member states, coupled with the Burundian government's intransigence.” It warned that “without urgent intervention, the 2020 elections will take place in a climate of fear and intimidation,” increasing “risks of electoral violence and people joining armed opposition groups.” The United Nations report contained a similar warning, and stated that suppression of civil liberties was increasing ahead of the 2020 polls.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The 100 members of the lower house, the National Assembly, are directly elected by proportional representation for five-year terms. The upper house, the Senate, consists of 36 members chosen by locally elected officials for five-year terms.

Due to the unrest in 2015, the CENI postponed the year's National Assembly elections by several weeks, and they eventually took place in late June 2015. Indirect senatorial elections were held that July. The volatile environment surrounding the legislative vote prevented it from being free or fair. The opposition boycotted the polls, and the CNDD–FDD took significant majorities in both the National Assembly and the Senate. The next legislative elections are set for 2020, to be held concurrently with the presidential poll.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The CENI is comprised of five members. In 2015, two CENI members who fled the country amid the year's unrest were replaced with pro-Nkurunziza appointments approved by a CNDD–FDD–controlled Parliament.

The CNDD–FDD conducted a violent intimidation campaign ahead of the May 2018 constitutional referendum, with authorities arresting perceived opponents and threatening to assassinate those who did not vote in favor of the changes. According to Human Rights Watch (HRW), at least 15 people died in violence connected to the referendum campaign. The referendum passed with 73 percent of the vote. In addition to extending presidential term limits, the revisions further consolidate power in the executive, allow for future revision of Burundi's ethnic power-sharing system, and create new obstacles for opposition parties.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4**

Legally, political party formation is allowed. In practice, the activities of parties and political leaders perceived as opposing Nkurunziza are severely discouraged by the threat of retaliatory violence, repression, or arrest. Many political parties include youth branches that intimidate and attack opponents, the most prominent of which is the ruling party's Imbonerakure.

In February 2019, the government allowed Agathon Rwasa's opposition party, the National Congress for Freedom (CNL), formerly the National Forces of Liberation (FNL), to register. However, the CNDD–FDD continued its campaign of violence and intimidation against the CNL and other opposition groups, ranging from vandalism and burning of CNL offices, to beatings, arbitrary arrest, disappearance, and murder of real and suspected political opposition members.

A new electoral code passed in 2019 prohibits coalitions of independent candidates.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The opposition has little realistic opportunity to increase its popular support through elections. Opposition parties, politicians, and their supporters face harassment, intimidation, and assassination in Burundi, and many opposition politicians and groups operate in

exile. An opposition-in-exile group, the National Council for the Respect of the Arusha Agreement (CNARED), attempted to negotiate with the CNDD–FDD on participating in the 2020 elections; its willingness to engage the government led to the formation of a splinter opposition-in-exile group in 2019, the Coalition of Burundian Opposition Forces for the Re-establishment of the Arusha Accords (CFOR-Arusha). CNARED, for its part, was unable to reach any accord with the CNDD–FDD.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The Imbonerakure, the National Intelligence Service (SNR), and the Burundian police are allies of the CNDD–FDD, and use violence and intimidation to influence people's political choices.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The 2005 constitution requires power-sharing between Hutus and Tutsis in the National Assembly and Senate, and additionally stipulates that women and representatives of the Twa minority be seated in both houses. However, the constitutional revisions approved in May 2018 require that these ethnic quotas be reviewed over the next five years, opening the door for their elimination and the potential exclusion of ethnic minorities from politics.

Women face social pressure that can deter active political participation, and few women hold political office at senior levels.

The current political environment is characterized by the dominance of the CNDD–FDD and repression of its opponents, reducing meaningful openings for effective political representation of ethnic and religious minorities and other distinct groups. In addition, the ruling party apparatus has violently targeted returning refugees on suspicion of opposition sympathies.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The ruling CNDD–FDD, which took power in 2015 elections that fell far short of international standards, controls policy development and implementation.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is endemic and unaddressed. Corrupt officials generally enjoy impunity, even when wrongdoing is exposed by nongovernmental organizations (NGOs) and other actors. Anticorruption organizations are under resourced and ineffective.

C3. Does the government operate with openness and transparency? 0 / 4

Government operations are opaque, and government officials are generally unaccountable to voters. There are few opportunities for civil society actors and others to participate in policymaking. Due to recurrent assassinations and assassination attempts, politicians are wary of organizing town hall–style meetings or making other public appearances before voters.

CIVIL LIBERTIES: 10 / 60 (–1)

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16 (–1)

D1. Are there free and independent media? 0 / 4

Freedom of expression is constitutionally guaranteed, but severely restricted in practice by draconian press laws and a dangerous operating environment for media workers, who risk threats, harassment, and arrest in response to their coverage. A 2013 media law limits the protection of journalistic sources, requires journalists to meet certain educational and professional standards, and bans content related to national defense, security, public safety, and the state currency. The government dominates the media through its ownership of the public television broadcaster, radio stations, and *Le Renouveau*, the only daily newspaper. Key independent news outlets destroyed in the political violence of 2015 have yet to be re-established. Many journalists have fled the country since 2015, and some have been forcibly disappeared.

Government harassment and intimidation of journalists continued in 2019. One official called for a ban on independent media coverage of the upcoming election. In March, the government renewed a ban on the British Broadcasting Corporation (BBC) and Voice of America (VOA), first implemented in 2018.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

While freedom of religion has generally been observed in Burundi, relations between the government and the Roman Catholic Church, of which a majority of Burundians are members, have worsened in recent years. In 2017, the government set up a commission to monitor religious groups and guard against political subversion within them. The September 2019 report by the UN Commission of Inquiry on Burundi found that the government is exerting more control over churches, to curb any political dissent. The same month, senior government officials called for the defrocking of a group of Catholic bishops who accused the ruling party of instigating political violence.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4 (-1)

Both university students and staff who support the CNDD–FDD receive preferential treatment at academic institutions. Continued intimidation of opposition supporters has created an atmosphere of fear and limited free speech on university campuses. Reports indicate that teachers allied to the CNDD–FDD have intimidated students seen as not supporting the party, in some cases preventing them from attending school; teachers are also increasingly screened for political loyalty to the ruling party. Some schools have barred students of voting age who had not made contributions to the 2020 election from attending class, though in February 2019 the education minister prohibited the practice. In March, authorities arrested several students for allegedly doodling on a photo of President Nkurunziza in their school books, though the charges were eventually dropped.

Score Change: The score declined from 2 to 1 due to persistent reports that students and teachers face harassment, intimidation, and other forms of pressure meant to enforce loyalty to the ruling party.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

The SNR and the Imbonerakure actively conduct surveillance activities on private citizens. There is a reluctance to engage in speech which could be perceived as critical of the ruling party due to fears of harassment, threats of violence, and other reprisals. In 2019, the Imbonerakure continued using surveillance and harassment tactics employed in the run-up

to the 2018 referendum, such as ensuring citizens paid election taxes, and attacking those who had not, and assaulting individuals expressing opposition to the ruling party.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

Opposition or antigovernment meetings and rallies are usually prevented or dispersed, and participants in gatherings seen as antigovernment face harassment or arrest. Many people who participated in 2015 protests against Nkurunziza fled Burundi amid the subsequent crackdown.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Nongovernmental organizations (NGOs) in Burundi face restrictive registration laws and persecution for activity seen as hostile to the government. A number of human rights and other groups perceived as antigovernment have been banned, and many of their members have fled the country rather than face surveillance, intimidation, arrest, or assassination in Burundi.

In 2018 the government suspended nearly all international NGOs for three months, and expelled a team of UN experts working on the Commission of Inquiry on Burundi. The government has also threatened to sever ties with the UN envoy to Burundi.

In June 2019, the government shuttered PARCEM, one of the last remaining independent human rights organizations. The group had been promoting its “Ukuri Ku Biduhanze” campaign (“truth on the challenges the country faces”), which drew attention to issues including food insecurity and the prevalence of malaria. In July, the court of appeal upheld a conviction against human rights activist Germain Rukuki, who had been prosecuted over his work with the antitorture group ACAT-Burundi, which is now banned.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The constitution provides protections for organized labor, and the labor code guarantees the right to strike. However, it is unlikely that union members would feel free to exercise the collective bargaining rights guaranteed by the law in the current political climate.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

Burundi’s judiciary is hindered by corruption and a lack of resources and training, and is generally subservient to the executive. In 2015, justices on the Constitutional Court were reportedly intimidated into ruling in favor of Nkurunziza’s decision to stand for a third term. The executive regularly interferes in the criminal justice system to protect ruling party and Imbonerakure members, as well as persecute the political opposition.

F2. Does due process prevail in civil and criminal matters? 0 / 4

The courts, police, and security forces do not operate independently or professionally, and constitutional guarantees of due process are generally not upheld. Arbitrary arrest and lengthy pretrial detention are common. There have been reports that detainees’ families were able to secure their release only upon making large payments to the SNR or Imbonerakure.

Defendants must provide their own legal representation, making trial rights dependent on the ability to afford a lawyer. Some detainees accused of participating in the 2015

protests or subsequent antigovernment violence did not have access to lawyers and were forced to make false confessions under threat of death.

In 2017, the International Criminal Court (ICC) opened an investigation into alleged crimes against humanity committed by government actors. Two days after the investigation's launch, Burundi left the ICC, becoming the first country ever to do so.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The security situation in Burundi remains extremely poor. The September 2019 UN report found that widespread human rights violations persist; violations include forced disappearance, summary execution, sexual violence, torture, and arbitrary arrest and detention. The report identified the Imbonerakure as the principal perpetrators, but noted the role of the SNR and other state agents. A December 2018 investigative report by the BBC found that the government operated at least 22 secret facilities where political dissidents have reportedly been tortured and killed. The government responded to the report by calling it “fake” and threatening to sue the BBC. The government similarly rejects the UN report.

Given the ongoing violence, approximately 345,000 Burundian refugees remain in nearby countries as of mid-2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Albinos face systematic discrimination and violence in Burundi. LGBT+ people also experience official and societal discrimination. The 2009 penal code criminalizes same-sex sexual activity, and punishments include up to two years in prison.

Discrimination against women is common in access to education, healthcare, and employment.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Since 2015, concerns for personal safety have restricted free movement, particularly in neighborhoods regarded as opposition strongholds, where security forces frequently conduct search operations. The Imbonerakure continues to use checkpoints and barriers to control population movement. According to the 2019 UN report, “movement has been more strictly controlled in border areas and, in many cases, checkpoints have been the scene of acts of violence or intimidation.” Some local authorities have imposed curfews on women and girls.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Land conflict has been an explosive issue in Burundi for decades, which was exacerbated by the return of displaced populations after the civil war ended in 2005. Many of the returnees found new owners occupying their land, and the courts have often failed to fairly adjudicate land disputes. There are additional reports that some refugees who fled in 2015 are returning to find their land occupied.

Due to customary law, women typically are unable to inherit property. The deteriorating security situation hampers private business activity in the country, as does rampant corruption.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Sexual and domestic violence are serious problems but are rarely reported to law enforcement agencies. Rights monitors continue to report sexual violence carried out by security forces and Imbonerakure, who act with impunity. Women are often targeted for rape if they or their spouses refuse to join the CNDD–FDD, and men sometimes experience sexual abuse while in government custody.

According to the Citizenship Code, a Burundian woman married to a foreign national cannot pass on her citizenship to her husband or children.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Individuals not allied with the ruling party may lose their employment. Community service requirements have taken on political overtones, such as building offices for the CNDD–FDD, amounting to what the 2019 UN report called forced labor.

Women have limited opportunities for advancement in the workplace. Much of the population is impoverished. In 2017, “vagrancy” and begging by able-bodied persons became formal offenses under the penal code. The ongoing political and humanitarian crisis has contributed to an economic decline, less access to basic services, and deteriorating living conditions.

The government has conducted some trainings for government officials on handling cases of human trafficking. However, the government has largely failed to prevent domestic human trafficking, to protect victims, and to prosecute perpetrators.

Cabo Verde

Population: 600,000

Capital: Praia

Freedom Status: Free

Electoral Democracy: Yes

Overview: Cabo Verde is a stable democracy with competitive elections and periodic transfers of power between rival parties. Civil liberties are generally protected, but access to justice is impaired by an overburdened court system, and crime remains a concern. Other outstanding problems include persistent inequities for women and migrant workers.

KEY DEVELOPMENTS IN 2019

- In November, the parliament adopted new legislation that instituted a 40 percent gender quota for candidate lists in future national and local elections.
- In December, the government announced it would expand a camera surveillance system on the islands of São Vicente, Sal, and Boa Vista. While observers voiced privacy concerns when the system was introduced in Praia and three other cities in 2017, police claim the system helped solve several hundred crimes in Praia.
- In August, the government formed the Corruption Prevention Council (CPC), which is meant to identify areas of the economy that are vulnerable to corruption and evaluate the effectiveness of existing anticorruption efforts.

POLITICAL RIGHTS: 38 / 40 (+1)**A. ELECTORAL PROCESS: 12 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

The president is directly elected for up to two consecutive five-year terms. The prime minister, who holds most executive authority, is nominated by and accountable to the National Assembly, and is formally appointed by the president.

Incumbent president Jorge Carlos Fonseca of the Movement for Democracy (MpD) was reelected in late 2016 with 74 percent of the vote. His main challenger was independent candidate Albertino Graça, who took about 23 percent. The voting was generally considered free and fair. Ulisses Correia e Silva, also of the MpD, was appointed as prime minister in early 2016, a month after legislative elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 72-seat National Assembly are directly elected in multimember constituencies to serve five-year terms. In the 2016 legislative election, the MpD, then in opposition, won 40 seats. The governing African Party for the Independence of Cabo Verde (PAICV) was reduced to 29 seats, and the Democratic and Independent Cabo Verdean Union (UCID) took 3. International observers assessed the elections as largely free and fair.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The legal framework provides for fair and competitive elections. The National Elections Commission (CNE), whose members are elected by a two-thirds majority in the National Assembly, is generally considered impartial.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16 (+1)**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

There are no significant impediments to the formation and competition of political parties. A number of different parties are active, though only the PAICV and the MpD have held power at the national level.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The opposition has a realistic opportunity to gain power through elections. There have been three democratic transfers of power between the PAICV and the MpD since independence in 1975, the most recent in 2016.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

The political choices of voters and candidates are free from undue external influence. However, there were some reports of vote buying and of voters being pressured near polling stations during the 2016 elections.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4 (+1)

Women have full and equal political rights, and have become more involved in politics in the last decade. Nevertheless, traditional social constraints have somewhat impaired their participation, with women holding 25 percent of the parliament's seats and 29 percent of municipal assembly seats. In November 2019, the National Assembly adopted the Gender Parity Law, which introduced a 40 percent gender quota for candidate lists at the national and local levels.

Score Change: The score improved from 3 to 4 due to increased political participation by women over the last decade, as well as the introduction of new gender quotas.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The prime minister and cabinet determine the policies of the government, under the supervision of the National Assembly and the president. The government is able to implement laws and policies without undue interference from unelected entities.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Cabo Verde has relatively low levels of corruption overall, but bribery and nepotism are problems at the municipal level. Allegations of graft have surrounded costly infrastructure projects and other spending measures in recent years. In August 2019, the government formed the CPC, which is tasked with identifying areas vulnerable to corruption and evaluating the effectiveness of current anticorruption efforts. The new body is designed to operate independently of Cabo Verdean prosecutors and investigators.

C3. Does the government operate with openness and transparency? 3 / 4

The current government has taken a number of steps to improve transparency, including the publication of more information about state operations and finances online. The government generally adheres to legal guarantees of public access to information. However, many officeholders fail to comply with rules requiring them to declare their personal assets and income. A PAICV-backed bill that would have forced government agencies to publish more information online was rejected by legislators in October 2019.

CIVIL LIBERTIES: 54 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16 (+1)

D1. Are there free and independent media? 4 / 4 (+1)

Press freedom is guaranteed by law and generally respected in practice, though Article 105 of the electoral code prohibits media organizations from disseminating opinions on or criticism of parties and candidates after a certain date during a campaign period. Publicly and privately owned media outlets are largely free of government control. Most Cabo Verdeans use television to keep informed; in August 2019, the Cabo Verde National Statistics Institute (INECV) reported that 82 percent of residents use that medium, with most viewers watching publicly owned Radio and Television of Cabo Verde (RTC). According to the INECV, 42 percent of residents additionally listen to radio stations including Rádio Cabo Verde, Rádio Nova, and Rádio Crioula.

The main constraints affecting the media are economic. Precarious finances at many outlets undermine journalists' job security and their ability to undertake investigative reporting projects. In recent years, the government has reduced advertising in private print outlets, compounding an already difficult situation. A lack of funding has contributed to the

closure of a number of privately owned newspapers, decreasing the diversity of information in the print sector.

RTC journalists were previously subject to a strict code of ethics, but the country's Regulatory Authority for Social Communication (ARC) ruled in June 2019 that the code violated journalists' freedom of expression. In response to the ruling, RTC suspended the code later that month.

Score Change: The score improved from 3 to 4 because there have been no significant undue restrictions on the flow of news and information in recent years, and because a restrictive code of conduct that applied to some Cabo Verdean journalists was rescinded in 2019.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution establishes the separation of church and state, though the Roman Catholic Church receives some privileges, such as the recognition of Catholic marriages under civil law. While all religious groups are required to register with the Justice Ministry to obtain tax and other benefits, the process is not restrictive, and there are no limitations on freedom of worship.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is respected, and the educational system is not affected by political indoctrination.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant constraints on individuals' freedom of expression. The government is not known to engage in online surveillance or improper monitoring of personal communications.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is legally guaranteed and observed in practice. Several demonstrations took place in 2019. On July 5, the day Cabo Verde celebrates its independence from Portugal, several thousand people called for greater autonomy in a rally on the island of São Vicente. In a mid-August rally, coffee growers called for the renegotiation of debts and adjustments to coffee prices.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights and governance-related work? 4 / 4

Numerous nongovernmental organizations (NGOs) operate freely in the country, focusing on a variety of social, economic, environmental, and cultural issues. International human rights institutions, local organizations, and journalists are able to monitor prison conditions and other human rights indicators without government interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The constitution protects the right to unionize, and workers may form and join unions in practice. However, the government restricts the right to strike in broadly defined essential industries, and formal collective bargaining is reportedly uncommon in the private sector.

Despite those restrictions, workers in the public and private sectors held strikes in 2019; staff at the National Institute of Meteorology and Geophysics (INMG) held an action in late February over the loss of a productivity bonus, while Praia firefighters held a two-day strike in early July over the lack of hazard pay.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent, though the courts are overburdened and understaffed. In September 2019, the Superior Council of the Judiciary (CSMJ) reported that 18 new judges were recruited during the year in an effort to address understaffing.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Police and prosecutors generally observe legal safeguards against arbitrary arrest and detention. Defense attorneys are provided to indigent defendants. However, due to the limited capacity of the court system, there are often delays in detainees' first hearings before a judge, and many cases are dropped because defendants in detention are denied a timely trial. In February 2019, the Bar Association for the Sal and Boa Vista Region launched a legal aid program that placed 21 volunteer lawyers in courthouses on those islands, in an effort to ensure speedier justice there.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Law enforcement officials are sometimes accused of excessive force, but perpetrators are often investigated and punished by oversight bodies.

Cabo Verde is generally free of major crime or unrest, with the country's murder rate falling for four years in a row; the government reported 34 murders in 2019, a slight decline from the 37 reported in 2018. Nevertheless, violent crime does occur; in July 2019, the mayor of Praia was shot and wounded after two assailants attacked him near a gym; the assailants remained at large at year's end. In addition, street crime and smuggling are perceived as consistent problems.

In 2017, the government permitted Chinese technology firm Huawei to install surveillance cameras in Praia and three other cities as part of its Safe City project. While observers voiced privacy concerns, the government has maintained its support for the program. In February 2019, the National Police (PN) reported that the camera system helped solve 900 cases in Praia since its installation. In December, the government announced that it would expand the program on the islands of São Vicente, Sal, and Boa Vista.

Prison conditions are poor and often overcrowded, but the government has been working to improve conditions, which includes changes in legislation, the implementation of a social reintegration program for prisoners, and the construction of more cells and bathrooms.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Gender discrimination is prohibited by law, but wage discrimination and unequal access to education persist for women. No comprehensive antidiscrimination legislation exists for the entire population. Immigrants often face discriminatory treatment by employers.

Same-sex relations are not criminalized, and the law provides protections against job discrimination based on sexual orientation. However, LGBT+ people are reportedly subjected to physical violence and verbal abuse.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

Individual freedom of movement is recognized by law, and there are no significant restrictions in practice. People may freely change their place of employment or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights are generally respected. The legal framework and government policies are supportive of private business activity, though obstacles such as corruption and legal and bureaucratic inefficiency remain a concern. Small and medium-size businesses are one of the main sources of income for families whose members are not directly employed in the public services.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are generally protected, including in matters of marriage and family law. Authorities enforce laws against rape and domestic abuse, but such violence remains a serious problem, and insufficient public resources are dedicated to supporting and protecting victims.

Same-sex marriages are not recognized.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The law prohibits forced labor and other exploitative practices, and the government actively enforces such safeguards in the formal sector. However, 43 percent of the Cabo Verdean workforce operates outside of the sector according to an October 2019 report from the public National Statistics Institute (INE), consequently lacking paid leave or social security support.

Immigrant workers who lack employment contracts remain vulnerable to abuses, and children are reportedly exposed to sex trafficking and illegal work in agriculture or domestic service. In June 2019, the UN Committee on the Rights of the Child warned that minors and adolescents in Cabo Verde were vulnerable to sexual abuse, prostitution, and child pornography.

Cambodia

Population: 16,500,000

Capital: Phnom Penh

Freedom Status: Not Free

Electoral Democracy: No

Overview: Cambodia's political system has been dominated by Prime Minister Hun Sen and the Cambodian People's Party (CPP) for more than three decades. While the country conducted semicompetitive elections in the past, the 2018 polls were held in a severely repressive environment. Since then, Hun Sen's government has maintained pressure on opposition

party members, independent press outlets, and demonstrators with intimidation, politically motivated prosecutions, and violence.

KEY DEVELOPMENTS IN 2019

- Security forces interfered with public assemblies and demonstrations commemorating the third anniversary of activist and commentator Kem Ley’s murder in July. Three participants who visited the site of his death were arrested, and one was subsequently charged with incitement to commit a felony.
- Hun Sen’s government continued targeting key members of the opposition Cambodia National Rescue Party (CNRP), which was banned in 2017. In March, a court charged eight of its top officials, including leader Sam Rainsy, with treason. The government also banned Rainsy from reentering the country in November; he fled to France to avoid politically-charged charges in 2015. Kem Sokha, another top member of Rainsy’s party, was released from house arrest in November, but remained under indictment on charges of treason originally announced in 2017.
- Judges sitting in the Extraordinary Chambers in the Courts of Cambodia (ECCC), which oversees the trials of surviving members of the genocidal Khmer Rouge regime, reached an impasse in December over whether to hear the case of a defendant charged with committing genocide against a Muslim group.

POLITICAL RIGHTS: 5 / 40 (-1)

A. ELECTORAL PROCESS: 1 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

King Norodom Sihamoni is chief of state, but has little political power. The prime minister is head of government, and is appointed by the monarch from among the majority coalition or party in parliament following legislative elections. Hun Sen first became prime minister in 1985. He was nominated most recently after 2018 National Assembly polls, which offered voters no meaningful choice. Most international observation groups were not present due to the highly restrictive nature of the contest.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The bicameral parliament consists of the 62-seat Senate and the 125-seat National Assembly. Members of parliament and local councilors indirectly elect 58 senators, and the king and National Assembly each appoint 2. Senators serve six-year terms, while National Assembly members are directly elected to five-year terms.

In 2018, the CPP won every seat in both chambers in elections that were considered neither free nor fair by established international observers, which declined to monitor them. In the months before the polls, the Supreme Court had banned the main opposition CNRP, jailed many of its members, closed media outlets, and intimidated journalists to the extent that there was almost no independent reporting on the campaign or the polls. Several small, obscure new “opposition parties” ran candidates in the lower house elections, though many of the parties were widely believed to have been manufactured to suggest multiparty competition. Following calls for an election boycott by former CNRP leaders, Hun Sen repeatedly warned that people who did not vote in the election could be punished.

The election was condemned by many democracies. The United States responded by imposing targeted sanctions on Cambodian leaders, while the European Union (EU)

threatened to roll back a preferential trade agreement; the agreement's status remained under consideration in 2019.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

In 2015, Cambodia passed two new election laws that permit security forces to take part in campaigns, punish parties that boycott parliament, and mandate a shorter campaign period of 21 days. The laws have been broadly enforced.

Voting is tied to a citizen's permanent resident status in a village, township, or urban district, and this status cannot be changed easily. In 2017, an amendment to the electoral law banned political parties from association with anyone convicted of a criminal offense.

The National Election Committee (NEC) was reformed in 2013, but the CPP has since asserted complete control over its nine seats. The four NEC members affiliated with the CNRP resigned following the party's 2017 dissolution. In 2018, the NEC sought to aid the CPP's campaign by threatening to prosecute any figures that urged an election boycott, and informing voters that criticism of the CPP was prohibited.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Following the 2018 elections, Cambodia is a de facto one-party state. The main opposition CNRP was banned and its leaders have been charged with crimes, while other prominent party figures have fled the country. Although several small opposition parties contested the July 2018 lower house elections, none won seats. All of the smaller parties were permitted to run by the CPP-controlled NEC, and both domestic and international observers widely questioned their authenticity.

Hun Sen's government continued targeting key members of the CNRP in 2019. In March, a court issued arrest warrants against eight officials, including leader Sam Rainsy, after they were charged with treason and incitement to commit a felony. The charges, which the group denied, were issued after Rainsy made a public pledge to return to the country earlier in the year.

In 2019, Rainsy, who left Cambodia in 2015 after he was convicted of criminal defamation, attempted to return on November 9, the country's independence day. Prime Minister Hun Sen reacted to Rainsy's announcement by accusing him of launching a coup d'état, deploying the army, and calling on neighboring countries to bar Rainsy from entering. Cambodia also barred the CNRP's vice president, Mu Sochua, from traveling back to the country that same month; she fled to the US after Hun Sen's government banned the party in 2018, and was charged with treason along with Rainsy in March.

The government also continued its prosecution against CNRP official Kem Sokha, who was originally accused of treason in 2017. The government's allegations come from a 2013 speech in which he disclosed receiving US training on building grassroots support. Kem Sokha, who maintains his innocence, spent a year in solitary confinement before he was released on bail in late 2018. In November 2019, he was freed from house arrest, but remained under court supervision ahead of his impending trial.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The political opposition has been quashed. The high rate of spoiled ballots in the 2018 lower house election—8.6 percent of all votes, according to the NEC—suggested strong popular discontent with the lack of choice, especially given that Hun Sen had repeatedly warned Cambodians not to spoil ballots.

After the elections, amid increasing international scrutiny, Hun Sen and the CPP modestly eased pressure on the opposition. In August 2018, the king pardoned 14 CNRP members who had been jailed for “insurrection.” CNRP official Kem Sokha was released on bail later that year, after spending a year in solitary confinement on charges of treason. The government reversed course when Rainsy attempted to return to Cambodia in November 2019, arresting over 70 opposition activists that month and charging them with plotting to overthrow the government. Prime Minister Hun Sen ordered their release later in November, after Rainsy was rebuffed in his efforts.

While CNRP members were most intensely targeted during the government’s efforts to keep Rainsy out of the country, they have been subject to arrests and violence throughout 2019. In April, Tith Rorn, the son of a CNRP activist, died while in custody; the authorities claimed that the man died in a fall, but the activist’s body bore multiple bruises and a broken neck. Opposition activist Sun Thun, who was previously fired from his teaching role after he became a local CNRP official, was assaulted by unknown assailants in late June, shortly after members of the ruling CPP pressured him to defect. Activist Mai Hongsreang, who was arrested in July, was charged with incitement and insult after writing a social media post about the apparent infighting between Hun Sen and his interior minister.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The ruling party is not democratically accountable, and top leaders, especially Hun Sen, use the police and armed forces as a tool of repression. The military has stood firmly behind Hun Sen and his crackdown on opposition. Hun Sen has built a personal bodyguard unit in the armed forces that he reportedly uses to harass and abuse CPP opponents.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Ethnic Vietnamese are regularly excluded from the political process and scapegoated by both parties. Women make up 15 percent of the National Assembly, but their interests, like those of most citizens, are not well represented.

C. FUNCTIONING OF GOVERNMENT: 2 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4 (-1)

Hun Sen has increasingly centralized power, and figures outside of his close circle have little impact on policymaking. Analysts also believe the prime minister is grooming his son, General Hun Manet, to succeed him. Hun Manet has gained several key posts during his father’s rule, including the deputy leadership of Hun Sen’s personal bodyguard and the top post in the defense ministry’s counterterrorism task force. In 2018, the general was promoted to his current rank, and was made commander of the Royal Cambodian Armed Forces (RCAF). In October 2018, the prime minister publicly suggested his son could become his successor.

Score Change: The score declined from 1 to 0 because of the fundamentally undemocratic nature of the 2018 elections, which undercut the legitimacy of policy decisions made by the

government throughout 2019, as well as the government's continued reliance on military officers as opposed to elected officials to secure its rule.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Anticorruption laws are poorly enforced, and corruption is pervasive in public procurement and tax administration, to the benefit of Prime Minister Hun Sen and his family. In 2018, anticorruption nongovernmental organization (NGO) Global Witness claimed that the prime minister's family benefited from ownership stakes in firms worth over \$200 million; these companies were involved in projects varying from gold mining to the construction of Phnom Penh's international airport.

Members of the prime minister's family have also used their positions to keep millions of dollars in assets abroad, and have acquired Cypriot passports through its Citizenship by Investment program; participants must invest at least €2 million (\$2.4 million) in order to qualify.

Senior CPP senators have been implicated in acts of corruption, benefiting from smuggling operations and illegal land concessions.

C3. Does the government operate with openness and transparency? 1 / 4

Nepotism and patronage undermine the functioning of a transparent bureaucratic system. A draft access to information law was made public in 2018 and was finalized in 2019, but the government added the bill to its long-term strategic plan, consequently delaying its implementation to 2023. Human Rights Watch (HRW) and ARTICLE 19, a British NGO that advocates for greater freedom of information worldwide, criticized the bill in December 2019, warning it did not meet international standards.

CIVIL LIBERTIES: 20 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16

D1. Are there free and independent media? 1 / 4

The government uses lawsuits, criminal prosecutions, massive tax bills, and occasionally violent attacks to intimidate the media. There are private print and broadcast outlets, but many are owned and operated by the CPP.

Since 2017, the government has engaged in an intense crackdown on independent media. The independent English-language newspaper *Cambodia Daily* closed that year after it was issued an onerous tax bill. It has since been relaunched as an online news aggregator. In 2018, the *Phnom Penh Post*, an independent newspaper, was sold to a Malaysian investor with links to Hun Sen, and many of its editors and reporters quit or were fired following the sale.

Chinese investments also influence Cambodian press output. Fresh News, a pro-government news site, has distributed content from Chinese state media since accepting outside investment in 2018. The government also collaborated with a Chinese investment group when launching NiceTV that same year; this television station broadcasts from a studio within the interior ministry and maintains a close working relationship with Chinese state media.

While progovernment media organizations operate freely, foreign media groups operate with more severe restrictions or are forced out of the country altogether. Radio Free Asia (RFA), which reported on forced evictions and corruption in the country, was forced to close its Phnom Penh bureau in late 2017. Two of its journalists, Uon Chhin and Yeang Sothearin, were arrested and charged with espionage soon after. Their trial began in July 2019, and remained in session at year's end June 2019, Rath Rott Mony, president of the

Cambodian Construction Workers Trade Union Federation (CCWTUF), was convicted of incitement to discriminate and given a two-year prison sentence; he cooperated with Russian state-operated television network RT on a documentary covering the sexual exploitation of children in Cambodia.

Two staff members of the *Cambodia Daily*, Cambodian Aun Pheap and Canadian Zsombor Peter, remained on trial as the year ended, after proceedings were delayed during a short Christmas session. They were originally charged with incitement to commit a felony in 2017 after writing about local elections being held that May. Both journalists subsequently fled the country; Pheap is seeking asylum in the United States, while Peter has remained outside Cambodia for fear of being placed in pretrial detention.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The majority of Cambodians are Theravada Buddhists and can practice their faith freely, but societal discrimination against religious and ethnic minorities persists.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Teachers and students practice self-censorship regarding discussions about Cambodian politics and history. Criticism of the prime minister and his family is often punished.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

The state generally does not intervene in people's private discussions, though open criticism of the prime minister can result in reprisals. In 2018, however, Hun Sen and other government leaders warned ahead of the lower house election that criticism of the government would be punished severely.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Authorities are openly hostile to free assembly. The few small opposition parties that did contest the 2018 lower house elections had few or no events. Gatherings by the now-banned major opposition party are prohibited.

Demonstrators who commemorated the third anniversary of the murder of commentator and activist Kem Ley in July 2019 experienced similar treatment, with security forces breaking up a gathering at the site of his death. Three of the demonstrators were arrested; two of them signed documents pledging not to engage in "social unrest" in order to secure their release, while the third was charged with incitement to commit a felony. Security forces also imposed restrictions on assemblies marking the anniversary of Kem Ley's death in five provinces and intimidated their participants, though the events still went forward.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Activists and civil society groups dedicated to justice and human rights face increasing state harassment. Prominent activist Kem Ley was murdered in broad daylight in 2016. In 2018, three activists involved with planning his funeral were charged with embezzlement, though charges against one of them were later dropped. Four activists who commemorated Kem Ley's murder by printing T-shirts bearing his likeness were arrested in July 2019, and two of them were charged with incitement to commit a felony in November.

Activists involved in land disputes also face harassment, arrest, and violence at the hands of the government. Sum Moeun, who represented a group of 300 families locked in a dispute with an agricultural firm in the northern province of Preah Vihear, was arrested along with his son and 13 other people in January 2019. Moeun, who was beaten during his arrest, escaped, reappearing in April and calling for the release of his son and the 13 villagers. The defendants were charged with illegal clearing of state forest land, but they assert they own the land given by the government in a concession to the company. Charges against four villagers were dropped and the other ten were released on bail by July. Moeun's trial began in October.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Cambodia has a small number of independent trade unions, and workers have the right to strike, but many face retribution for doing so. A 2016 law on unions imposed restrictions such as excessive requirements for union formation.

F. RULE OF LAW: 3 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is marred by corruption and a lack of independence. Judges have facilitated the government's ability to pursue charges against a broad range of opposition politicians.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are poorly upheld in Cambodia. Abuse by law enforcement officers and judges remains extremely common. Sham trials are frequent, while elites generally enjoy impunity.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Cambodians live in an environment of repression and fear. The torture of suspects and prisoners is frequent. The security forces are regularly accused of using excessive force against detained suspects.

The work of the Extraordinary Chambers in the Courts of Cambodia (ECCC), established to try the leaders of the former Khmer Rouge regime, has brought convictions for crimes against humanity, homicide, torture, and religious persecution. In 2018, the tribunal found Nuon Chea and Khieu Samphan, two surviving leaders of the Khmer Rouge, guilty of genocide and crimes against humanity. They both received life sentences; both had already been sentenced to life in prison for past convictions of crimes against humanity. The convictions marked the first time the Khmer Rouge crimes were legally defined as genocide. Nuon Chea died in August 2019.

While three defendants remain under the jurisdiction of the ECCC, the body was split over whether to continue the trial against one, leading to an impasse. The tribunal's three Cambodian judges voted in December 2019 to dismiss the case against Ao An, who was accused of overseeing the genocide of the Cham Muslim minority during the Khmer Rouge's rule. Its two international judges voted to proceed. The ECCC's vote, as well as Hun Sen's opposition to trials against the remaining defendants, put the tribunal's future in doubt as the year ended.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Minorities, especially those of Vietnamese descent, often face legal and societal discrimination. Officials and opposition leaders have demonized minorities.

The Cambodian government frequently refuses to grant refugee protections to Montagnards fleeing Vietnam, where they face persecution by the Vietnamese government.

While same-sex relationships are not criminalized, LGBT+ individuals have no legal protections from discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The constitution guarantees the rights to freedom of travel and movement, and the government generally respects these rights in practice. However, restrictions do occur, notably when the government tries to prevent activists from traveling around the country.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Land and property rights are regularly abused for the sake of private development projects. Over the past several years, hundreds of thousands of people have been forcibly removed from their homes, with little or no compensation, to make room for commercial plantations, mine operations, factories, and high-end residential developments. Land disputes are common, and security forces respond to protests with force.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The government does not frequently repress personal social freedoms, but women suffer widespread social discrimination. Rape and violence against women are common.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Equality of opportunity is severely limited in Cambodia, where a small elite control most of the economy. Labor conditions can be harsh, sometimes sparking protests.

Cambodia is a country of origin, destination point, and transit point for sex and labor trafficking; while the US State Department reported progress in Cambodia's efforts to fight trafficking in a 2019 report, it also criticized the government for prosecuting individuals working to document this activity.

Cameroon

Population: 25,900,000

Capital: Yaoundé

Freedom Status: Not Free

Electoral Democracy: No

Overview: President Paul Biya has ruled Cameroon since 1982. His Cameroon People's Democratic Movement (CPDM) has maintained power by rigging elections, using state resources for political patronage, and limiting the activities of opposition parties. Security forces use violence to disperse antigovernment protests. The Boko Haram insurgent group continues to

attack civilians in northern Cameroon, and security forces responding to the insurgency have been accused of committing human rights violations against civilians. The conflict between security forces and separatists in the Anglophone Northwest and Southwest Regions has intensified, resulting in widespread civilian deaths and displacements.

KEY DEVELOPMENTS IN 2019

- Opposition leader Maurice Kamto and several allies were arrested in January after calling for a recount of the 2018 presidential election results. Kamto was charged with insurrection and rebellion in February and stood trial in September, but President Biya ordered his release in October.
- The government also cracked down on the Cameroon Renaissance Movement (CRM), which Kamto leads, banning and violently dispersing nationwide rallies throughout the year.
- The conflict in the Anglophone regions wore on, with continued reports of violence by separatists and government forces. Separatists successfully enforced a boycott of schools in the regions, forcing over 4,400 of them to close by August.
- President Biya hosted a national dialogue in an attempt to defuse the Anglophone crisis in October, but separatist leaders declined to participate. Separatist leaders also rejected Parliament's move to grant special status to the regions in December, and reiterated their calls for independence.

POLITICAL RIGHTS: 7 / 40

A. ELECTORAL PROCESS: 1 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president, who holds most executive power, is directly elected to a seven-year term in a single voting round and may serve an unlimited number of terms. President Paul Biya won a seventh term in the October 2018 presidential election, taking 71 percent of the vote in a process marked by low turnout and a lack of genuine democratic competition. Maurice Kamto of the CRM came in second with 14 percent of the vote. The election was tainted by irregularities including unsigned results sheets. Intimidation and fear in the Anglophone regions kept many from casting their votes. A television report in the aftermath of the election that included supposed Transparency International observers praising the electoral process caused confusion and controversy; Transparency International issued a statement after the report aired asserting that they had no election observers in Cameroon.

In the Anglophone Northwest and Southwest Regions, separatists called for an election boycott, and armed militants used threats and intimidation to keep voters away from the polls. Out of 2,300 polling stations in the Northwest Region, only 74 opened on election day. Approximately 15 percent of registered voters cast ballots in the Southwest Region, while turnout was only 5 percent in the Northwest Region.

The president appoints the prime minister, who lacks power but formally serves as head of government. In January 2019, Biya appointed foreign ministry official Joseph Dion Nguete to the role, replacing Philémon Yang.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The upper chamber of Cameroon's bicameral Parliament is the 100-member Senate. Senators serve five-year terms; 70 are elected through indirect suffrage by regional councils,

while the remaining 30 are appointed by the president. The 180 members of the National Assembly, the lower chamber, are directly elected in multimember constituencies to five-year terms.

Senatorial elections in March 2018 resulted in the ruling CPDM winning 63 of 70 contested seats. The main opposition party, the Anglophone-led Social Democratic Front (SDF), won the remaining 7 seats, all based in the Northwest Region, even as separatist groups warned that they would not permit voting. The 30 remaining senators, appointed by the president at his prerogative, all belong to the CPDM. The SDF alleged fraud and intimidation in the Northwest and Southwest Regions, and petitioned the Constitutional Council to cancel election results in the Southwest Region, but the council rejected the petition.

In July 2018, the government delayed local and legislative elections originally due in October 2018 to October 2019, citing the logistical difficulty of managing presidential, legislative, and municipal elections concurrently. In July 2019, the government delayed those elections to February 2020, giving no reason why. In November, CRM leader Maurice Kamto called for a boycott of the 2020 contests, saying that the authorities were trying to destroy the party.

The last National Assembly elections were held in 2013, in which the CPDM took 148 out of 180 seats. Although some observers claimed the poll was credible, the CPDM enjoyed significant structural advantages over the weak and fragmented opposition parties, reducing the competitiveness of the process.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The independence and integrity of Cameroon's electoral framework was compromised by the creation of the Constitutional Council in February 2018, just eight months before the presidential election. The new council has the power to validate election results and adjudicate election disputes, and the majority of its 11 members have ties to the ruling party. The council rejected all 18 petitions to cancel the presidential election results filed by opposition parties in 2018, despite credible allegations of fraud and intimidation.

The other electoral body, Elections Cameroon (ELECAM) was created in 2006 to address concerns about the fair management of previous elections. However, President Biya chooses its members, and CPDM partisans have historically dominated the body.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The ability to organize in political groups, and their freedom to operate, is subject to the whims of the central government, and opposition leaders risk arrest and imprisonment. In late January 2019, Maurice Kamto and several CRM officials were arrested by security forces after the party held nationwide rallies calling for a recount of the 2018 presidential vote. Kamto was tried on charges of insurrection and rebellion in September, but President Biya ordered his release in October.

Opposition rallies are also frequently prohibited. The government used force to disrupt the CRM's rallies in January, and relied on the same tactics when the party held rallies to call for Kamto's release in June. The government also banned CRM rallies scheduled for April, and sought to do the same when the party scheduled events in three cities in November; 33 people who defied the ban in Yaoundé were arrested.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Despite the existence of hundreds of registered political parties, Cameroon remains essentially a one-party state. The organizational advantages of the ruling party's long incumbency, its dominance over electoral bodies, and its superior access to media and resources disadvantages opposition candidates. Opposition parties are highly fragmented, preventing any one of them from becoming a viable alternative to the ruling CPDM. Frequent harassment, intimidation, and arrests of opposition figures further reduce the ability of opposition parties to gain power through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

State patronage and President Biya's control of high-level appointments help the CPDM retain power. Insecurity in the Anglophone regions caused by violence between armed militants and the military made voting nearly impossible in the 2018 presidential election, effectively denying voters a political choice.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Groups advocating for greater self-determination in the Anglophone regions remain marginalized and excluded from political debate, as reflected by the 2017 banning of the Southern Cameroons National Council (SCNC), an Anglophone political group. LGBT+ people, and some ethnic minorities, such as the Bamiléké, are generally excluded from political processes, and their interests are poorly represented by elected officials.

Women can advocate for their interests, but only through participation in the CPDM. The government has expressed a commitment to increasing women's representation in Parliament. In the National Assembly, 35 percent of deputies are women, while 26 percent of senators are women. However, only 30 percent of registered voters in 2018 were women.

C. FUNCTIONING OF GOVERNMENT: 3 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4**

In principle, laws and policies in Cameroon are created and approved by Parliament and the president. In practice, many policies are adopted by presidential decree. Otherwise, Parliament shows little independence and largely acts as a rubber stamp for the president's policy initiatives. President Biya has extensive executive authority, including wide-ranging appointment powers and strong control over state institutions.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is systemic and bribery is commonplace in all sectors. Initiatives to fight corruption, including the creation of the National Anticorruption Commission (CONAC), have been insufficient. A number of former high-level government officials have been successfully prosecuted and imprisoned for corruption, and this activity continued in 2019. In March, the government accused former defense minister Edgar Alain Mebe Ngo'o of corruption and the diversion of public funds. However, analysts suspect that many such cases are politically motivated; Mebe Ngo'o was considered a future presidential contender.

C3. Does the government operate with openness and transparency? 1 / 4

Decisions, especially those made by presidential decree, are often adopted with little or no public consultation. Cameroon lacks an access to information law, and it is difficult to gain access to government documents or statistics in practice. Despite the launch of an e-governance initiative in 2006, which was tasked with making government data more available online, the websites of most ministries do not provide substantial information.

CIVIL LIBERTIES: 11 / 60 (-1)**D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16 (-1)****D1. Are there free and independent media? 0 / 4**

Independent and critical journalists face pressure and the risk of detention or arrest in connection with their work, with the Committee to Protect Journalists (CPJ) reporting that seven journalists were imprisoned at the end of 2019. Defamation remains a criminal offense, and the National Communications Council (CNC), a media regulatory body, has a history of harassing journalists and outlets. State-run CRTV has been criticized for favoring the ruling CPDM in its coverage.

In May 2019, Paul Chouta, a reporter for news site Cameroon Web, was arrested after a French Cameroonian writer accused him of defamation. In the months before his arrest, Chouta, a government critic, received anonymous threats and was attacked by suspected government agents; Chouta remained imprisoned at year's end, after his trial faced numerous delays.

The government also continued its crackdown on media coverage of the Anglophone crisis in 2019. In August, authorities arrested Chillen Muzik and Television (CMTV) journalist Samuel Ajiekah Abuwe and accused him of collaborating with separatists. Abuwe was transferred to military custody several days after his arrest, and has been held incommunicado since. In September, political analyst and Anglophone activist Abdul Karim Ali was arrested on charges including terrorism and secession. Human Rights Watch (HRW) reported that Ali was denied access to a lawyer before his eventual release in early November.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Religious freedom is somewhat restricted in northern areas affected by the presence of the Boko Haram militant group, which has carried out violent attacks against places of worship kidnappings and attacks against Roman Catholic clergy, believers, and facilities in connection with the conflict in the Anglophone regions are common. The Roman Catholic Church reported that dozens of nuns and priests have been kidnapped by mid-2019, and nine of its clergy were killed.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4 (-1)

There are no legal restrictions on academic freedom, but state security informants operate on university campuses and academics can face negative repercussions for criticizing the government or discussing its political opponents. In September 2019, local authorities arrested a high school teacher in southern Cameroon for discussing the possibility of Maurice Kamto's involvement in a national dialogue. The teacher was charged with inciting rebellion, but was conditionally released later that month.

Education has been largely curtailed in the Anglophone regions, with separatists enforcing a boycott of schools and threatening violence against teachers who attempt to tend to

their students. In August 2019, the UN Children’s Fund (UNICEF) reported that over 4,400 schools were closed in the Anglophone regions.

Score Change: The score declined from 2 to 1 because the majority of schools in the Anglophone regions were closed during the year as a result of the ongoing separatist conflict.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Public criticism of the government and membership in opposition political parties can have a negative impact on professional opportunities and advancement. Cameroonians tend to avoid discussing sensitive political issues for fear of reprisals, notably the potential for a return to a federal system that would grant the Anglophone regions more autonomy, or the regions’ outright secession.

Social media users and individuals who possess or distribute antigovernment material have also faced arrest. In February 2019, Wilfried Siewe was arrested when Yaoundé police discovered a video of an antigovernment protest on his mobile phone. He was handed a three-year sentence for alleged involvement in prison unrest in August, and faced charges of destabilizing the government at year’s end. In April 2019, authorities arrested Magina Nkenkom Kouolitto when she visited Cameroon to attend a wedding before releasing her on bail later that month. Kouolitto, who resides in France, denounced President Biya’s nephew in an online video posted in 2018.

Authorities have also periodically blocked or slowed access to social networking sites to quash dissent and prevent opposition forces from mobilizing. In 2018, as the government prepared to announce the election results, access to social media platforms including Facebook, Twitter, and WhatsApp was slowed by internet service providers.

E. ASSOCIATION AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is subject to significant restrictions, and the authorities have consistently targeted events held by the opposition CRM in 2019. Police responded with force when the party held nationwide rallies in late January, using tear gas and rubber bullets to disperse the crowds and arresting over 200 participants. Several participants were wounded, including Michelle Ndoki, a lawyer affiliated with Maurice Kamto.

In June, the CRM held nationwide rallies calling for the release of Kamto and other party officials who were arrested in late January. Authorities resorted to similar tactics to disperse the rallies, injuring at least two participants and arresting over 350 others throughout the country. In November, the government banned meetings scheduled in the cities of Yaoundé, Douala, and Ebolowa. Police assaulted at least 10 demonstrators and arrested a total of 33 people who defied the ban in Yaoundé.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

The influence of civil society has gradually weakened over the years, with many nongovernmental organizations (NGOs) relying entirely on foreign assistance, and others coopted by the regime.

Anglophone activists have faced harassment, violence, and arrest for their activities. In late 2018, SCNC leader Sisiku Ayuk Tabe was detained in Nigeria and was sent back to Cameroon to face charges including secession and terrorism; he and nine followers were convicted in August 2019.

LGBT+ organizations have also been targeted by law enforcement. In 2018, four members of AJO, which works on behalf of sex workers and LGBT+ people, were arrested for homosexuality and jailed for a week before the charges were dropped.

The government has also restricted the work of international NGOs; in April 2019, it denied a HRW researcher entry into the country, offering no reason for its decision.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Trade unions and collective bargaining are legally permitted, although unions are still subject to numerous restrictions in the exercise of their rights. Strikes are theoretically permitted, but the government has used force to disrupt them in practice. In early 2018, police arrested 100 participants in a teachers' strike in Yaoundé. Several dockers were injured when police used live ammunition to disperse a mid-2018 strike in the city of Douala.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is subordinate to the justice ministry, and political influence and corruption weaken courts. The president appoints judges, and can dismiss them at will. Executive interference can influence judicial proceedings. Prosecutors have been pressured to stop pursuing corruption cases against some high-profile officials, while critics allege that corruption charges have been used to punish officials who have fallen out of favor with the regime.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are generally not respected. Lengthy pretrial detentions are commonplace. State security forces have carried out arbitrary detentions in connection with the Anglophone crisis, and in the Far North Region in response to Boko Haram activity. French legal norms are regularly imposed upon Cameroonians in Anglophone regions. Defendants are frequently not afforded the right to a fair trial, particularly in terrorism cases.

The government has employed charges of terrorism, rebellion, and insurrection against opposition leaders and separatist supporters in 2019. CRM leader Maurice Kamto was charged with insurrection and rebellion after his party protested Biya's reelection; he was released in October 2019 as the government sought to resolve the separatist crisis. In August 2019, SCNC leader Sisiku Ayuk Tabe received a life sentence from a military court for charges of insurrection and terrorism, along with nine supporters. One of Ayuk Tabe's lawyers claimed that the ruling was prearranged, and local activists called the trial a sham.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Active conflicts involving both Boko Haram and Anglophone separatists threaten the security of millions of people in Cameroon. Clashes between state security forces and separatists have continued in the Anglophone regions in 2019. HRW reported that government forces destroyed several hundred homes in these areas, and carried out violent attacks against civilians throughout the year.

Boko Haram also maintained its campaign against the government in 2019, with the militant group launching over 100 attacks in the Far North Region. Amnesty International reported that at least 275 people, most of them civilians, were killed in the first 11 months of the year, and that survivors were mutilated by militants. Security forces operating in the Far North have been accused of torturing alleged Boko Haram collaborators, many of whom have been held without charge.

President Biya has made some recent efforts to resolve these conflicts. In 2018, Biya established a National Disarmament, Demobilization, and Reintegration Committee (NDDRC) for ex-fighters of Boko Haram and armed Anglophone separatist groups. In October 2019, Biya held a national dialogue in an attempt to end the conflict, but separatist leaders declined to participate. In December, Parliament granted special status to the Anglophone regions, but separatist leaders rejected the offer and reiterated their calls for independence.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Discrimination against Anglophone Cameroonians and individuals from certain ethnic groups, including the Bamiléké, is common. The government imposes the French language in Anglophone regions, and Anglophone Cameroonians are frequently denied senior jobs in the civil service. Discrimination against the LGBT+ community is rife, and violence against LGBT+ people is common. The penal code also forbids same-sex relations; those convicted face prison sentences as long as five years. A cybercrime law punishes those who solicit same-sex relations online with two-year prison sentences. People are frequently prosecuted with no evidence of sexual activity, but rather on suspicions that they are gay.

The ongoing Boko Haram and Anglophone conflicts have forced large numbers of people to flee their homes. The Office of the UN High Commissioner for Refugees (UNHCR) counted 950,000 internally displaced persons (IDPs) throughout the country at the end of 2019. IDPs often struggle to access food, education, and other basic needs. Displaced women commonly face gender-based violence.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Free movement is difficult in parts of the Far North Region due to Boko Haram activity. Free movement in the two Anglophone regions has also been impeded by the ongoing crisis. Residents have been forced to flee their homes due to the ongoing conflict, and some have resorted to sending their school-age children to the cities of Yaoundé and Douala.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Harassment of small business owners by state agents is common. Agribusinesses and logging operations are often carried out without consulting local inhabitants. In many regions, women are still dispossessed of their inheritance rights.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

The constitution guarantees equal rights to men and women, but traditional legal values and practices often take precedence and do not always provide women with full rights. The Boko Haram conflict has exacerbated the already prevalent practice of child marriage and sexual abuse of minors in the Far North Region. Customary law can allow rapists to escape punishment if the victim consents to marriage. Despite laws guaranteeing equal rights to men and women to file for divorce, in practice courts often disadvantage women by making proceedings prohibitively expensive or lengthy. Domestic violence and rape are widespread, and perpetrators are rarely prosecuted.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Despite a 2011 law against human trafficking, Cameroon remains a source, transit, and destination country for forced labor and sex trafficking of children, as well as a source country for women who are subject to forced labor and prostitution in Europe. Some internally displaced women have also resorted to prostitution in the cities of Yaoundé and Douala. Child labor remains common, and child workers are frequently exposed to hazardous working conditions, particularly when collecting scrap metal for sale.

Canada

Population: 37,400,000

Capital: Ottawa

Freedom Status: Free

Electoral Democracy: Yes

Overview: Canada has a strong history of respect for political rights and civil liberties, though in recent years citizens have been concerned about fair elections and transparent governance; humane treatment of prisoners; citizens' right to privacy; and religious and journalistic freedom. While indigenous peoples and other vulnerable populations still face discrimination and other economic, social, and political challenges, the federal government has acknowledged and made some moves to address these issues.

KEY DEVELOPMENTS IN 2019

- The October federal election saw the Liberal Party retain power despite losing their majority government. The New Democratic Party also lost a significant number of seats, from which the Conservative Party and Bloc Québécois both gained.
- In June, the independent National Inquiry into Missing and Murdered Indigenous Women and Girls published the findings of their three-year investigation into the disappearance or murder of more than 4,000 indigenous women and girls over the past 30 years. They declared the events fit the United Nations' definition of genocide.
- Also in June, the Quebec provincial government passed a bill that prohibits government employees from wearing religious symbols such as a hijab, crucifix, turban, or kippah at their place of work.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The British monarch is head of state, represented by a ceremonial governor general, currently Julie Payette, who is appointed on the advice of the prime minister. The prime minister is the head of government and is invited to the post by the governor general after elections; the office is usually held by the leader of the majority party or governing coalition in parliament. Justin Trudeau resumed his position as prime minister after the Liberal Party maintained control of government in the October 2019 federal elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The parliament consists of an elected 338-member House of Commons, and an appointed 105-member Senate. Lower-house elections are held every four years on fixed dates; early elections may be called by the governor general if the government loses a parliamentary vote of no confidence, or on the advice of the prime minister.

The most recent federal election was held in October 2019; the center-left Liberal Party lost 20 seats and their majority government but maintained a plurality. The Conservative Party added 23 seats to their total (131), and Bloc Québécois (BQ) gained 22 seats (34 total). The left-leaning New Democratic Party (NDP) lost 15 seats (24 total). The Organization for Security and Co-operation in Europe (OSCE) did a preliminary investigation in advance of the 2019 election and found “full stakeholder confidence in the overall integrity of the electoral process.” Despite concerns from some stakeholders about misinformation on social media and other cyberthreats, the OSCE decided not to send an observation mission to Canada citing lack of available resources.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Electoral laws are generally fair and well enforced by the relevant bodies. However, some critics have expressed concern about the 2014 Fair Elections Act, arguing that its stringent voter identification requirements placed indigenous peoples (or First Nations peoples) at a disadvantage. In December 2018, the Liberal government passed a bill relaxing some of the criticized provisions. This 2018 law restricts spending by political parties and other actors during elections, gives voting rights to all Canadians living abroad, improves the privacy of voters’ information within the databases of political parties, and increases the power of the commissioner of Canada Elections to investigate violations of election rules. Foreign donations for partisan campaigns are banned and major online platforms, such as Facebook and Google, are required to create a registry of digital political advertisements.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Canadians are free to organize in different political parties, and the system is open to the rise and fall of competing groups. However, a small number of parties have traditionally dominated electorally. A total of 21 political parties were registered in the 2019 election.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties have a realistic chance of gaining power through elections. In 2015, the Conservatives lost power to a Liberal majority, and in 2019 the Liberals’ control of parliament diminished to a minority government.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People’s political choices are generally free from domination by actors that are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Members of religious minorities and indigenous people are seated in the parliament, as are many women; Prime Minister Trudeau's cabinet has full gender parity. However, the political interests of many groups are not always well represented. For example, critical issues facing Canada's indigenous peoples, including clean drinking water, mental health and addiction services, and compensation for indigenous children who were taken from their homes, received minimal attention during the 2019 electoral campaign.

The rights and interests of LGBT+ people are protected. A 2017 law explicitly prohibits discrimination based on gender identity or gender expression, affording transgender individuals, among others, more protection against hate crimes.

C. FUNCTIONING OF GOVERNMENT: 12 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

Canada's freely elected government determines policy.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Canada has a reputation for clean government and a record of vigorous prosecution of corruption cases.

C3. Does the government operate with openness and transparency? 4 / 4

Canadians may request public information under the provisions of the Access to Information Act, but they may face delays or excessive costs. In 2017, the Liberal government proposed a number of reforms to the act, but the measures have been criticized as inadequate. The information commissioner of Canada argued that the proposal would instead "result in a regression of existing rights," creating new hurdles for requests and giving agencies additional grounds for refusal. The bill passed in parliament in late 2017 and was passed unamended by the Senate in June 2019.

CIVIL LIBERTIES: 58 / 60 (-1)**D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16 (-1)****D1. Are there free and independent media? 4 / 4**

Canada's media are generally free; journalists are mostly protected from violence and harassment in their work and are able to express diverse viewpoints. A law permitting journalists' greater ability to protect their sources took effect in 2017. It stipulates that they cannot be required to disclose confidential sources unless a Superior Court judge is persuaded that the information cannot be obtained through other means, and that it is in the public interest for the source to be revealed. In September 2019, the Supreme Court applied this law and found that a Canadian Broadcasting Corporation (CBC) journalist did not have to reveal her sources for information on political corruption in Quebec.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4 (-1)

The Canadian constitution and other legislation protect religious freedom. However, in June 2019, the Quebec provincial government passed Bill 21, leading to a reduction of religious freedom in the province, where over a quarter of Canadians live. The bill bans certain government employees in positions of authority from wearing religious symbols such as a hijab, crucifix, turban, or kippah while at work. The list of such persons includes judges,

police officers, government lawyers, and teachers. The bill has a grandfather clause for government employees already wearing symbols—they can keep wearing them until they change institutions or take a promotion. Some court proceedings against the law have begun, but they appear unlikely to succeed; the Quebec provincial government wrote the law so as to invoke the “notwithstanding” clause in the Charter of Rights and Freedom, which ensures religious freedom protections cannot be applied in this particular instance.

Score Change: The score declined from 4 to 3 due to the approval of a provincial law in Quebec that prohibited civil servants in positions of “authority” from wearing religious symbols in the workplace.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion in Canada is generally free and unrestrained. However, in 2015, the former Conservative government passed a controversial antiterrorism law granting the Canadian Security Intelligence Service (CSIS) wider authority to conduct surveillance and share information about individuals with other agencies. Its passage elicited considerable condemnation from Canadian intellectuals and both domestic and foreign civil liberties watchdogs, who warned that it undermined the concept of privacy and could harm freedom of expression.

In 2017, the Liberal government introduced a bill that would reverse some of the law’s provisions and establish an independent review and complaints body as well as a parliamentary committee to monitor Canada’s intelligence-gathering agencies. However, the 2017 law has also been criticized for allowing Canada’s spy agencies excessive powers to perform surveillance on Canadians without their knowledge, and for failing to explicitly prohibit the use of intelligence gathered by foreign entities through torture. The bill was passed unamended by the Senate in June 2019.

In September 2019, a controversial new law came into effect that criminalized the intentional spreading of falsehoods about candidates, political parties, and public figures associated with political parties, in the leadup to the October federal elections. Intended to prevent the distortion of Canada’s political process, the law has been criticized as vague and unenforceable and is believed to have tempered legitimate political speech.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally protected and upheld in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate freely and frequently inform policy discussions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Trade unions and business associations enjoy high levels of membership and are well organized.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

Canada's judiciary is generally independent.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Constitutionally protected due process rights are generally upheld in practice. Canada's criminal law is based on legislation enacted by parliament; its tort and contract laws are based on English common law, with the exception of those in Quebec, where they are based on the French civil code.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The use of solitary confinement for extended periods of time in Canada's prisons has been controversial. Many critics charge that the time that inmates are excluded from the general population of prisoners has become excessive, and that prisoners with mental health issues are harmed due to frequent placement in solitary confinement. The government's 2018 legislation that responded to this criticism was further denounced by legal advocates for prisoners, who claimed the bill would have little practical effect. This bill passed the Senate and became law in June 2019 with the addition of some minor amendments, including increased judicial oversight on decisions to isolate prisoners, more support for inmates with mental illnesses, and community-based options for rehabilitating indigenous people and members of other vulnerable populations.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The government has made increasing efforts to enforce equal rights and opportunities for minority groups, although some problems persist. Canada's indigenous peoples remain subject to widespread discrimination, struggle with food insecurity, and unequal access to education, health care, public services, and employment.

In May 2018, the House of Commons approved a bill that would mandate the development and implementation of a national action plan to achieve the objectives of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The bill was eventually blocked by Conservative senators and it was not passed before the 2019 Canadian federal election.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is constitutionally protected and upheld in practice.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Property rights are not constitutionally guaranteed but are generally well protected by law and through the enforcement of contracts.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Canada legalized same-sex marriage in 2005. Domestic violence is a problem that disproportionately affects women, particularly indigenous women, and is underreported. There have

been initiatives in recent years to better train police in handling domestic violence cases. Since the Liberal Party entered government in 2015, there has been a marked improvement in gender equality, according to the most recent United Nations (UN) Gender Inequality Index (2017).

In June 2019, the independent National Inquiry into Missing and Murdered Indigenous Women and Girls published the findings of their three-year investigation into the disappearance or murder of more than 4,000 indigenous women and girls over the past 30 years. The authors concluded that the sum of historical and contemporary injustices, longstanding and extant state policy and indifference, and an epidemic of violence, all amounted to a genocide against indigenous peoples. The report offers 231 recommendations for future action. The UN has yet to make official comment on the inquiries findings and is waiting for the Canadian federal government to assess the inquiry's claims.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

There have been some reports of forced labor in the agricultural, food processing, construction, and other sectors, as well as among domestic workers. However, the government, aided by NGOs that work to reveal forced labor and sex trafficking, do attempt to hold perpetrators accountable and to provide aid to victims.

There is no national minimum wage, though provinces have set their own. Occupational safety standards are robust and generally well enforced. However, young workers, migrants, and new immigrants remain vulnerable to abuses in the workplace.

Central African Republic

Population: 4,700,000

Capital: Bangui

Freedom Status: Not Free

Electoral Democracy: No

Overview: The Central African Republic suffers from pervasive insecurity and an absence of state authority in much of the country. A series of peace deals between the government and various armed groups have not produced improvements in the security situation. Violent attacks against civilians, including sexual violence, are an acute risk in many areas. There is little support for independent journalists, and workers with nongovernmental organizations (NGOs), particularly aid workers, operate at great personal risk.

KEY DEVELOPMENTS IN 2019

- In February, under the aegis of the African Union (AU), a peace deal was signed in Khartoum, Sudan, between the government and 14 armed groups. As a result, the government was reshuffled and by March officials representing all of these armed groups were appointed as ministers. However, these initiative failed to produce major improvements, and fighting continued to affect the stability of the country.
- In June, state security agents attacked protesters and journalists at an opposition demonstration.
- In a move regarded as reflecting increased judicial independence, the Constitutional Court struck down part of an electoral law after finding that certain eligibility requirements were discriminatory. Meanwhile, a tribunal set up in 2018 and tasked

with prosecuting human rights abuses committed since 2003 continued work, though it did not complete any prosecutions.

- In December, former President François Bozizé returned to Bangui from exile. Overthrown in 2013, Bozizé faces an international arrest warrant for crimes against humanity and incitement to genocide. He has indicated that he may compete in the 2020 elections.

POLITICAL RIGHTS: 4 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The president is chief of state and is directly elected to up to two five-year terms. President Faustin-Archange Touadéra was elected in February 2016. Fears of widespread electoral violence were not realized, but there were many reports of serious irregularities at the polls. Moreover, many voters were unable to participate because insecurity prevented voter registration, or because they had fled to other countries as refugees and the state was unable to set up effective absentee voting procedures. The elections were monitored by the AU Election Observation Mission (AUEOM), and were nevertheless regarded as generally successful and a step towards peace and stabilization.

The National Electoral Authority (ANE) has set the first round of the next presidential election for December 27, 2020, and the second round for February 14, 2021.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

Members of parliament are directly elected to five-year terms. The current parliament was elected in February 2016, followed by a second round of by-elections that March. The polls were generally regarded as successful, but like the presidential polls, were plagued by irregularities and the disenfranchisement of voters unable to access the polls due to security concerns or displacement. Moreover, a first round had to be nullified following a slew of allegations of fraud and other misconduct, by actors ranging from armed groups to political candidates to the ANE.

The constitution adopted in 2015 stipulated the creation of a Senate, but it has not been established.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The electoral laws of the Central African Republic permit multiparty competition, and adult citizens enjoy universal and equal suffrage. However, the broader electoral framework of the country remains challenged by a weak judicial system, inadequate funding and training for election officials, and a lack of transparency in the composition of national election authorities.

A new electoral law was approved by the parliament in July 2019, following a non-transparent drafting process. The Constitutional Court had rejected a first version of the law, considering some voter eligibility criteria to be discriminatory.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

While political parties are legally able to form and operate, party members conducting political activities are at risk of intimidation and violence by the national police in Bangui and other security bodies, as well as armed groups in the areas they control.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

Several opposition parties exist in the parliament. However, the government prevented a newly created opposition platform from demonstrating in Bangui in June 2019. Also, agents with the Central African Office for the Suppression of Banditry (OCRB) have attacked opposition demonstrators, as well as journalists covering their activities.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Citizens are vulnerable to pressure and intimidation from national police and nonstate armed groups. Due to enduring insecurity, voters outside the capital are largely unable to participate in political processes.

In 2018, a Russian military presence in Central African Republic became increasingly visible. Early in the year, after the UN Security Council, the United States, and France assented, Russia made several deliveries of arms and ammunition, and deployed military instructors. In parallel, President Touadéra named a former Russian intelligence agent as his special advisor and assigned his personal security to the Wagner Group, a Russian security company with links to Russian President Vladimir Putin. In October 2019, Touadéra expressed openness to the establishment of a Russian military base in the country.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Enduring discrimination and an accompanying lack of access to political processes prevents many minority groups from achieving political representation. Sectarian violence affecting Muslims continues to affect their ability to participate in politics. Women are underrepresented in politics, and just 11 sit in the 140-seat parliament, though the electoral law passed in 2019 requires that 35 percent of candidates in legislative, senatorial and regional elections be women. Societal and legal discrimination against LGBT+ people prevent them from working to see their interests represented in the political sphere.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Presidential and parliamentary elections held in early 2016 led to a peaceful transfer of power from the National Transitional Council to an elected government. However, while the elected representatives can determine the policies of the government, the weak authority of the state in many areas severely limits the government's ability to implement policy decisions. Amnesty International reported in 2019 that despite the February peace agreement (the latest in a series of many), 80 percent of the country remained under the control of armed groups.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption and nepotism have long been pervasive in all branches of government, and addressing public-sector corruption is difficult given the lack of state capacity and political will.

C3. Does the government operate with openness and transparency? 0 / 4

Government operations are largely nontransparent, and civil society groups and others have limited opportunity to comment upon or influence impending policy decisions. Citizens outside of the capital have limited access to their elected representatives in the national legislature.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -1 / 0

Targeted violence against civilians by the Muslim-dominated ex-Séléka factions as well as anti-Balaka militias (representing, ethnically and religiously, the majority of Central Africans), continued in 2019 in northwestern, central, and eastern regions of the country. Hundreds of thousands of civilians remain internally displaced or confined to ethnic and sectarian enclaves.

CIVIL LIBERTIES: 6 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 1 / 4

There is little support for independent media, and in Bangui, outlets are increasingly aligned with national politicians and foreign governments, especially Russia. Media (and social media) often carry material meant to incite hate, discrimination, or violence, mainly against minority groups. Since 2017, the High Commission of Communication has played an active role in media regulation, and has made efforts to address the proliferation of hate speech. However, despite its efforts, the situation has not improved.

In July 2018, three Russian journalists were ambushed and killed near the city of Sibut (two hours' drive from Bangui). The journalists—who worked for the Investigation Control Centre, an online news outlet owned by prominent Putin critic Mikhail Khodorkovsky—had been investigating the activities of the Wagner Group. The killings remain unpunished. In June 2019, two AFP journalists were arrested and beaten in Bangui, allegedly by the OCRB, during a demonstration by an opposition group.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Officially Central African Republic is a secular state, but ethnic and religious cleavages often overlap with the country's political divisions. In 2019, sectarian clashes continued to threaten the free practice of religion. Muslims and Christian residents in Bangui remain segregated in separate enclaves, and fears of identity-based violence by armed actors impede free religious expression.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

While the educational system is generally free of extensive political indoctrination, clientelism and corruption are widespread in many schools and universities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Public discussion and political debates are generally free from surveillance by state authorities. However, political instability and the risk of violent retaliation for challenging

the presence of armed groups or expressing opinions on other sensitive topics inhibits free expression.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

Although freedom of assembly and the right to political protest is guaranteed under the constitution, in practice these liberties were curtailed in 2019 due to both government repression of opposition and perceived opposition in Bangui, and threats posed by armed groups that control areas outside of the capital.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

The operations of NGOs are limited by poor security conditions, and aid workers are particularly vulnerable. According to the International NGO Safety Organization (INSO), more than 253 recorded security incidents in 2019 involved relief workers, resulting in 3 workers killed, 19 injured, and 18 abducted.

In December 2018, the parliament approved a new law regulating NGOs. The law, which would have severely restricted NGOs' independence and operational capacity, was eventually suspended in the face of international pressure.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Trade unions and collective bargaining are permitted, although union organizers are sometimes subject to arbitrary detention or arrest. Small-scale agricultural organizations and cooperatives exist throughout the country, including organizations for women farmers.

F. RULE OF LAW: 1 / 16 (+1)

F1. Is there an independent judiciary? 1 / 4 (+1)

Courts are generally inefficient and frequently hampered by corruption. The government has limited authority to enforce judicial decisions. Judicial salaries have often gone unpaid. Judicial personnel are often untrained, and are reluctant to be deployed outside of the capital.

However, in 2019, the Constitutional Court displayed a degree of independence by striking down provisions in a new electoral law related to eligibility criteria for candidates to stand for office. Additionally, the new Special Criminal Court (SCC), although it had yet to complete any prosecutions at year's end, was operational and is considered relatively independent. The court opened in October 2018; it has 13 Central African judges and 12 foreign judges, and is tasked with ending impunity by perpetrators of human rights abuses since 2003. Additionally, some courts in Bangui heard criminal cases involving allegations of abuses by members of armed groups during the year.

Score Change: The score increased from 0 to 1 because some courts displayed a degree of independence and functionality during the year.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Arbitrary detention and lengthy pretrial detention are commonplace, and the state justice system has limited presence beyond Bangui. Impunity for violence, economic crimes, and human rights violations remained widespread in 2019.

In December, former President François Bozizé returned to Bangui from exile. Overthrown in 2013, Bozizé faces an international arrest warrant issued by the country's

authorities for crimes against humanity and incitement to genocide. He has indicated that he can compete in the 2020 elections.

Earlier, in November 2018, authorities transferred Alfred Yekatom to the International Criminal Court (ICC) in The Hague, the Netherlands. He stands accused of war crimes and crimes against humanity in connection with his leadership of anti-Balaka militia groups that terrorized the country's Muslim population after predominantly Muslim Séléka rebels seized power in 2013. Separately, in December 2018, French authorities arrested a former anti-Balaka militia leader, Patrice-Edouard Ngaïssona, in France on an ICC arrest warrant alleging war crimes and crimes against humanity. A hearing confirming their charges was opened at The Hague in September 2019.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

In Bangui, OCRB officials are often accused of abuse of power and excessive use of force. Outside of the capital, armed nonstate actors—mainly belonging to ex-Séléka factions and anti-Balaka militias involved in violent atrocities since the onset of the country's current crisis in 2013—continue to operate with impunity, despite the 2019 peace deal. These groups were responsible for violent attacks against civilians, often on the basis of ethnic and religious identity, as well as attacks against international peacekeeping forces and humanitarian workers. Among other attacks in May, a series of attacks by an armed group in Ouham Pendé Province left at least 46 civilians dead.

Violent competition among insurgent groups for control of territory and natural resources keeps about 600,000 Central Africans internally displaced. Conflict between farmers and nomadic pastoralists further destabilized the country in 2019.

In September, the UN Security Council voted unanimously to relax an arms embargo established in 2013. Diplomats indicated that move was intended to permit state security forces to better equip themselves, as they battle militia groups.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Same-sex sexual acts are illegal, and punishable by fines and imprisonment. While enforcement of these laws is uncommon, societal discrimination against LGBT+ people remains acute. Discrimination continues against the Muslim minority, nomadic pastoralist groups, and the forest-dwelling Ba'aka.

The independent High Authority for Good Governance is tasked with protecting the rights of minorities and people with disabilities, though its reach is limited.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 0 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Free movement by citizens is inhibited by the lack of security, and targeted violence. Transportation routes are threatened by banditry and theft in many areas.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 0 / 4

Businesses and homes are regularly looted or extorted by armed militants, with little prospect for compensation or legal recourse for victims. The agricultural economy—the livelihood of the majority of the population—remains restricted by ongoing violence and insecurity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

Women and girls are by far the primary victims of sexual violence, but men and boys are also affected. Sexual violence is used as a deliberate tool of warfare, and attackers enjoy broad impunity. Such acts that are not related to ethnic conflict are most often perpetrated within communities by family or neighbors. Constitutional guarantees for women's rights are rarely enforced, especially in rural areas. Sexual abuses by UN peacekeeping forces have been documented, but many instances have not been investigated or prosecuted.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Economic opportunity is heavily restricted by the widespread corruption and the presence of armed groups in many areas of the country. Many armed groups exploit gold and diamond mines, and forced labor and child recruitment for soldiering are common practices. The government has been unable to develop an antitrafficking plan, and has not initiated a human trafficking prosecution since 2008, according to the US State Department's 2019 *Trafficking in Persons* report.

Chad

Population: 16,400,000

Capital: N'Djamena

Freedom Status: Not Free

Electoral Democracy: No

Overview: Chad has held regular presidential elections since 1996, but no election has ever produced a change in power. Legislative elections are routinely delayed, and have not been held since 2011. Opposition activists risk arrest and severe mistreatment while in detention. The state faces multiple insurgencies led by rebel militants in the north, and Boko Haram in the Lake Chad Basin.

KEY DEVELOPMENTS IN 2019

- Rebels launched an offensive in northern Chad beginning in February, prompting French Operation Barkhane forces to carry out air strikes in support of the Chadian government.
- In July, authorities lifted a blackout on social media outlets such as Facebook, Twitter, and WhatsApp.
- Intercommunal clashes in August left more than 50 people dead, and prompted the imposition of a state of emergency in three provinces.

POLITICAL RIGHTS: 3 / 40**A. ELECTORAL PROCESS: 1 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4**

The president is directly elected to a five-year term. President Idriss Déby Itno took power in 1990 during a rebellion, and then overwhelmingly won elections in 1996, 2001, 2006, and 2011. In the 2016 poll, he received just under 60 percent of the vote, defeating

opposition leader Saleh Kebzabo, who took 13 percent. The opposition rejected the result, citing a variety of electoral irregularities.

A constitution promulgated in 2018 eliminated the office of prime minister and gave the president exclusive and sweeping powers to appoint state officials. It also reinstated term limits: under its provisions, the president serves a six-year term that is renewable once. However, the term limit mandate was not retroactive and will not take effect until after the 2021 presidential election, thus permitting Déby the opportunity to run for sixth and seventh terms that could keep him in power until 2033.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The unicameral National Assembly consists of 188 members elected to four-year terms. However, elections have not been organized since 2011, with the 2015 parliamentary elections having been repeatedly postponed. The ruling political party, Déby's Patriotic Salvation Movement (MPS), and allied parties control 117 seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

An Independent National Electoral Commission (CENI) is established prior to elections. However, its leadership is appointed by the country's entrenched political class through the National Framework for Political Dialogue (CNDP), and civil society is excluded from the process. The mandate of CNDP members expired in July 2019, and disagreements among opposition parties delayed the appointment of replacement members, who were not seated at year's end.

In 2018, the MPS-controlled National Assembly—whose mandate had long since expired—adopted a new constitution that, among other changes, redrew legislative districts. The government rejected calls to put the new charter to a referendum before promulgation by Déby.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

There are more than 130 registered political parties in Chad, though most of them are aligned with the ruling party. The MPS enjoys significant influence, and has held a majority in the National Assembly since 1997.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The mandate of the current legislature expired in 2015 and new elections have been repeatedly postponed, leaving the opposition no avenue to increase support or gain power through elections. The political opposition is legally recognized, but opposition leaders who publicly criticize the government risk harassment and arrest. Opposition leaders have disappeared after entering state custody. In 2019, the state continued to forbid the organization of opposition rallies and marches.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The extensive kinship networks tied to the president and his family have resulted in a concentration of political and economic power. The government is not accountable to voters in practice, and voters have few effective means of influencing or participating in politics.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Members of the Beri ethnic group control Chad's political, economic, and military spheres, causing resentment among the country's 200 other ethnic groups. Christians in the south are largely excluded from political power; some Christians hold government positions, but their representation and voice are limited. The constitution requires cabinet members and some other officials to be sworn in on either a Bible or a Quran, and to invoke Allah, the Arabic-language name of God, although some officials have been permitted to invoke the name of God in French.

Women hold few senior positions in government and political parties and are largely excluded from local governance bodies in rural areas. LGBT+ people are severely marginalized, and this impacts their ability to engage in political processes and advocate for their interests.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Déby enjoys unlimited discretionary power over the composition of the government and routinely reshuffles the cabinet, doing so once again in 2019. The elimination of the prime minister's office in 2018 further concentrated power in the presidency. The significant influence of the presidential office impedes the National Assembly from steering national policies.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption, bribery, and nepotism are endemic in Chad. Journalists, labor leaders, and religious figures have faced harsh reprisals for speaking out about corruption, including arrest, prosecution, and expulsion from the country. Corruption charges against high-level officials that do go forward are widely viewed as selective prosecutions meant to discredit those who pose a threat to Déby or his allies.

C3. Does the government operate with openness and transparency? 0 / 4

Chad has no law establishing the right to access official information. Déby, his family, and his associates dominate government and have little incentive to share basic information about government operations with the public.

CIVIL LIBERTIES: 14 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 12

D1. Are there free and independent media? 1 / 4

The constitution provides for freedom of the press, but press freedom is restricted in practice. Although criticism of the government is generally permitted within certain boundaries, reporters and editors self-censor to avoid reprisals. In September 2019, a journalist was sentenced to three years in prison for "criminal conspiracy" after reporting on accusations of sexual assault against a former government minister. In October, the suspension of the national television director was linked to reporting by the station on a press conference organized by opposition politicians.

The internet and social media are heavily regulated. However, a blackout on social media outlets, which affected platforms such as Facebook, Twitter, and WhatsApp, and was originally instituted in March 2018, was lifted in July 2019 at Déby's instruction.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The state imposes a number of religious restrictions, primarily against certain Muslim sects. Several sects deemed to promote violence are banned, despite limited evidence of such activity. Imams are subject to governance by the semi-state run High Council for Islamic Affairs (HCIA), which is led by a group of imams belonging to the Tijanyya Sufi order. Wearing burqas is banned by ministerial decree, and the government detains individuals who wear them in public.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

The government does not restrict academic freedom, but funds meant for the education system, as well as government-funded stipends, are regularly in arrears.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Space for open and free private discussion exists, but tends to be heavily self-censored due to fears of reprisal from the state's repressive apparatus.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

Constitutional guarantees of free assembly are not upheld by authorities, who routinely ban gatherings and persecute organizers. A number of demonstrations were banned in 2019. In April, security forces used tear gas to disperse people who marched to protest gas shortages, in defiance of a government ban, and arrested a number of participants.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Nongovernmental organizations (NGOs) must receive government approval to operate legally, and few such applications are approved. A vague 2018 law bans "regionalist or community associations." Government regulations stipulate that 1 percent of foreign NGOs' project budgets must be paid to a body consisting of government authorities and other NGO representatives, which assesses the organizations' in-country activities. In 2019, some international NGOs halted disbursements to offices in Chad, under heightened pressure to comply with these regulations.

In November, the secretary general of the Chadian Convention for the Defense of Human Rights (CTDDH) was arrested and charged with defamation, and later murder and attempted murder. The development came after the CTDDH had published a press release implicating a relative of President Déby in the abduction and torture of three young men.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The constitution guarantees the rights to strike and unionize, but a 2007 law imposed limits on public sector workers' right to strike. In response to public sector strikes in 2018, the Chadian government and trade unions reached an agreement on public service reforms.

However, unions charge that the government has not met its commitments under this agreement, and strikes continued in 2019.

While the 2018–19 school year marked the first time in at least five years where classes were not disrupted by strikes, teachers' unions issued a declaration in October 2019 demanding the government honor agreements with unions, and threatening to strike.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

The rule of law and judicial system remain weak because the political leadership, especially the executive, heavily influences the courts.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Security forces routinely ignore constitutional protections regarding search, seizure, and detention. Detained persons may be denied access to lawyers, notably those detained in connection with their involvement in antigovernment protests or activities. Many people suspected of committing crimes are held for lengthy periods without charge.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Civilian leaders do not maintain control of the security forces, who stand accused of killing and torturing with impunity.

The militant group Boko Haram operates near Lake Chad, and carried out increasingly deadly attacks in 2019. In February, Libyan-based rebels launched an offensive to overthrow the government. At President Déby's request, French forces carried out airstrikes to halt the rebel advance.

In northern Chad, the military continued blockading the town of Miski, which was controlled by self-defense militias; following a local uprising, the army blockaded entrances to the city, cutting off the flow of trade commodities and health services. In November, self-defense groups and the government signed a preliminary peace agreement to withdraw the army and end the blockade, however issues regarding the distribution of local mining revenues remain unresolved.

Cleavages between ethnoregional groups have at times escalated into violent conflict. In August, intercommunal violence left more than 50 dead. These events in eastern Chad along with others in the northwest prompted authorities to declare a state of emergency in three provinces, and deploy soldiers with a broad mandate to use force to restore calm. Opposition politicians and civil society groups criticized this decision and denounced human rights violations committed by the military under the auspices of these security measures.

Prison conditions often do not conform to international standards, and complaints over inmate treatment prompted a riot at Abéché Prison in October. The military mobilized to suppress the riot, which resulted in the death of at least two inmates.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Due to cultural stigmatization, LGBT+ citizens are forced to conceal their sexual orientation and gender identity. The current penal code criminalizes same-sex sexual activity. Women face pervasive discrimination. Girls have limited access to education.

While discrimination against persons with disabilities is legally prohibited, civil society organizations (CSOs) charge that these provisions are not enforced, and there is no legal guarantee to provide for access to public buildings for persons with disabilities.

There are ethnic disparities in the justice system. Media outlets and NGOs allege that officials do not consistently enforce domestic court orders against people of the same ethnic group as themselves.

The government struggles to provide services to roughly 176,000 internally displaced persons and the more than 440,000 refugees in Chad at the end of 2019 who fled conflicts in neighboring countries.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Although constitutional guarantees for the freedom of movement exist, in practice militant activity and consequent security responses limit movement. In August 2019, the Chadian government enacted states of emergency in Sila, Ouaddaï, and Tibesti Provinces in response to ongoing violence, which restricted civilian travel in the provinces. At year's end, Chad's borders with Libya, Sudan, and the Central African Republic were closed, limiting trade.

Structural constraints on the availability of public resources restrict citizens' ability to pursue employment or educational opportunities outside of their local areas. Citing a lack of resources, the government in August 2019 suspended the deliverance of Chadian passports, citing a lack of resources; this has inhibited the ability of Chadian citizens to travel or pursue educational opportunities abroad.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Laws establishing land and property rights are nominally in force, but are functionally irrelevant to the majority of the country's population owing to the state's minimal presence in rural areas; customary law governs land ownership and use rights in practice. Laws protecting the right of women to inherit land are not enforced.

While Chad has enacted reforms to ease starting a business and registering property, establishing and operating a business in Chad remains extremely difficult, due in part to corruption.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

Violence against women is common. Female genital mutilation is illegal but widely practiced.

The penal code bans child marriage, setting the legal age of marriage at 18, but the courts rarely hold those who practice it accountable.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Chad has adopted minimum wage and occupational health and safety laws, but they are not well enforced and many workers are unaware of or lack access to formal channels through which they may seek redress for mistreatment; corruption also impedes workers from obtaining redress. Unpaid wages are a problem in many sectors.

Chad is a source, transit, and destination country for child trafficking. Chad has made efforts to counter human trafficking, such as initiating judicial proceedings against suspected traffickers, however criminal proceedings that return verdicts are rare.

Chile

Population: 19,100,000

Capital: Santiago

Freedom Status: Free

Electoral Democracy: Yes

Overview: In 2019, Chile experienced massive and at times violent protests against the government and societal inequality, in the most severe unrest to occur in the country since the return of civilian rule in 1990. The turmoil eased after the government and opposition agreed to begin a process of drafting a new constitution, and the country remains a stable democracy that has experienced a significant expansion of political rights and civil liberties in the last four decades.

KEY DEVELOPMENTS IN 2019

- On October 18, protests erupted in Santiago in reaction to an increase in metro fares. The scope of protesters' grievances expanded to include general dissatisfaction with government and societal inequality, and civil unrest quickly spread across the country. Demonstrations were severely disrupted by a variety of factors including people who took advantage of the upheaval to engage in looting, arson, and vandalism, and by severe police violence. Roadblocks and a restrictive state of emergency limited free movement in much of the country.
- By the end of the year, 29 civilians had died in the context of the protests, some 5,000 were injured, and more than 28,000 had been detained. More than 2,700 police officers were injured, and the country was left with massive property and infrastructural damage.
- The National Institute of Human Rights (INDH) and other human rights organizations accused security forces of committing human rights abuses including sexual assault and excessive violence. Hundreds of people sustained optical injuries after being struck by projectiles fired by police.
- On November 15, the government and opposition parties agreed to start the process of drafting a new constitution. The agreement calmed the protests somewhat, as polls showed widespread support for replacing the 1980 constitution.

POLITICAL RIGHTS: 38 / 40 (+1)

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Presidential elections in Chile are widely regarded as free and fair. The president is elected to a four-year term, and consecutive terms are not permitted. Piñera was elected in December 2017 to serve his second term; he had served as president previously, from 2010 to 2014.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 2017 legislative polls were the first to take place under new rules that established more proportional districts, and increased the number of seats in both houses. The Chamber of Deputies now has 155 seats, up from 120 previously. The number of Senate seats was

increased from 38 to 50, but the new seats will be introduced gradually, with the Senate reaching its new 50-seat capacity in 2022.

Senators serve eight-year terms, with half up for election every four years, and members of the Chamber of Deputies are elected to four-year terms. Since 1990, congressional elections have been widely regarded as free and fair.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Chile's electoral framework is robust and generally well implemented.

In November 2019, progovernment and opposition parties agreed to call a plebiscite on replacing the 1980 constitution, considered by its critics as an ideological embodiment of the Pinochet dictatorship. The plebiscite, signed by Piñera in late December and which will be put to citizens in April 2020, will ask if citizens want to replace the constitution, and, if so, how it should be drafted. This agreement was the main political reaction to the protest movement and accompanying unrest that erupted in Santiago in October 18. The constitutional agreement helped to appease the protesters, given that a large majority of the population supports a constitutional replacement.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Chile has a multiparty political system. The current Congress, which held its first session in March 2018, includes representatives from more than a dozen political parties, as well as several independent candidates. Additionally, the number of important legislative coalitions has increased from two to three, with the leftist Frente Amplio, or Broad Front, joining the existing major blocs: the center-left Nueva Mayoría, or New Majority, and center-right Vamos Chile, or Let's Go Chile. Parties operate freely, and new parties have emerged in recent years.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Power alternation between parties occurs regularly, both in Congress and for the presidency. The last four administrations have been led by only two politicians; center-left Michelle Bachelet (2006–10; 2014–18) and conservative Sebastián Piñera (2010–14; 2018–). However, they succeeded one another through democratic processes, as each has remained the most popular politician in their respective coalitions.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People are generally free to exercise their political choices without undue influence from actors that are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women are represented in government, and the new electoral system includes a quota for women in the legislature. However, the presence of women in Congress and in other government positions does not guarantee that their interests are represented, and women report difficulty gaining influence in intraparty debates.

The interests of the Mapuche minority, which represents about 9 percent of the population, are present in political life, with Mapuche activists regularly making their voices heard in street demonstrations. However, this activism has yet to translate into significant legislative power. In 2017, one Mapuche candidate was elected to the Senate, and one to the Chamber of Deputies.

C. FUNCTIONING OF GOVERNMENT: 11 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

While lobbying and interest groups exist and work to shape policy, there is little significant intervention by actors who are not democratically accountable in policymaking processes.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Anticorruption laws are generally enforced, though high-level corruption scandals crop up with some regularity. In June 2019, General Juan Miguel Fuente-Alba became the first former army commander in chief to face corruption charges in a criminal court; he remained under house arrest at year's end. Previously, he served six months under arrest due to a martial court sentence for money laundering. Separately, in April, a martial court accused General Alejandro Villagra of fiscal fraud. Villagra resigned his post in August, and the judicial process against him was still open at year's end. In November 2018, Piñera dismissed 21 army generals amid multiple corruption scandals in the military, marking the biggest change in the army's high command since 1990.

Corruption scandals dented former president Bachelet's popularity during her presidency, as well as that of her coalition.

C3. Does the government operate with openness and transparency? 4 / 4 (+1)

The government operates with relative transparency. In 2009 the Transparency and Access to Public Information Law came into force; it increases public access to information and created a Council on Transparency. Agencies have generally been responsive to information requests, and failures to comply with the law or other measures designed to encourage transparent operations have been punished with fines.

In September 2019 the government replaced the decades-old Copper Law, in what was viewed as a major step toward improving transparency in the wake of series of corruption scandals involving the armed forces. The previous legislation had stipulated that 10 percent of state-run company Codelco's export sales be channeled to the armed forces without oversight. The new legislation establishes a 12-year transition to a new financial strategy under the supervision of the comptroller general, increased civilian oversight of the military's budget, and new transparency mechanisms.

Score Change: The score improved from 3 to 4 because the government replaced the decades-old Copper Law, increasing transparency and civilian oversight of the military's budget after a series of corruption scandals involving the armed forces.

CIVIL LIBERTIES: 52 / 60 (-5)

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16 (-1)

D1. Are there free and independent media? 4 / 4

Guarantees of free speech are generally respected, though some laws barring defamation of state institutions remain on the books. Media ownership is highly concentrated.

At least two newspapers saw their offices set on fire, looted, and otherwise vandalized during the 2019 protest movement: *El Líder*, and *El Mercurio de Valparaíso*, both located in Valparaíso. Separately, in November, freelancer photojournalist and media worker Albertina Martínez Burgos was found dead in her home in Santiago. It was unclear whether her killing was directly related to her work. Earlier, in August, domestic and international media watchdogs expressed concern about reports that the military had conducted surveillance against journalist Mauricio Weibel Barahona in 2016, as he was researching allegations of misconduct in the armed forces.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides for religious freedom, and the government generally upholds this right in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4 (-1)

Generally, academic freedom is unrestricted in Chile. However, social unrest in 2019 forced most universities to end the semester early or move classes online in order to avoid being vandalized or occupied by protesters. Protesters occupied, vandalized, or looted some universities anyway, and one campus building was set on fire. Furthermore, some academics were publicly harassed, especially on social media, in response to perceived criticism of the protest movement.

Score Change: The score declined from 4 to 3 due to protesters' obstruction of university classes and intimidation of faculty.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Chileans enjoy open and free private discussion.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12 (-2)

E1. Is there freedom of assembly? 2 / 4 (-2)

The right to assemble peacefully has traditionally been widely respected. However, peaceful protest activity that arose in 2019, when people took to the streets to demonstrate against the government and against societal inequality, was severely disrupted by a variety of factors including people who took advantage of the protest movement's cover to engage in looting, arson, and vandalism; and by severe police violence and a restrictive state of emergency that came in response to the unrest.

On October 18, violent protests emerged in Santiago in reaction to an increase in metro fares. The unrest quickly spread to the rest of the country and continued to grow in the capital, where at one point 1.2 million protesters gathered in a single day. Piñera quickly declared a state of emergency in Santiago and nearby areas, which was soon extended to 15 of the country's 16 regions. The state of emergency gave the government considerable powers to restrict citizens' freedom of movement and their right to assemble. Furthermore, General Javier Iturriaga del Campo, who served as head of national defense, declared a curfew that was extended to numerous large cities. The state of emergency remained in place until October 28.

Twenty-nine civilians were killed amid the protests and more than 3,000 were injured, with many abuses committed by the country's security services. According to Human

Rights Watch (HRW), prosecutors were investigating at least five killings allegedly caused by security forces in the context of demonstrations. The publicly funded National Institute of Human Rights (INDH), as well as HRW and Amnesty International, accused the *carabineros* (military police) and the military of perpetrating serious human rights violations during the protests and against those detained during the unrest. More than 350 reported eye injuries due to security forces' use of rubber bullets and pellets. There were also widespread reports of serious human rights abuses of people detained in connection with the protests. More than 2,700 members of security forces were also injured during the unrest.

Score Change: The score declined from 4 to 2 because peaceful protest activity during the year was frequently obstructed as a result of violent acts by both police and radical demonstrators.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) form and operate without interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

There are strong laws protecting worker and union rights, but some limited antiunion practices by private-sector employers continue to be reported.

F. RULE OF LAW: 13 / 16 (-1)

F1. Is there an independent judiciary? 4 / 4

The constitution provides for an independent judiciary, and the courts are generally free from political interference. Judicial independence was tested in September 2018, when opposition deputies tried to remove three Supreme Court justices for “abandonment of duties” after they granted parole to seven prisoners convicted of human rights violations committed during the Pinochet dictatorship. The lower house of parliament declined to move forward with the removal.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The right to legal counsel is constitutionally guaranteed and due process generally prevails in civil and criminal matters. However, indigent defendants do not always receive effective legal representation.

Human rights groups and the United Nations have criticized the government's use of antiterrorism laws, which do not guarantee due process, to prosecute acts of violence by Mapuche activists.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4 (-1)

While the government has developed mechanisms to investigate and punish police abuses, excessive force and human rights abuses committed by the *carabineros* still occur, and such abuses intensified during the social unrest that took place in 2019. The protest movement was also marked by a general state of unrest in many places, as some took advantage of the uprising to commit acts of arson, looting, and other vandalism.

The INDH, HRW, and Amnesty International accused the *carabineros* and the military of perpetrating serious human rights violations during the protests, including excessive use of force against protesters, as well as torture and sexual abuse of people held in detention.

One of the most frequent accusations was that police officers forced detainees, including minors, to undress, and sometimes perform squats.

Significant property damage that took place during the protests also contributed to a threatening and unstable environment. In Santiago, 80 out of 136 metro stations experienced major damage, including arson. Many private vehicles, supermarkets, shopping malls, stores, and buildings were vandalized or destroyed.

Earlier, before the unrest began, Amnesty International released a report in May that criticized the government's record on human rights, and denounced continuing police repression.

Score Change: The score declined from 3 to 2 due to physical injuries and other serious abuses committed by security forces against protesters, and the general breakdown in law and order associated with the year's protests.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

While indigenous people still experience societal discrimination and police brutality, their poverty levels have declined somewhat, aided by government scholarships, land transfers, and social spending.

LGBT+ people continue to face societal bias, despite a 2012 antidiscrimination law that covers sexual orientation and gender identity. In November 2018, the president signed a gender-identity law allowing for gender identity to be changed on the civil registry.

In July 2019, hundreds of people protested in Santiago to reject the migration policies of the Piñera administration. Protesters complained that new migration regularization policies demand documents that are too difficult to obtain. In June, the government created a new tourist visa for Venezuelans in order to better regulate their increasing migration to the country.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16 (-1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4 (-1)

The constitution protects the freedom of movement, and the government respects this right in practice. However, freedom of movement has been constrained since the social unrest that erupted in October 2019. A temporary state of emergency in most regions, as well as a night curfew in a number of large cities, restricted people's ability to move around the country. In addition to legal restrictions, the protests, looting, and vandalism also in effect limited the freedom of movement for many Chileans. Protesters set buses and metro stations on fire, and blocked streets, plazas, and urban, rural, and interurban roads. In some cities, protesters demanded that drivers get out of their vehicles and dance if they wanted to continue driving.

Score Change: The score declined from 4 to 3 due to roadblocks, deliberate damage to train stations, and other restrictions on movement that accompanied the year's unrest.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Individuals generally have the right to own property and establish and operate private businesses, and are able to do so without interference from the government or other actors.

However, Mapuche activists continue to demand greater territorial rights to land, ancestral waters, and natural resources.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

The government generally does not restrict personal social freedoms. However, violence against children and women remains a problem. A law against femicide went into force in 2010. A total of 46 femicides and 109 attempted femicides were reported in 2019.

In 2017, a law introduced by then-president Bachelet that decriminalized abortion in the events of rape, an inviable fetus, or danger to the life of the woman, took effect.

A 2015 law recognizes civil unions for same-sex and different-sex couples.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

While compulsory labor is illegal, forced labor, particularly among foreign citizens, continues to occur in the agriculture, mining, and domestic service sectors.

Although there have been improvements in fighting child labor, minors still suffer commercial sexual exploitation and work unprotected in the agricultural sector. Moreover, there is limited public information about forced child labor.

China

Population: 1,398,000,000

Capital: Beijing

Freedom Status: Not Free

Electoral Democracy: No

Note: The numerical scores and status listed here do not reflect conditions in Hong Kong or Tibet, which are examined in separate reports.

Overview: China's authoritarian regime has become increasingly repressive in recent years. The ruling Chinese Communist Party (CCP) is tightening its control over the state bureaucracy, the media, online speech, religious groups, universities, businesses, and civil society associations, and it has undermined its own already modest rule-of-law reforms. The CCP leader and state president, Xi Jinping, has consolidated personal power to a degree not seen in China for decades, but his actions have also triggered rising discontent among elites within and outside the party. The country's budding human rights movements continue to seek avenues for protecting basic rights despite a multiyear crackdown.

KEY DEVELOPMENTS IN 2019

- The fourth plenary meeting of the CCP's current Central Committee in late October featured a strong show of support for Xi Jinping despite the country's slowing economy, a political crisis in Hong Kong, and earlier speculation that the plenum's delayed timing reflected internal challenges to Xi's leadership.
- Internet censorship and surveillance reached new extremes during the year, driven in part by the CCP's determination to suppress discussion of the 30th anniversary of the June 1989 military crackdown on prodemocracy protesters in Beijing's

Tiananmen Square. Restrictions were placed on apolitical social media platforms, and more ordinary users faced account closures and criminal prosecutions for political, social, religious, and humorous speech. Advancements in artificial intelligence and facial recognition technologies were incorporated into the regime's apparatus for information control and public surveillance.

- The government's persecution of predominantly Muslim ethnic minorities in Xinjiang remained severe, with an estimated one million or more individuals subjected to extralegal detention in "political reeducation" centers and tens of thousands sentenced to prison terms by the courts. Credible reports of abuse and deaths in custody emerged during the year, even as authorities shifted some focus from mass detention to forced labor. Leaked documents shed light on the role of Xi and regional leaders in driving the campaign, and on the inner workings of Xinjiang's advanced surveillance systems.
- The authorities continued a years-long crackdown on independent civil society, with new arrests and criminal prosecutions of website editors, labor rights activists, and human rights lawyers, as well as greater scrutiny of foreign NGOs. Authorities also increased restrictions on religious practice by Chinese Buddhists, Christians, and Muslims throughout China under 2018 regulations on religious affairs, and persecution of the banned spiritual movement Falun Gong continued unabated two decades after its launch.
- The space for independent academic discussion and research reached new lows, with professors and students facing reprisals—in the form of censored writings, travel restrictions, demotions, arrests, or imprisonment—for expressing views that were deemed critical of CCP governance.

POLITICAL RIGHTS: -1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

There are no direct or competitive elections for national executive leaders. The National People's Congress (NPC) formally elects the state president for five-year terms and confirms the premier after he is nominated by the president, but both positions are decided in advance by the top party leadership and announced at the relevant CCP congress. The CCP's seven-member Politburo Standing Committee (PSC), headed by Xi Jinping in his role as the party's general secretary, sets government and party policy in practice. Xi also holds the position of state president and serves as chairman of the state and party military commissions.

Xi was awarded a second five-year term as general secretary at the 19th Party Congress in October 2017, and at the NPC session in March 2018 he was confirmed for a second five-year term as state president. Also at that session, the NPC approved amendments to China's constitution that abolished the two-term limit for the state presidency and vice presidency. Combined with the absence of a designated successor for Xi on the new PSC, the move reinforced predictions that he planned to break with precedent and remain China's paramount leader for at least three terms.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The 3,000 NPC members are formally elected for five-year terms by subnational congresses, but in practice all candidates are vetted by the CCP. Only the NPC's standing committee meets regularly, with the full congress convening for just two weeks a year to

approve proposed legislation; party organs and the State Council, or cabinet, effectively control lawmaking decisions. The current NPC was seated in March 2018.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Political positions are directly elected only at the lowest levels. Independent candidates who obtain the signatures of 10 supporters are by law allowed to run for seats in the county-level people's congresses, and elections for village committees are also supposed to give residents the chance to choose their representatives. In practice, however, independent candidates for these posts are often kept off the ballot or out of office through intimidation, harassment, fraud, and in some cases detention. Only a very small number of independent candidates have gained office in elections, though some attempt to do so in each election cycle.

Elections are not administered by an independent body. The indirect elections that populate people's congresses at various levels are conducted by those congresses' standing committees, while village-level elections are conducted by a village electoral committee that answers to the local party committee.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The CCP seeks to monopolize all forms of political organization and does not permit any meaningful political competition. Eight small noncommunist parties are allowed to play a minor role in China's political system, and are represented on the Chinese People's Political Consultative Conference (CPPCC), an official advisory body. However, their activities are tightly circumscribed, and they must accept the CCP's leadership as a condition for their existence.

Citizens who seek to establish genuinely independent political parties or otherwise advocate for democracy are harshly punished. In September 2019, activist Wang Meiyu died in custody in Hunan Province, and family members reported signs of abuse on his body; Wang had been detained in July after holding a placard in public that called for Xi Jinping's resignation and free elections. In late December, authorities carried out a wave of detentions, rounding up at least a dozen activists and lawyers who had met earlier that month in Fujian Province and reportedly discussed the prospects for a democratic transition in China.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

China's one-party system rigorously suppresses the development of any organized political opposition, and the CCP has ruled without interruption since winning a civil war against the Nationalist Party (Kuomintang) in 1949. Even within the CCP, Xi Jinping has steadily increased his own power and authority since 2012, pursuing a selective anticorruption campaign that has eliminated potential rivals. He personally heads an unusually large number of "leading groups" that give him direct supervision over a variety of policy areas. Xi's official contributions to party ideology were formally added to the CCP and national constitutions in October 2017 and March 2018, respectively, elevating his status above that of his immediate predecessors. The CCP Central Committee's plenary meeting in October 2019 reaffirmed the primacy of "Xi Jinping Thought" and stressed the need to consolidate CCP power and extend its control over all levels of Chinese society.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The authoritarian CCP is not accountable to voters and denies the public any meaningful influence or participation in political affairs.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Societal groups such as women, ethnic and religious minorities, and LGBT+ people have no opportunity to gain meaningful political representation and are barred from advancing their interests outside the formal structures of the CCP. Nominal representatives of ethnic minority groups—such as Tibetans, Uighurs, and Mongolians—participate in party and state bodies like the NPC, but their role is largely symbolic. Women are severely underrepresented in top CCP and government positions, and the situation has grown slightly worse in recent years. Just one woman was named to the 25-member Politburo at the 19th Party Congress in 2017, down from the previous two. No woman has ever sat on the PSC.

C. FUNCTIONING OF GOVERNMENT: 2 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

None of China's national leaders are freely elected, and the legislature plays a minimal role in policymaking and the development of new laws. The continuing concentration of power in Xi Jinping's hands, an emerging cult of personality, and Xi's calls for greater ideological conformity and party supremacy have further reduced the limited space for policy debate even within the CCP.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Since becoming CCP leader in 2012, Xi has pursued an extensive anticorruption campaign. Well over a million officials have been investigated and punished, according to official figures, including senior state and party officials from the security apparatus, the military, the Foreign Ministry, state-owned enterprises, and state media. The campaign continued to ensnare high-profile targets during 2019. In March, for example, Lu Wei, the former head of China's powerful internet regulator, was sentenced to 14 years in prison on charges of bribery. The previous month, Fang Fenghui, a top general and former chief of the joint staff on the Central Military Commission, was sentenced to life in prison by a military court on charges of bribery. The anticorruption effort has generated a chilling effect among officials and reduced ostentatious displays of wealth, but corruption is believed to remain extensive at all levels of government. Moreover, the initiative has been heavily politicized, as many of the elites targeted were seen as Xi's former or potential rivals, and a 2017 change to party regulations shifted the focus of disciplinary inspections to enforcing party ideology and loyalty.

The authorities have failed to adopt basic reforms that would address corruption more comprehensively, such as requiring officials to publicly disclose their assets, creating genuinely independent oversight bodies, and allowing independent media, courts, and civic activists to function as watchdogs. Instead, in 2018 the NPC established the National Supervisory Commission (NSC), a powerful new agency that merges the anticorruption functions of various state and party entities, has an expanded jurisdiction covering a broader swath of public-sector employees, and is meant to enforce political and ideological discipline in addition to compliance with the law. The new commission is headed by a Politburo member and

shares personnel and a website with the CCP's internal disciplinary agency, further blurring the lines between party rules and institutions and the state legal system.

In one of the NSC's most high-profile cases, Meng Hongwei, formerly the president of Interpol and China's vice minister of public security, confessed during a trial in Tianjin in June 2019 that he had accepted bribes worth more than \$2 million. Meng had disappeared into custody during a 2018 visit to China from his Interpol posting in France and was placed under investigation by the NSC for "alleged violations of laws."

C3. Does the government operate with openness and transparency? 1 / 4

The Chinese government and the CCP are notoriously opaque. Since open-government regulations took effect in 2008, more official documents and information have been made available to the public and posted on official websites. However, resistance on the part of government organs to providing specific information requested by citizens has dampened initial optimism, and budgetary information available to the public is minimal.

The scope for public input and consultation on laws and policies has narrowed further in recent years as policy advocacy NGOs and intellectuals came under intensified pressure, including those working in areas that were previously not considered sensitive, such as the environment, public health, women's rights, and the economy. In August 2019, the Unirule Institute of Economics, a respected Beijing-based think tank founded in 1993, announced its closure under orders from the municipal government after years of official harassment.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -3 / 0

The government has aggressively pursued policies—including large-scale resettlement, work-transfer programs, and mass internment—that are altering the demography of ethnic minority regions, especially Xinjiang, Tibet, and Inner Mongolia, by contributing to a steady increase of Han Chinese as a proportion of the regions' populations. Leaked official documents and speeches published by the *New York Times* in November 2019 illustrated the role of Xi Jinping and other senior leaders in directing these policies. New initiatives and incentives to promote interethnic marriages, such as an advantage on the university entrance exam for children from such marriages, were reported during 2019.

Conditions in Xinjiang had deteriorated sharply since 2017, when human rights groups estimated that more than one million ethnic Uighurs, Kazakhs, and Hui were detained in an expanded network of "reeducation" centers to undergo political and religious indoctrination. The number and size of orphanages and boarding schools have also been expanded to absorb minority children who have been sent away for immersive Chinese-language education or whose parents are being detained indefinitely. Han Chinese officials throughout the region have reportedly stayed in the homes of Uighur families to monitor and indoctrinate them, and it is evidently common for male officials to reside in close quarters with women and children whose adult male family members are in detention. Cases of torture, forced abortions, sexual abuse, and deaths in custody at the reeducation camps and other detention facilities were reported during 2019. Evidence also emerged that more than 230,000 Xinjiang residents—most of them believed to be Uighurs and Kazakhs—had been sentenced to prison since 2017, with many transferred to facilities in other provinces. [Note: Tibet is examined in a separate report.]

CIVIL LIBERTIES: 11 / 60 (-1)**D. FREEDOM OF EXPRESSION AND BELIEF: 1 / 16 (-1)****D1. Are there free and independent media? 0 / 4**

China is home to one of the world's most restrictive media environments and its most sophisticated system of censorship, particularly online. The CCP maintains control over news reporting via direct ownership, accreditation of journalists, harsh penalties for public criticism, and daily directives to media outlets and websites that guide coverage of breaking news stories. State management of the telecommunications infrastructure enables the blocking of websites, removal of smartphone applications from the domestic market, and mass deletion of microblog posts, instant messages, and user accounts that touch on banned political, social, economic, and religious topics. Thousands of websites have been blocked, many for years, including major news and social media hubs like the *New York Times*, YouTube, Twitter, and Facebook.

The already limited space for media freedom shrank further during 2019. Online controls were particularly evident in the run-up to the 30th anniversary of the military's crack-down on protesters in Beijing in June 1989 and as prodemocracy protests in Hong Kong stretched from summer into the fall. Within the first week of June, the websites of 12 major international news outlets from five different countries were blocked, including Cable News Network (CNN), the *Washington Post*, the *Guardian*, and the *Toronto Star*, with many remaining blocked weeks later. Increased controls extended to apolitical spaces such as online music stores and platforms for live streaming, dating, celebrity gossip, and blockchain technology, with authorities suspending or tightening scrutiny of features that enable real-time communication. Economic news remained more heavily censored than in the past amid an escalating trade war with the United States and a slowing domestic economy.

Continued implementation of the 2017 Cybersecurity Law, along with other regulations and increased pressure on private technology companies, has also resulted in greater and more sophisticated internet censorship. The multipurpose social media tool WeChat increasingly employed artificial intelligence to scan and delete images that were deemed to include banned content. Throughout 2019, large-scale deletions of posts and accounts occurred on both WeChat and the Sina Weibo microblogging platform.

According to the Committee to Protect Journalists (CPJ), 48 journalists were jailed in China as of December 2019, although the actual number of people held for uncovering or sharing newsworthy information is much greater. Several moderators of human rights websites and smaller social media groups were jailed for their online activities. In July 2019, Huang Qi, founder of the human rights website 64 Tianwang, was sentenced to 12 years in prison for "intentionally leaking state secrets." The previous month, Liu Pengfei, the moderator of a popular WeChat account that posted news from outside China, was sentenced to two years in prison. State media had warned that WeChat group administrators could be held responsible for the content in their group under regulations in effect since 2017. Chinese users of Twitter also faced an increase in reprisals for their activities on the blocked platform, including detention, interrogation, job dismissal, and forced deletion of messages. Foreign journalists continued to encounter various forms of harassment during the year, including physical abuse, short-term detention to prevent meetings with certain individuals, intimidation of Chinese sources and staff, the withholding of or threats to withhold visas, and surveillance.

Despite heavy restrictions on media freedom, Chinese journalists, grassroots activists, and internet users continue to seek out and exploit new ways to expose official misconduct, access uncensored information, and share incisive political commentary, although they risk reprisals when doing so. Tens of millions of people use circumvention tools like virtual

private networks (VPNs) to reach the uncensored global internet or accessed blocked overseas broadcasts via satellite, but a number of activists have been sentenced to prison in recent years for selling VPN services. In January 2019, a man in Guangdong Province was fined 1,000 yuan (\$145) simply for using a VPN to reach the international internet.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The CCP regime has established a multifaceted apparatus to control all aspects of religious activity, including by vetting religious leaders for political reliability, placing limits on the number of new monastics or priests, and manipulating religious doctrine according to party priorities. The ability of believers to practice their faith varies dramatically based on religious affiliation, location, and registration status. Many do not necessarily feel constrained, particularly if they are Chinese Buddhists or Taoists. However, a 2017 Freedom House report found that at least 100 million believers belong to groups facing high or very high levels of religious persecution, namely Protestant Christians, Tibetan Buddhists, Uighur Muslims, and Falun Gong practitioners.

During 2019, the government increased restrictions on a range of religious communities, including Chinese Buddhists, state-sanctioned Christian congregations, and Hui Muslims. New regulations on religious affairs that took effect in 2018 strengthened controls on places of worship, travel for religious purposes, placement of religious statues, and children's religious education. In 2019, the online magazine *Bitter Winter* reported several cases of outdoor Buddhist statues being destroyed or covered up in Liaoning, Hubei, Hebei, and other provinces. Minarets at mosques throughout Hui Muslim majority areas such as Ningxia have been removed or renovated, and some mosques have been shuttered, as part of a broader CCP effort to forcibly "sinicize" Islam and other religions.

The Vatican and the Chinese government reached an agreement in 2018 on the appointment of Catholic bishops that would reportedly allow the government to nominate bishops and the Vatican to exercise a veto. The Vatican also recognized seven government-approved bishops who had previously been excommunicated; the status of dozens of existing bishops recognized by the Vatican but not by the government remained unclear. In 2019, clergy who lacked state recognition complained of intimidation and pressure to sign registration forms; at least three priests were detained, and one bishop went into hiding. Nevertheless, in August the Vatican announced that it had approved a bishop for Jining in Inner Mongolia, the first such ordination under the new agreement. Persecution of unofficial Protestant groups continued during the year. Wang Yi, the pastor of the prominent Early Rain Covenant Church in Chengdu, Sichuan Province, was sentenced in December 2019 to nine years in prison on charges of "inciting subversion of state power." Wang and dozens of congregants had been detained a year earlier when authorities shut down the unregistered church. His wife and other church members were eventually released, though they remained under police scrutiny.

The especially intense and intrusive curbs on the practice of Islam in Xinjiang, which are apparently aimed at breaking down the religious identity of Muslims in the region, have affected the wearing of religious attire, attendance at mosques, fasting during Ramadan, choice of baby names, and other basic forms of religious expression. In 2019, the authorities continued to punish peaceful religious practices under charges of "religious extremism," resulting in detention and indoctrination for many Uighur, Kazakh, and Hui Muslims. A series of leaked official documents published by the International Consortium of Investigative Journalists in November revealed a points-based system for measuring the effectiveness of ideological "reeducation" efforts and determining detainees' eligibility for release.

The regime's 20-year campaign to eradicate the Falun Gong spiritual group continued in 2019. Hundreds of Falun Gong practitioners have received long prison terms in recent years, and many others are arbitrarily detained in various "legal education" facilities. Detainees typically face torture aimed at forcing them to abandon their beliefs, sometimes resulting in deaths in custody.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4 (-1)

Academic freedom is heavily restricted, and the space for academic discussion and research that departs from CCP guidelines reached new lows in 2019, even regarding what were previously less sensitive topics, such as labor rights, constitutional law, or economics. Efforts to police classroom discussions have increased at all levels of education, including via installation of surveillance cameras in some classrooms, large-scale recruitment of student informants, and the creation of special departments to supervise the political thinking of teaching staff. The CCP controls the appointment of top university officials, and many scholars practice self-censorship to protect their careers and personal safety.

Political indoctrination—including the study of "Xi Jinping Thought"—is a required component of the curriculum at all levels of education. Increased government funding to support research promoting party ideology has spurred the establishment of dozens of centers dedicated to "Xi Jinping Thought." Official speeches and new training plans for teachers that were announced in 2019 increased pressure on educators to toe the party line.

Professors and students from a range of academic disciplines faced reprisals during the year—ranging from censored writings, travel restrictions, and demotions to arrest and imprisonment—for expressing views that were deemed critical of the CCP's governance and of Xi Jinping's slogans, whether in class, in academic writings, online, or in interviews with overseas media. In March, law professor Xu Zhangrun of Tsinghua University in Beijing was stripped of his teaching duties, placed under investigation, and had his wages reduced in apparent retribution for an article criticizing Xi's authoritarian policies. In April, retired economics professor Zi Su was sentenced to four years in prison after he published a letter online that referred to Xi's rule as a "dictatorship." Mongolian historian Lhamjab A. Borjgin was sentenced in July to one year in prison with a two-year reprieve in connection with his book on the Cultural Revolution. Ethnic Uighur scholars faced particularly harsh penalties: a March 2019 report by a US-based human rights project documented 386 intellectuals who had been confirmed detained or disappeared since 2017. Two foreign scholars—Yang Hengjun from Australia and an unnamed professor from Japan—were arrested while visiting China in 2019 on dubious charges of spying. Cases of student detentions also emerged during the year, including ethnic Kyrgyz in Xinjiang and labor rights supporters from Beijing universities.

Score Change: The score declined from 1 to 0 due to a multiyear pattern of growing restrictions on academic freedom, including greater indoctrination in schools and universities, mass detention of Uighur scholars, punishments for outspoken professors and student activists, and surveillance in classrooms.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The government's ability to monitor citizens' lives and communications has increased dramatically in recent years, inhibiting online and offline conversations. Social media applications like WeChat are known to closely monitor user discussions so as to conform

with government content restrictions and surveillance requests. Surveillance cameras, increasingly augmented with facial recognition software, cover many urban areas and public transportation, and are expanding into rural regions. Pilot programs for a Social Credit System—expected to become mandatory and nationally operational in 2020—rate citizens’ trustworthiness based not only on financial responsibility or debt records, but also on purchasing behavior, video gaming habits, social acquaintances, and adherence to rules in public spaces. Devices used by police to quickly extract and scan data from smartphones, initially deployed in Xinjiang, have spread nationwide. Databases with the personal details of certain categories of individuals—including users of drugs, petitioners, members of ethnic minorities, religious believers, foreigners, and migrant workers—have been purchased by police throughout the country. The 2017 Cybersecurity Law requires companies to store Chinese users’ data in China and submit to potentially intrusive security reviews. As of December 2019, telecommunications companies were required to obtain facial scans of new internet or mobile phone users as part of the real-name registration process.

Electronic surveillance is supplemented with offline monitoring by neighborhood party committees, “public security volunteers” who are visible during large events, and an especially heavy police presence in places like Xinjiang.

Court verdicts have cited private social media communications, public surveillance video, and personal meetings as evidence in cases where citizens were punished for expressing their views on political or religious topics. In addition to legal penalties, a growing number of internet users have faced account closures, job dismissals, and police interrogation because of politically sensitive or even humorous comments made on social media platforms.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 1 / 4

China’s constitution protects the right of citizens to demonstrate, but in practice protesters rarely obtain approval and risk punishment for assembling without permission. Spontaneous demonstrations have thus become a common form of protest. Some are met with police violence, and organizers often face reprisals, even in cases where local officials ultimately concede to protesters’ demands. Armed police have been accused of opening fire during past protests in Xinjiang.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

The ability of civil society organizations to engage in work related to human rights and governance is extremely constrained and has decreased under a 2017 law on foreign NGOs and 2016 legislation governing philanthropy, which significantly reduced civic groups’ access to funding from foreign sources and increased supervision and funding from the government. The space for organizations to operate without formal registration, a previously common practice, has also shrunk, although some continue to do so. Several prominent NGOs that focused on policy advocacy, including in less politically sensitive areas like public health or women’s rights, have been shuttered in recent years under government pressure. In July 2019, state security agents in Hunan Province detained three staff members of Changsha Funeng, an NGO that advocates for people with stigmatized diseases, on charges of “subverting state power.” Hundreds of thousands of NGOs are formally registered, but many operate more as government-sponsored entities and focus on service delivery.

The foreign NGO law that took effect in 2017 restricts the operations of foreign NGOs in China, requires them to find a Chinese sponsor entity and register with the Ministry of Public Security, and gives police the authority to search NGOs’ premises without a warrant,

seize property, detain personnel, and initiate criminal procedures. Hundreds of foreign NGOs have registered offices or temporary activities, though the vast majority are trade and agricultural associations, or groups involved in issues such as cultural exchange, public health, education, or the rights of people with disabilities. A list of sponsoring Chinese entities documented by the ChinaFile NGO Project indicated a heavy presence of state and CCP-affiliated organizations. During 2019, at least 11 foreign NGOs chose to deregister, an increase over two that had done the same in 2018. In November 2019, Chinese officials announced that US-based public health NGO Asia Catalyst had been formally investigated for violating the law and would face penalties, though the facts behind the accusation were in dispute.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The only legal labor union organization is the government-controlled All-China Federation of Trade Unions (ACFTU), which has long been criticized for failing to properly defend workers' rights, but has reportedly become even less of an ally to workers in recent years. The authorities intensified a multiyear crackdown on labor activists and NGOs during 2019. Expanding on a 2018 campaign of reprisals against workers at Shenzhen Jasic Technology in Guangdong Province who had tried to establish a union and elect their own leaders, by July 2019 security forces had detained and harassed at least 130 factory workers, labor rights activists, NGO staff, and social workers throughout the province and in Beijing, according to a list compiled by the China Labor Crackdown Concern Group. Three editors of iLabour, an online workers' rights advocacy platform, were also detained by police in early 2019; they were later charged with "picking quarrels and provoking trouble" after providing legal advice to workers and publicizing cases of abuse; their trial was pending at year's end.

Despite the constraints on union activity, strikes and labor protests continued to be reported across the country, particularly over wage arrears. Nearly 1,400 such incidents were documented by the China Labour Bulletin during 2019.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

The CCP dominates the judicial system, with courts at all levels supervised by party political-legal committees that have influence over the appointment of judges, court operations, and verdicts and sentences. CCP oversight is especially evident in politically sensitive cases, and most judges are CCP members. In March 2019, the annual work report of Supreme People's Court president Zhou Qiang emphasized that judges should conform to CCP ideology and uphold the party's "absolute leadership" of the courts.

Incremental reforms aimed at improving judicial performance, while maintaining party supremacy, have been introduced since 2014. The changes focused on increasing transparency, professionalism, and autonomy from local authorities. Many judges complain about local officials interfering in cases to protect powerful litigants, support important industries, or avoid their own potential liability.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Broader judicial reforms introduced in recent decades have sought to guarantee better access to lawyers, allow witnesses to be cross-examined, and establish other safeguards to prevent wrongful convictions and miscarriages of justice. However, limitations on due process—including excessive use of pretrial and incommunicado detention—remain rampant, and a multiyear crackdown on human rights lawyers has weakened defendants' access to independent legal counsel. Rights attorney Wang Quanzhang was sentenced in January

2019 to four and a half years in prison on charges of “subversion” due to his defense of activists and persecuted religious believers.

Criminal trials are frequently closed to the public, and the conviction rate is estimated at 98 percent or more. While adjudication of minor civil and administrative disputes is considered more fair, cases that touch on politically sensitive issues or the interests of powerful groups are subject to decisive “guidance” from political-legal committees.

In recent years, dozens of human rights lawyers, activists, and other high-profile detainees have been presented in the media giving what are widely assessed as forced confessions, undermining their right to due process. In November 2019, Chinese state media published a “confession” video of Simon Cheng, a Hong Kong resident employed by the British consulate and detained on the mainland in August. Authorities said he was given 15 days of administrative detention for soliciting prostitutes, but Cheng alleged that he was tortured in custody and interrogated about the prodemocracy protests in Hong Kong.

Despite the abolition of “reeducation through labor” camps at the end of 2013, large numbers of people—particularly petitioners, grassroots rights activists, Falun Gong adherents, and Uighur Muslims—are still held in other forms of arbitrary detention. A new form of extrajudicial detention for targets of anticorruption and official misconduct investigations, known as *liuzhi*, was introduced in 2018, in tandem with the establishment of the NSC. Individuals can be held in *liuzhi* for up to six months without access to legal counsel.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Conditions in places of detention are harsh, with reports of inadequate food, regular beatings, and deprivation of medical care. The law encourages judges to exclude evidence obtained through torture, but in practice, torture and other forms of coercion are widely used to extract confessions or force political and religious dissidents to recant their beliefs. Security agents routinely flout legal protections, and impunity is the norm for police brutality and suspicious deaths in custody. An unusually high number of well-documented cases of political and religious prisoners dying in custody or shortly after release due to denial of proper medical attention emerged in 2019, with examples from across China. Citizens who seek redress for abuse in custody or suspicious deaths of family members often meet with reprisals and even imprisonment.

The government has gradually reduced the number of crimes that carry the death penalty, which totaled 46 as of 2019, but it is estimated that thousands of inmates are executed each year; the true figure is considered a state secret. The government claims it has ended the transplantation of organs from executed prisoners. However, the scale of the transplantation industry and the speed with which some organs are procured far exceed what is feasible via the country’s nascent voluntary donation system. Evidence of data falsification related to that system emerged in 2019. Rights activists, journalists, medical professionals, and an independent tribunal of experts sitting in London reiterated concerns during the year regarding unethical and illicit organ sourcing from prisoners, including religious and ethnic minorities such as Falun Gong adherents and Uighurs.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Chinese laws formally prohibit discrimination based on nationality, ethnicity, race, gender, religion, or health condition, but these protections are often violated in practice. Several laws bar gender discrimination in the workplace, and gender equality has reportedly improved over the past decade. Nevertheless, bias remains widespread, including in job

recruitment and college admissions. The #MeToo movement against sexual harassment and assault, which began in the United States and has spread to China, helped to raise awareness of the problem during 2019. New reports of sexual harassment or assault and efforts by victims to seek legal redress were widely discussed online during the year, even as the hashtag itself and a prominent feminist Weibo account were censored and victims were harassed online for coming forward.

Ethnic and religious minorities, LGBT+ people, people with disabilities, and people with illnesses such as HIV/AIDS and hepatitis B also face widespread discrimination in employment and access to education. Religious and ethnic minorities are disproportionately targeted and abused by security forces and the criminal justice system. Official figures published during 2019 showed that courts in Xinjiang, where Muslim minorities make up a majority of the population, sentenced more than 230,000 people to prison or other criminal punishments in 2017 and 2018, a higher per capita rate than other parts of China; a much larger percentage of convicts were sentenced to terms of more than five years in Xinjiang than elsewhere.

Despite China's international obligation to protect the rights of asylum seekers and refugees, Chinese law enforcement agencies continue to repatriate North Korean defectors, who face imprisonment or execution upon return. During 2019, observers noted an increase in the number of North Koreans being detained in China and subjected to repatriation, possibly due to bilateral security agreements and enhanced facial recognition technologies.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

China's *hukou* (household registration) system prevents roughly 290 million internal migrants from enjoying full legal status as residents in cities where they work. The government has announced plans to gradually reform the system, expanding the benefits of urban residency to 100 million migrants based on their education, employment record, and housing status, with the most stringent requirements in major cities like Shanghai and Beijing and much looser standards applied in smaller municipalities. The plan would still leave a large majority of migrants without equal rights or full access to social services such as education for their children in local schools. In April 2019, the National Development and Reform Commission introduced the next stage of these reforms, requiring cities with one to three million residents to abolish all restrictions for migrants wishing to obtain a local *hukou*, and for cities with three to five million residents to ease restrictions for certain categories of migrants, especially those with higher education levels.

Many other Chinese citizens also face obstacles to freedom of movement within the country. Police checkpoints throughout Xinjiang limit residents' ability to travel or even leave their hometowns. Elsewhere in China, as initial stages of a Social Credit System were introduced during 2019, millions of citizens reportedly encountered restrictions on air and train travel due to their low scores. While China's constitution gives individuals the right to petition the government concerning a grievance or injustice, in practice petitioners are routinely intercepted in their efforts to reach Beijing, forcefully returned to their hometowns, or extralegally detained in "black jails," psychiatric institutions, and other sites.

Millions of people are affected by government restrictions on their access to foreign travel and passports, many of them Uighurs and Tibetans. Overseas Chinese nationals who engage in politically sensitive activities are at risk of being prevented from returning to China, or choose not to return for fear of being arrested.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The authorities dominate the economy through state-owned enterprises in key sectors such as banking and energy, and through state ownership of land. Chinese citizens are legally permitted to establish and operate private businesses. However, those without strong informal ties to powerful officials often find themselves at a disadvantage in legal disputes with competitors, in dealings with regulators, or in the context of politicized anticorruption campaigns. Foreign companies and executives can face arbitrary regulatory obstacles, debilitating censorship, demands for bribes, travel restrictions, or negative media campaigns. Many private companies in China have internal party organizations or committees.

Property rights protection remains weak. Urban land is owned by the state, with only the buildings themselves in private hands. Rural land is collectively owned by villages. Farmers enjoy long-term lease rights to the land they work, but they have been restricted in their ability to transfer, sell, or develop it. Low compensation and weak legal protections have facilitated land seizures by local officials, who often evict residents and transfer the land rights to developers. Corruption is endemic in such projects, and local governments rely on land development as a crucial source of revenue.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

A legal amendment allowing all families to have two children—effectively abolishing the one-child policy that had long applied to most citizens—took effect in 2016. While the authorities continue to regulate reproduction, the change means that fewer families are likely to encounter the punitive aspects of the system, such as high fines, job dismissal, reduced government benefits, and occasionally detention. Abuses such as forced abortions and sterilizations are less common than in the past but continue to occur. Ethnic minorities are still permitted to have up to three children.

Muslims in Xinjiang face restrictions and penalties related to aspects of their appearance with religious connotations, such as headscarves on women or beards on men. Forced abortions and sterilization have been reported by Muslim women who escaped detention camps.

The country's first law designed to combat domestic violence came into effect in 2016, but domestic violence continues to be a serious problem, affecting one-quarter of Chinese women, according to official figures. Activists have complained that the new law fails to provide support for victims and does not criminalize spousal rape, and that it remains extremely difficult for victims to win court cases or even obtain protection orders against their abusers.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

While workers in China are afforded important protections under existing laws, violations of labor and employment regulations are widespread. Local CCP officials have long been incentivized to focus on economic growth rather than the enforcement of labor laws. Exploitative employment practices such as wage theft, excessive overtime, student labor, and unsafe working conditions are pervasive in many industries. Forced labor and trafficking are also common, frequently affecting rural migrants, and Chinese nationals are similarly trafficked abroad. Forced labor is the norm in prisons and other facilities for criminal, political, and religious detainees. Since 2018, according to research by scholar Adrian Zenz, authorities in Xinjiang have begun to place minority populations in different forms of forced

or low-paid labor, including workshops linked to internment camps and large industrial parks or village-based factories for those not detained.

Colombia

Population: 50,400,000

Capital: Bogotá

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Colombia is among the longest-standing democracies in Latin America, but one with a history of widespread violence and serious human rights abuses. Violence has declined in recent years, and public institutions have demonstrated the capacity to check executive power and enforce the rule of law. The government and the country's main left-wing guerrilla group signed a peace accord in 2016, but as of 2019 Colombia still faced enormous challenges in consolidating peace and guaranteeing political rights and civil liberties throughout its territory.

KEY DEVELOPMENTS IN 2019

- The peace accord signed in 2016 between the government and the left-wing Revolutionary Armed Forces of Colombia (FARC) rebel group remained intact during the year, but implementation delays and the August announcement that several prominent rebels were rearming prompted concern about the pact's durability.
- President Iván Duque's popularity waned during the year, and his Democratic Center (CD) party suffered defeats in October's local and regional elections, the run-up to which was plagued by threats and violence against candidates.
- A wave of lethal attacks against human rights defenders and other social activists continued throughout the year. Scores of activists were murdered, and the perpetrators of such crimes generally enjoyed impunity.
- A large-scale protest movement erupted in multiple cities in November and December, accompanied by accusations of repression by state security forces.

POLITICAL RIGHTS: 29 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is directly elected to a four-year term. As part of a series of 2015 constitutional amendments, immediate presidential reelection was eliminated.

The peace accord between the government and the FARC was a significant issue in the 2018 election. President Duque, a protégé of former president and chief peace-accord critic Álvaro Uribe, pledged throughout the campaign to alter the pact's terms, which he characterized as overly magnanimous toward the guerrillas. However, corruption, crime, social services, and the ongoing crisis in neighboring Venezuela were also prominent themes during the campaign. No candidate garnered an outright majority in the May 2018 first round; following a polarized runoff campaign, Duque defeated left-wing former Bogotá mayor Gustavo Petro with 54 percent of the vote, which was held that June. The balloting

was considered competitive and credible, though election observers logged sporadic reports of vote buying and other violations in both the first and second rounds.

Local and regional elections, which were held in October 2019, are generally characterized by greater opacity and more frequent violence than national elections. In 2019, the Colombian Electoral Observation Mission (MOE) documented at least 108 attacks on candidates, including 7 murders, an increase from 2015. The MOE also criticized opaque campaign finance and candidate-selection mechanisms, and vote buying, but applauded improvements in election-day voter security from coercion by armed groups. In the most prominent race, for mayor of Bogotá, Green Alliance candidate Claudia López won; she became the city's first woman and first openly gay mayor. Opposition-aligned candidates also won the governorship in Antioquia—the heartland of Uribe and the CD—along with the mayoralties of Medellín and Cali.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Congress is composed of the Senate and the Chamber of Representatives, with all seats up for election every four years. The nation at large selects 100 Senate members using a proportional representation system; two additional members are chosen by indigenous communities, one seat is awarded to the runner-up in the presidential election, and another five seats were reserved in 2018 and 2022 for the FARC under the peace accord. The Chamber of Representatives consists of 172 members, with 161 elected by proportional representation in multimember districts, two chosen by Afro-Colombian communities, one each by indigenous and expatriate voters, one seat reserved for the runner-up vice presidential candidate, and five seats reserved for the FARC, as in the Senate.

The March 2018 legislative elections were relatively peaceful, though observers noted accusations of fraud, vote buying, and connections between candidates and organized crime figures. Senate seats were dispersed, with six parties winning 10 or more seats, led by Duque's CD with 19. In the Chamber of Representatives, five parties won 21 or more seats, led by the Liberal Party with 35; the CD garnered 32 seats. In its first balloting as a legal party, the FARC took no seats aside from the five guaranteed to it in each chamber.

In September 2019 Aída Merlano, elected to the Senate in 2018, was convicted of vote buying and sentenced to 15 years in prison, but she escaped custody in October and remained a fugitive at year's end.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The legal framework generally allows for competitive balloting in practice, though the nine-member National Electoral Council (CNE)—which oversees the conduct of the country's elections, including the financing of political campaigns and the counting of votes—has faced criticism for ineffective enforcement of electoral laws, blamed in part on the partisan selection system for its members.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Colombia's historically rigid two-party system has undergone a protracted process of realignment and diversification in recent years. The 2018 elections brought into the legislature a relatively balanced mix of parties—some of which remain focused on leading

personalities—from the left, right, and center. Nonetheless, this balance, coupled with intra-party splits, left Duque without a stable majority in either legislative chamber.

The FARC, whose acronym now stands for Common Alternative Revolutionary Force, officially reorganized as a political party in 2017 and was allowed to participate in the 2018 elections. While its candidates faced threats and attacks, the congressional seats it received under the peace accord gave it far more representation than it would have earned through normal voting.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Democratic transfers of power between rival parties is routine at both the national level and in the regions, though significant areas remain under the long-term control of machine-style political clans with ties to organized crime. Petro's performance in the 2018 presidential election marked the strongest showing for the political left in a modern presidential campaign, demonstrating the viability of a broader range of candidates for high-level office. Similarly, a number of candidates from outside traditional parties were able to win regional-level races in 2019.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Despite the peace accord with the FARC, activity by the smaller National Liberation Army (ELN) leftist guerrilla group, the successors of previously disbanded right-wing paramilitary groups, and criminal gangs has continued to impair the ability of citizens in some areas to participate freely in the political process, as evidenced by the attacks during the 2019 regional campaigns.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

While progress remains slow, the government has undertaken a series of steps to incorporate indigenous and Afro-Colombian voices into national political debates in recent years. The 2016 peace accord included provisions for improving consultation mechanisms for marginalized groups.

Women enjoy equal political rights, and at least 30 percent of the candidates on party lists must be women. About 20 percent of the seats in each congressional chamber are currently held by women.

In October 2019, Green Alliance candidate Claudia López won the mayorship of Bogotá, becoming the city's first woman and first openly gay mayor.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Elected officials generally determine government policy without interference. However, the Colombian state has long struggled to establish a secure presence in all parts of its territory, meaning threats from guerrilla groups and criminal gangs can disrupt policymaking and implementation in certain regions and localities.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption occurs at multiple levels of public administration. Graft scandals have emerged in recent years within an array of federal agencies, but investigations do result in

convictions, including against senior officials. Numerous members of the two Uribe administrations (2002–10) were convicted of corruption, trading favors, and spying on political opponents.

A multicountry bribery scandal centered on the Brazilian construction firm Odebrecht led to charges in 2017 against two senators and multiple former legislators and bureaucrats. The November 2018 death of Jorge Enrique Pizano, a key witness in the Odebrecht investigation, followed three days later by the poisoning death of his son, remained mysterious throughout 2019. Scrutiny of regional politicians by the national attorney general and inspector general has increased, and multiple officials, especially regional politicians, were suspended or faced corruption or other malfeasance charges during the year.

C3. Does the government operate with openness and transparency? 3 / 4

Government information is generally available to the public, though information related to military and security affairs can be difficult to access. Congress maintains an online platform on which legislators can voluntarily publish financial disclosures. A proposal that was put to a referendum in 2018 would have committed lawmakers to passing a set of reforms meant to establish far-reaching increases in government transparency and combat corruption. Although support for the measures was nearly unanimous, turnout narrowly failed to reach the one-third of registered voters necessary for the outcome to be binding.

CIVIL LIBERTIES: 37 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

The constitution guarantees freedom of expression, and opposition views are commonly aired in the media. However, journalists face intimidation, kidnapping, and violence both in the course of reporting and as retaliation for their work. Dozens of journalists have been murdered since the mid-1990s, many of them targeted for reporting on drug trafficking and corruption. The government has prosecuted several notorious cases of murdered journalists in recent years, but convictions are rare, and the statute of limitations has expired for many cases. Local press watchdog Foundation for Press Freedom registered 491 attacks on press freedom during the year, including two murders and 44 attacks linked to the regional elections as well as dozens of violations during the late-year protests.

Self-censorship is common, and slander and defamation remain criminal offenses. The government does not restrict access to the internet, nor does it censor websites. Twitter and other social media platforms have become important arenas for political discourse, but large areas of Colombia remain without local news coverage.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides for freedom of religion, and the government generally respects this right in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected. University debates are often vigorous, though armed groups maintain a presence on some campuses to generate political support and intimidate opponents. In October 2018, tens of thousands of university students initiated the first major protests of the Duque administration, demanding increased funding for higher education. An agreement on greater education investment was reached in December, but a

variety of grievances prompted students to be among the most active protesters during the large-scale mobilizations in November and December 2019.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Individual expression is generally protected in major urban centers, but it remains inhibited in more remote areas where the state, insurgents, and criminals vie for control.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

Although provided for in the constitution, freedom of assembly is restricted in practice by violence. Dramatic protests in Bogotá and other cities, along with multiple accompanying incidents of vandalism and looting, transfixed the nation in November and December 2019. Although labor and pension reforms sparked the movement, protesters expressed a litany of grievances with government policies. The riot police, already known for moving aggressively to break up marches, were subject to numerous allegations of rights abuses, and the death of a 19-year old protester struck by a police-fired projectile became a rallying cry for protesters. The government responded to the unrest, blaming subversives and foreign provocateurs, but also entered into a national “conversation” with representatives of various social movements.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

The legal framework generally supports nongovernmental organizations, and civil society is diverse and active, but the threat of violent reprisal poses a major obstacle to freedom of association. While the government provides protection to hundreds of threatened human rights workers, trust in the service varies widely. Hundreds of activists have been murdered in recent years, mostly by the criminal organizations that succeeded right-wing paramilitary groups following a government-backed demobilization process in 2005.

Although the Duque administration has reiterated its respect for civil society groups, and in August 2018 signed an agreement committing the government to developing more effective protection policies, violations against activists have continued at a high level. We Are Defenders, a coalition of local and international rights groups, registered 59 murders of human rights defenders between January and June 2019; while this represented a decline from the 77 deaths during the same period the previous year, threats against activists rose by 75 percent. Land rights and victims’ rights campaigners in particular are threatened by former paramilitaries and other local actors seeking to deflect attention from assets acquired during the conflict and to halt the implementation of rural development programs.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers may form and join trade unions, bargain collectively, and strike, and antiunion discrimination is prohibited. Over the past two decades, Colombia’s illegal armed groups have killed more than 2,600 labor union activists and leaders. Killings have declined substantially from their peak in the early 2000s, though 34 unionists were murdered in 2018, according to the most recent available statistics. A special prosecutorial unit has substantially increased prosecutions for such assassinations since 2007, but few investigations have targeted those who ordered the killings.

F. RULE OF LAW: 9 / 16**F1. Is there an independent judiciary? 3 / 4**

The justice system remains compromised by corruption and extortion. The Constitutional Court and the Supreme Court have consistently exhibited independence from the executive, though corruption allegations involving Supreme Court justices that emerged in 2017 severely damaged the high court's credibility.

The Constitutional Court has repeatedly been asked to mediate polarizing political disputes, especially with respect to the Special Jurisdiction for Peace (JEP), a parallel court structure or tribunal that lies at the heart of the 2016 peace accord's transitional justice system. In March 2019 Duque stoked controversy by vetoing key elements of the law regulating the JEP, but the effort was rejected in both Congress and by the Constitutional Court. Tensions in 2019 were also sharp in relation to the Supreme Court cases against Uribe for bribery and witness tampering, an investigation Uribe has repeatedly referred to as persecution.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process protections remain weak, and trial processes move very slowly. However, in recent years the government has been able to assert state control over more territory, bringing basic due process rights to more people. The prosecutorial service is relatively professional, and long-delayed changes to the criminal procedure code that were intended to ameliorate extended pretrial detention took effect in 2017. The two key transitional justice bodies, the JEP and the Truth Commission, began operations in 2018; by late 2019 they had received testimony from thousands of people and amassed enormous volumes of evidence. However, uncertainty remains about the extent to which the bodies would be able to render a comprehensive historical and judicial accounting of Colombia's conflict.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Many soldiers operate with limited civilian oversight, though the government has in recent years increased human rights training and investigated violations by security forces personnel. Collaboration between security forces and illegal armed groups has declined, but rights groups report official toleration of paramilitary successor groups in some regions. The police are more professional than many in neighboring countries but lack necessary resources, are sometimes accused of colluding with criminals, and are largely absent from many rural areas where the most dangerous groups are active.

Civil-military relations have been a source of significant tension in recent years. A portion of the armed forces opposed the peace process, and the ability of accused human rights violators within the military to receive benefits under the transitional justice system is one of the most controversial elements of the process. The systematic killing of civilians to fraudulently inflate guerrilla death tolls resulted in as many as 3,000 murders by the military between 2002 and 2008. Such killings plummeted after the scandal was exposed, but in May 2019 the *New York Times* reported that the military was again emphasizing body counts, with a corresponding rise in extrajudicial executions. The military was buffeted by several additional scandals, including corruption allegations that led to the firings of five high-ranking generals and the revelation that an August bombing of a FARC encampment had killed eight minors. The accumulated controversies resulted in the forced resignation of defense minister Guillermo Botero in November and army chief Nicacio Martínez in December.

Some parts of the country, particularly resource-rich zones and drug-trafficking corridors, remain highly insecure. Remnant guerrilla forces—including both the ELN and dissident factions of the FARC—and paramilitary successor groups regularly abuse the civilian population, especially in coca-growing areas. Though the acreage under cultivation has stabilized, coca growing has reached historic highs in recent years. Impunity for crime in general is rampant, and most massacres that took place during the conflict have gone unpunished. In October 2019 the Supreme Court received testimony from Uribe in a closed hearing; aside from bribery and witness tampering, the former president also faces numerous other investigations, including his ties to murderous paramilitaries.

A steady trickle of former FARC combatants have returned to clandestine life, in some cases joining the estimated 2,000 to 2,500 “dissidents” who had shunned the peace process in favor of criminal or insurgent activity. In August 2019, former second-in-command Iván Márquez and two other high-ranking FARC members officially announced their return to insurgency, alleging government failure to abide by the accord’s terms. Although observers characterize reintegration as the most successful aspect of the transition, more than 150 demobilized FARC members have been killed. Prospects for an accord between the government and the ELN grew more remote in 2019 following a January suicide car bombing of the police academy in Bogotá that left 21 people dead, for which the ELN accepted responsibility.

Despite these problems, violence overall has significantly subsided since the early 2000s. In 2017, the homicide rate declined to its lowest point in four decades—roughly 24 per 100,000 people—and the number of conflict-related victims plummeted as a result of the peace process. However, the national homicide rate rose slightly in 2018, 25 per 100,000 people, and appeared stable in the first half of 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The legal framework provides protections against various forms of discrimination based on gender, race and ethnicity, sexual orientation and gender identity, and other categories, and the government takes some measures to enforce these protections. Nevertheless, several vulnerable groups suffer serious disadvantages in practice.

Afro-Colombians, who account for as much as 25 percent of the population, make up the largest segment of the more than 7 million people who have been displaced by violence, and some 80 percent of Afro-Colombians live below the poverty line. Areas with concentrated Afro-Colombian populations continue to suffer from abuses by leftist guerrillas, security forces, and paramilitary successors.

Most of Colombia’s indigenous inhabitants, who make up more than 3 percent of the population, live on approximately 34 million hectares granted to them by the government, often in resource-rich, strategic regions that are highly contested by armed groups. Indigenous people have been targeted by all sides in the country’s various conflicts. In 2019, indigenous communities in the departments of Chocó, Cauca, Valle de Cauca, and Nariño suffered increasing violence and displacement perpetrated by the ELN, former FARC members, and paramilitary successors.

Women face employment discrimination and sexual harassment in the workplace, as well as gender-based violence. LGBT+ people suffer societal discrimination and abuse, and there are also high levels of impunity for crimes committed against them. According to a 2018 report by a consortium of international monitors, implementation of gender-related elements of the peace accords has lagged significantly.

More than a million Venezuelan migrants have entered Colombia since 2017, and the government has offered work permits and access to services to those who register. The influx created increasing strain in 2019, especially following the November protest eruption, but the government continued efforts at accommodation, including by guaranteeing Colombian citizenship for children of Venezuelans born in Colombia. ELN members and FARC dissidents operate from Venezuelan territory, resulting in additional tensions; in October the head of Colombia's military intelligence was forced to resign after Duque addressed the UN while wielding a report alleging Venezuelan collusion that turned out to include false information.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement has improved substantially in tandem with the peace process, but it remains restricted by ongoing violence in certain regions, particularly for vulnerable minority groups. Travel in some remote areas is further limited by illegal checkpoints operated by criminal and guerrilla groups.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Violence and instability in some areas threaten property rights and the ability to establish businesses. Guerrillas, paramilitary successor groups, and common criminals regularly extort payments from business owners. Corruption as well as undue pressure exerted on prosecutors and members of the judiciary can disrupt legitimate business activity.

Progress remains slow on the implementation of the landmark 2011 Victims and Land Law, which recognized the legitimacy of claims by victims of conflict-related abuses, including those committed by government forces. While affected citizens continue receiving compensation, the legal process for land restitution is heavily backlogged, and the resettlement of those who were displaced during the conflict continues to move slowly, with the Duque administration demonstrating little will to accelerate the process.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms, such as those related to marriage and divorce, are largely respected. In 2016, after several years of contradictory judicial and administrative decisions regarding same-sex unions, the Constitutional Court voted to legalize them. The court had legalized adoptions by same-sex couples in 2015. In October 2018 the Constitutional Court reaffirmed a 2006 ruling that allowed abortion in cases of rape or incest, severe fetal malformation, or a threat to the life of the mother, but Congress's refusal to pass implementing regulations created confusion in the health care sector. Gender-based violence in Colombia has included thousands of rapes associated with the civil conflict, with perpetrators generally enjoying impunity. Several of the cases focused on by the JEP in 2019 could result in accountability for conflict-related sexual violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Child labor, the recruitment of children by illegal armed groups, and related sexual abuse are serious problems in Colombia; recruitment has declined but not ended since the peace accord. A 2011 free trade agreement with the United States and a subsequent Labor

Action Plan called for enhanced investigation of abusive labor practices and rights violations, but progress remains deficient in several areas. In coca-growing zones, armed groups exert coercive pressure on farmers to engage in coca cultivation and shun crop-substitution programs.

Comoros

Population: 900,000

Capital: Moroni

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Comoros's volatile political history includes a number of coups and attempted coups, though recent presidential and legislative elections have been reasonably well administered. In 2018, a controversial referendum ushered in a number of major systemic changes, and opponents of the referendum and its main proponent, President Azali Assoumani, were severely persecuted. Systemic corruption and poverty remain problems.

KEY DEVELOPMENTS IN 2019

- President Azali won a new term in a March election that opposition candidates and election monitors did not consider credible. The Supreme Court barred seven candidates ahead of the poll, and two opposition leaders who participated in a transitional council meant to force Azali out of office were arrested in the days following the vote.
- The Comorian government continued restricting press activity, detaining five journalists in the first four months of the year; three of them were subsequently released, though one was subjected to degrading treatment while in custody. The government also seized editions of two newspapers and seized the printing press of a third, prompting a media boycott of government events in early April.
- Authorities launched a crackdown on social media sites during the presidential contest, questioning individuals for their online activity. The government also shut telecommunications services down for one day in late March.

POLITICAL RIGHTS: 18 / 40 (-3)

A. ELECTORAL PROCESS: 6 / 12 (-2)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4 (-2)

Under the 2001 constitution, the president was directly elected for a single five-year term, with eligibility rotating among the main islands of Grande Comore (Ngazidja), Anjouan, and Mohéli. However, a new constitution, approved in a controversial 2018 referendum that was boycotted by the opposition, allows the president to run for two consecutive five-year terms, and abolished the system of rotating power among the islands. The referendum allowed President Azali Assoumani of the Convention for the Renewal of the Comoros (CRC) to contest the March 2019 presidential election.

The Supreme Court barred seven contestants from participating ahead of election day, including former president Ahmed Abdallah Mohamed Sambi. On election day, the 12

opposition candidates reported that some polling stations opened several hours early, with full ballot boxes. Acts of violence and intimidation were also reported in some regions.

The Independent National Electoral Commission (CENI) initially reported that Azali won the election in the first round, with 60.8 percent of the vote, while Ahamada Mahamoudou of the Juwa Party won 14.6 percent; in early April, the Supreme Court validated results stating that the president earned 59 percent of the vote. The 12 opposition candidates immediately rejected the results. Observers from the African Union (AU), the Common Market for Eastern and Southern Africa (COMESA), and the East Africa Standby Force (EASF), an AU-backed regional defense organization, warned the contest was not credible, saying it was marred by irregularities and opacity.

Score Change: The score declined from 3 to 1 due to serious irregularities surrounding the year's presidential election, including evidence of electoral fraud, the banning of opposition candidates, and the questionable legal basis for the vote itself.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The unicameral Assembly of the Union consists of 33 members, 9 selected by the assemblies of the three islands and 24 by direct popular vote, who serve five-year terms. In the 2015 legislative election, the Union for the Development of Comoros (UPDC) won 11 seats, Juwa 10, the Democratic Rally of the Comoros (RDC) 4, and the CRC 2; the remaining seats were split between smaller parties and independent candidates. Although international observers said it was a calm and transparent election, the polls were marred by accusations of fraud, and of misuse of state resources by then president Ikililou Dhoinine's UPDC.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The CENI, while historically able to run credible elections, has faced accusations of bias and corruption among its members. In 2016, CENI president Ahmed Djaza and three other members were detained for embezzlement, though Djaza was reelected as its president in 2017.

The disputed constitutional referendum held in 2018, which the CENI said passed with 93 percent of the vote, was marred by an opposition boycott. Opposition groups denounced it as an unconstitutional power grab by Azali, and said Azali's dismissal of the Constitutional Court ahead of the vote rendered it illegal. There were also allegations of voter intimidation and fraud. Later, upon facing growing dissent in the parliament, Azali dismissed the CENI's top opposition representative.

The new constitution allows the president to run for two consecutive terms, abolished the system of rotating power among the islands, abolished the three vice-presidential posts (one representing each island), and declares Sunni Islam as the national religion. It also transferred the competencies of the Constitutional Court, which was seen as impartial in deciding electoral matters, to a new chamber of the Supreme Court.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16 (-1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Political parties are mainly formed around specific leaders and draw on island or ethnic bases of support. In the past, parties have generally been able to operate freely, though the

government occasionally disrupted opposition parties' activities by denying them meeting and assembly space.

However, 2018 was marked by a crackdown on opposition figures who publicly criticized that year's constitutional referendum. That December, two dozen opposition figures received prison sentences for opposing the referendum or the president, including former vice president Djaffar Said Ahmed Hassane and Juwa secretary general Ahmed el-Barwane. El-Barwane was among 17 opposition figures who were pardoned by Azali in May 2019.

While Azali pardoned some opposition politicians in 2019, his government maintained pressure on others in the aftermath of the March election. Presidential candidates Achmet Said Mohamed and Soilihi Mohamed were briefly detained in late March, though both were later released. Soilihi led a National Transitional Council (CNT) that unsuccessfully attempted to force Azali from his post through civil disobedience and industrial action; Soilihi agreed to refrain from further involvement after his release in early April. Opposition party members also faced a crackdown in the days after the presidential vote, with security forces dispersing rallies on Grande Comore and Anjouan.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

In the past, Comoros's numerous opposition parties have seen a realistic chance of gaining power through elections, though they were impeded by occasional government interference in their operations. Allegations of misuse of state resources by incumbents were not uncommon. However, the arrests, convictions, and harsh sentences against opposition leaders who spoke out against the constitutional referendum and the president in 2018 hamper the ability of opposition parties to compete in elections, including the March 2019 presidential contest.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4 (-1)

While individuals are generally free to exercise their political choices, the influence of Comoros's powerful army—which cracked down on dissent during the 2018 constitutional referendum—as well as of religious authorities can place pressure on voters and candidates.

The army was used to intimidate and detain opposition figures during and after the 2019 presidential campaign. Gendarmes were deployed to arrest Soilihi after he announced his involvement in the CNT in late March. Gendarmes also detained at least one member of Soilihi's campaign team and interrogated the spouse of presidential candidate Achmet, who served as a CNT spokesperson, in April.

Score Change: The score declined from 3 to 2 because of the government's continued use of the military to intimidate voters, opposition candidates, and their supporters.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

There are no laws preventing various segments of the population from having full political rights and electoral opportunities. However, traditional attitudes discourage women from participating in politics, and women won just two seats in the legislature in the 2015 election. Legal and societal discrimination against LGBT+ people makes political advocacy for LGBT+ rights difficult.

C. FUNCTIONING OF GOVERNMENT: 4 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4**

According to the constitution, the president decides on the policies of the state, which are executed by the government. However, irregular activity in the legislature has hampered representative policymaking in recent years. In 2015, the newly installed Assembly of the Union chose its president in an irregular election that sparked accusations of an “institutional coup” from the opposition. During the vote, opposition members were prevented from accessing the chamber, at times through the intervention of security forces. The opposition parties, deeming the election illegitimate, unsuccessfully brought a case calling for the dismissal of the assembly president to the Constitutional Court.

C2. Are safeguards against official corruption strong and effective? 1 / 4

There are reports of corruption at all levels, including within the judiciary, civil service, and security forces. The Azali administration dissolved the National Commission for Preventing and Fighting Corruption (CNPLC) in 2016.

In 2018, former president Sambu was arrested for corruption, embezzlement of public funds, and forgery in connection with a large-scale passport sales scheme. A parliamentary report revealed that the plan had cost the country up to \$971 million. Sambu remained under house arrest at the end of 2019.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations are characterized by a lack of transparency. Various reform initiatives have so far not successfully addressed the problem. Financial asset disclosures by public officials are not released to the public. Comoros provides the public with no opportunities to engage in the budget process.

CIVIL LIBERTIES: 26 / 60 (-3)**D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16 (-2)****D1. Are there free and independent media? 1 / 4 (-1)**

The constitution and laws provide for freedom of speech and of the press. However, the use of censorship laws to prosecute legitimate journalistic work, and other pressure, has prompted widespread self-censorship. Press freedom was restricted in 2018, with the closings of private radio stations as criticism of Azali and the constitutional referendum gained traction. Journalist Faïza Soulé Youssouf was also arrested that October, while covering opposition protests.

The Azali government continued to restrict press activity and detain journalists in 2019. In February, two reporters for local news organization FCBK FM were arrested on charges including defamation, incitement to violence, and offense against the head of state, and were kept in pretrial detention. In late March, gendarmes accused Toufé Maecha, editor in chief of newspaper *Masiwa Komor*, of espionage after he inquired about government arrests during the election campaign. The International Union of the Francophone Press (UIPF) reported that Toufé, who was released after six hours, was forced to undress during his detention. Two French journalists covering the aftermath of the March election were arrested in April. They were released two days later, but their local press cards were withheld and they committed to leave Comoros later that month. Authorities also seized copies of two newspapers and seized the printing press of a third in late March and early April, prompting Comorian journalists to boycott coverage of government events for two weeks.

Score Change: The score declined from 2 to 1 due to the arrests, intimidation, and censorship of journalists before and after the presidential election.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is the state religion, and 98 percent of the population is Sunni Muslim. Sunni Islam was made the state religion in 2018, resulting in wariness of the government among adherents of minority religions. Previously, the state religion had been “Islam”; some observers suggested the change reflected efforts by Azali to bring the country closer to Saudi Arabia, and to counter the influence of a rival, former president Sambu, who is seen as close to Iran.

Anti-Shia sentiments have been publicly expressed by some government figures, while many Christians keep their faith private in order to avoid harassment. Proselytizing and public religious ceremonies are prohibited for all religions except Sunni Islam.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Comoros has two types of schools: madrassas, where the Quran is integral, and state-run schools with French instruction. Academic freedom is generally respected, though the education system is sometimes affected by unrest from student protests and teacher strikes.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4 (-1)

Private discussion is generally free. However, the legacies of the country’s volatile political history, which involves a number of coups and attempted coups, as well as the crackdown on the opposition that surrounded the 2018 referendum, can discourage people from openly discussing politics in some situations. This situation worsened during the 2019 presidential campaign, with the government monitoring social media services including Facebook and Twitter; individuals were reportedly questioned by the authorities over their social media activity during this period. The government also shut the country’s telecommunication services down for one day in March 2019, limiting Comorians’ ability to access the internet.

Score Change: The score declined from 3 to 2 because reports of surveillance, a short telecommunications shutdown, and social media monitoring during the election period encouraged self-censorship in Comoros.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 1 / 4

Freedoms of assembly and association are protected by the constitution, but these freedoms have been inconsistently upheld, and deteriorated significantly since 2018.

Opposition parties organized rallies during the run up to and aftermath of the March 2019 presidential election, but government forces violently dispersed these events. At least one person was killed and another 12 were injured when a rally in Anjouan was dispersed in late March.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Nongovernmental organizations (NGOs) at times face bureaucratic interference, including requirements to secure permits from high-level officials in order to visit prisons. Some

NGO representatives have spoken out against the atmosphere of repression in recent years, but did so at some risk in light of the broad crackdown on dissent.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers have the right to form unions, bargain collectively, and strike. In cases of national interest, the government may require essential personnel to return to work. No law prohibits antiunion discrimination or protects workers from retribution for striking. There are some laws that impose mandatory arbitration processes for labor disputes.

F. RULE OF LAW: 6 / 16 (-1)

F1. Is there an independent judiciary? 1 / 4

The judicial system is based on both Sharia (Islamic law) and the French legal code. Though the law establishes mechanisms for the selection of judges and attorneys, the executive branch often disregards these and simply appoints people to their positions. Court decisions are not always upheld.

The 2018 referendum abolished the Constitutional Court and established a new constitutional chamber of the Supreme Court. This new chamber ruled in favor of the government during the run up to the March 2019 presidential election by barring several candidates from running and by validating its results, despite widespread concerns that the vote was marred by irregularities.

F2. Does due process prevail in civil and criminal matters? 1 / 4 (-1)

All defendants have the right to a fair public trial, but they often face lengthy delays. Corruption can prevent guarantees of due process. Opposition members and presidential candidates were also denied due process in 2019; candidates Achmet and Soilihi were arrested for their involvement in the CNT in late March, and some supporters also faced detention and questioning. Former president Sambí's pretrial detention period ended in April 2019 with no progress on pending corruption charges, but his lawyer reported that the former president still remained under house arrest at year's end.

Score Change: The score declined from 2 to 1 due to arbitrary arrests and the absence of legal procedures surrounding the detentions of opposition leaders.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The law prohibits the illegitimate use of physical force, but security agents have engaged in excessive force, and are generally not held accountable for such behavior. There are questions about the will or capacity of the army to identify and punish abuses within its ranks.

Violence also occurred during the run up to the 2019 presidential election. In early March, President Azali was reportedly targeted in a bombing while traveling to a campaign rally. No one was injured, and authorities subsequently arrested four people.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The law provides for equality of persons. However, same-sex sexual activity is illegal, with punishments of a fine and up to five years in prison. Few women hold positions of responsibility in business, outside of elite families. Laws requiring that services be provided for people with disabilities are not well enforced.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The constitution and law provide for freedom of movement, both internally and externally. While these rights are generally respected by the government, in practice, poverty frequently prevents travel between the islands as well as access to higher education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

In accordance with civil and some customary laws, women have equal rights in inheritance matters. Local cultures on Grande Comore and Mohéli are matrilineal, with women legally possessing all inheritable property. However, this is complicated by the concurrent application of Sharia, interpretations of which can limit gender equality. In addition, a poor system of land registration and women's difficulties in securing loans hampers women's right to own land.

Endemic corruption and a lack of a culture of transparency hampers normal business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Early and forced marriages have been reported in Comoros. The law prohibits domestic violence, but courts rarely fine or order the imprisonment of convicted perpetrators, and women and children rarely file official complaints. Sexual violence and workplace harassment are believed to be widespread, but are rarely reported to authorities.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The Comorian economy, which is primarily agricultural, relies heavily on remittances from Comorian citizens in France. Many young people struggle to find sustainable opportunities for employment. Poverty has driven many people to attempt the dangerous trip to Mayotte, a French territory, in flimsy boats known as kwassa-kwassa.

Government efforts to identify and prosecute human trafficking are minimal, and trafficking cases, if addressed, are often done so through informal mediation processes. At times, these mechanisms have facilitated the return of trafficking victims to traffickers.

Congo, Republic of (Brazzaville)

Population: 5,400,000

Capital: Brazzaville

Freedom Status: Not Free

Electoral Democracy: No

Overview: President Denis Sassou Nguesso has maintained power for more than three decades by severely repressing the opposition. Corruption and decades of political instability have contributed to poor economic performance and high levels of poverty. Abuses by security forces are frequently reported and rarely investigated. While a variety of media operate, independent coverage is limited by widespread self-censorship and the influence of owners.

Human rights and governance-related nongovernmental organizations (NGOs) scrutinize state abuses, but also self-censor to avoid reprisals. Religious freedom is generally respected.

KEY DEVELOPMENTS IN 2019:

- In March, André Okombi Salissa, a former presidential candidate and key opposition leader, was sentenced to 20 years of forced labor on charges of threatening state security.
- Opposition activist Augustin Kala Kala died in May. His colleagues suggested that his death was due to lingering injuries sustained when he had been arrested and tortured in 2016.

POLITICAL RIGHTS: 2 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is directly elected to five-year terms. The 2002 constitution restricted the president to two terms and set an age limit of 70. However, an October 2015 constitutional referendum proposed by the president removed age and term-limit restrictions on the presidency so that President Denis Sassou Nguesso could run again. The referendum passed, amidst widespread protests and claims of fraud.

Sassou Nguesso has held power since 1979, with the exception of a five-year period in the 1990s. In March 2016, he secured a third presidential term since reclaiming power in 1997, winning 60 percent of the vote in an election marked by fraud, intimidation, and an internet shutdown.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Congo's parliament consists of a 72-seat Senate and a 151-seat National Assembly. Councilors from every department each elect senators to six-year terms. National Assembly members are directly elected to five-year terms.

The July 2017 legislative elections were boycotted by several opposition parties amid credible allegations that the vote would be rigged. Sassou Nguesso's Congolese Labor Party (PCT) claimed 96 of 151 seats, and its allies won 12, in a process tainted by widespread fraud and low voter turnout. Elections were indefinitely postponed in nine districts in the Pool Region, where the military had been engaged in a campaign against a rebel group accused of launching attacks on the capital.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The 2015 constitutional referendum to increase presidential term limits consolidated the PCT's dominance of the political system by allowing Sassou Nguesso to run for a third term. Elections are administered by the Independent National Electoral Commission (CENI), which was established in 2016 and is widely regarded as an instrument of presidential authority.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Political groupings exist, but the government represses those not aligned with the PCT, including by persecuting their leaders. In July 2016, opposition leader Paulin Makaya of the United for Congo (UPC) party was sentenced to two years in prison following his arrest on charges of inciting disorder over his participation in protests against the 2015 constitutional referendum. Makaya was released in September 2018 but police have blocked him from boarding international flights at least twice since.

Sassou Nguesso's two most prominent opponents in the 2016 presidential election have each been sentenced to 20 years in prison since then. In March 2019, André Okombi Salissa, who had led an opposition coalition called the Initiative for Democracy in Congo (IDC), was sentenced to 20 years of forced labor for allegedly threatening state security. In 2018, retired general Jean-Marie Michel Mokoko was sentenced to 20 years in prison for the same charge.

Political parties are sometimes denied registration without cause. During the 2017 legislative campaign, the Yuki party was denied official party status, forcing its candidates to run independently.

The government banned private campaign contributions in 2016, leaving opposition parties and candidates dependent on limited public financing.

In May 2019, prominent professor and opposition figure Augustin Kala Kala was found dead. Kala Kala had been arrested and tortured in 2016 for his outspoken support of Okombi Salissa's candidacy, and colleagues suggested that his death was linked to lingering injuries inflicted during that time.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

There is little opportunity for the opposition to gain power through elections, and opposition leaders frequently experience harassment, intimidation, and arrest. Two of Sassou Nguesso's rivals in the 2016 presidential race—Mokoko and Okombi Salissa—were repeatedly harassed during the election campaign, and Mokoko was incarcerated in June 2016 and Okombi Salissa in January 2017.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The Sassou Nguesso government routinely uses military and police forces to intimidate citizens. Employers engage in widespread discrimination in hiring and regarding other decisions, based on political beliefs.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Although there are no legal restrictions on political participation by religion, gender, sexual identity, or ethnic group, members of Sassou Nguesso's northern Mbochi ethnic group control key government posts. Insofar as the government includes representatives from other regional and ethnic groups, their ability to shape policy is very limited. The government also routinely suppresses political parties that draw support from Congo's southern regions, which have long opposed Sassou Nguesso.

Women are underrepresented in government, holding just 15 of 151 seats in the National Assembly and 14 of 72 seats in the Senate. In 2017, a new 35-member cabinet was selected, of which 8 members are women. Societal constraints limit women's political participation in practice.

C. FUNCTIONING OF GOVERNMENT 0 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

Government policy is set by President Sassou Nguesso, who was reelected in a deeply flawed process in 2016. There is little oversight from the parliament, which is dominated by the ruling PCT and protects the executive from accountability.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is endemic, and domestic prosecutions for corruption are often politically motivated. The president's family and advisers effectively control the state oil company without meaningful oversight, and offshore companies are allegedly used to embezzle funds from the company. Sassou Nguesso's family was dogged by credible allegations of corruption throughout 2019 by several prominent nongovernmental organizations and journalists, prompting demands accountability for accountability from civil society.

In response to pressure from the International Monetary Fund (IMF) authorities in early 2018 arrested the official in charge of public procurement at the Treasury, while Sassou Nguesso that September dissolved two existing anticorruption bodies and approved the establishment of a new one, the High Authority for the Fight against Corruption. However, these efforts appeared to be more a drive to secure an IMF bailout than an effort to address systemic corruption or establish more effective anticorruption institutions.

C3. Does the government operate with openness and transparency? 0 / 4

Government operations are opaque. Although the constitution guarantees access to information, there is no implementing legislation, nor is there a specific law mandating public access to official information. Public procurement procedures are nontransparent. Authorities generally do not publish draft legislation or regulations.

CIVIL LIBERTIES: 18 / 60 (-1)**D. FREEDOM OF EXPRESSION AND BELIEF 7 / 16****D1. Are there free and independent media? 1 / 4**

While the constitution provides for freedom of speech and press, the government routinely pressures, threatens, and incarcerates journalists. While there are numerous media outlets, many are owned by government allies who influence their coverage. Widespread self-censorship among journalists discourages independent reporting in practice.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Although religious freedom is generally respected, pastors are reticent to make statements that could be construed as hostile to the Sassou Nguesso government. In 2015, the government banned the wearing of the niqab, the full face veil, in public, citing concerns about security and terrorism.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is tenuous. Most university professors avoid discussions of or research on politically sensitive topics. In October 2018, the government announced that it would ban a book, published in Paris, about widespread human rights abuses perpetrated by the military in the Pool Region between 2016 and 2017. Separately, in February 2018, there

were reports of the arrest of a student union leader, after the union called on the government to pay overdue stipends.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

The government reportedly surveils electronic communications of private individuals, and those who speak out against the government are occasionally arrested.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12

E1. Is there freedom of assembly? 1 / 4

The government restricts freedom of assembly. Groups must receive official authorization from local and federal authorities to hold public assemblies, and permission is routinely denied. Government forces sometimes employ violence against protesters or disperse assemblies.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4 (-1)

Although the constitution guarantees freedom of association, NGOs must register with the Ministry of Interior. Those critical of the government often encounter a more burdensome registration process. Arbitrary arrests of civil society figures have continued in recent years, contributing to a reduction in activity. Groups still operating commonly curtail reporting on human rights abuses, or word criticism of authorities carefully, in order to avoid reprisals or harassment.

In March 2019, the offices of a Brazzaville-based group focused on the rights of prisoners was burglarized, with organizers saying they suspected the burglary was an intimidation tactic designed to prevent them from working. In May, the head of the Congolese Observatory for Human Rights was prevented from leaving the country to attend a conference in Kenya; authorities cited spurious regulatory grounds involving alleged nonpayment of social security taxes.

Score Change: The score declined from 2 to 1 due to a multiyear pattern of ongoing restrictions and intimidation against groups that report on rights abuses or scrutinize the government.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Although union rights are nominally protected, laws protecting union members are not always enforced. The government has intervened in labor disputes by harassing and arresting laborers and pressuring union leaders, particularly against the country's largest labor union, the Congolese Trade Union Confederation (CSC).

F. RULE OF LAW 1 / 16

F1. Is there an independent judiciary? 0 / 4

Congo's judiciary is dominated by Sassou Nguesso's allies, crippled by lack of resources, and vulnerable to corruption and political influence. In 2015, the Constitutional Court's confirmation of the constitutional referendum results was viewed as a rubber-stamp approval of Sassou Nguesso's efforts to remain in power.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Defendants, including the government's political opponents, are routinely denied due process. Arbitrary arrests and detentions are common, despite being prohibited by the

constitution. Other fair-trial rights guaranteed by law, including the right to legal assistance for those who cannot afford it, are not always honored in practice.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Citizens in some neighborhoods are at risk of intimidation and violent crime by groups of young men known as *bébés noirs*. There have also been reports of arbitrary arrests and physical abuses by police attempting to curb the activities of such groups. Reports of human rights violations by security forces are generally not investigated by the government.

In July 2018, 13 young men were killed after being detained at a Brazzaville police station. The Congolese Observatory of Human Rights said the youths were “tortured and executed,” and condemned the ensuing police investigation as grossly inadequate.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Employment discrimination against women persists. Refugees and other foreign workers are prevented by the government from holding certain jobs, and refugees sometimes face harassment and arrest by authorities.

While no law specifically prohibits same-sex sexual relations between adults, LGBT+ people experience occasional harassment from the police.

Minority ethnic groups experience severe discrimination in employment, housing, and education. Some communities often live in substandard housing on the outskirts of villages, and occasionally are targeted in acts of violence committed by members of the majority Bantu population.

The government exhibits widespread discrimination against residents of Congo’s southern regions. They are routinely denied high-paying jobs in the public sector, as well as admission to the public university.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Although private citizens generally enjoy freedom of movement, activists and opposition leaders can face restrictions and confiscation of their passports.

The 2016–17 conflict in Pool led to the displacement of many of its residents. An estimated 81,000 people left their homes, and many remain displaced.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Legal protections for business and property rights can be undermined by bureaucracy, poor judicial safeguards, and corruption. The government directly or indirectly controls property in key industries such as oil, minerals, and aviation.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Violence against women, including domestic violence and rape, is widespread, but rarely reported. There are no specific laws forbidding domestic violence other than general assault statutes.

Men are legally considered the head of the household, and divorce settlements are thus skewed against women. Adultery is illegal for both men and women, but women convicted of the crime face a potential prison sentence, while the penalty for men is a fine.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Congo is a source and destination country for human trafficking, and allegations of complicity have been lodged against government officials. However, the US State Department reported in its 2019 *Trafficking in Persons* report that authorities had taken some efforts to address the problem, including assisting victims and increasing training for police.

According to local NGOs, members of minority groups have been conscripted into forced farm labor by members of the Bantu ethnic majority. Child labor laws are reportedly not effectively enforced.

Congo, Democratic Republic of (Kinshasa)

Population: 86,800,000

Capital: Kinshasa

Freedom Status: Not Free

Electoral Democracy: No

Overview: The political system in the Democratic Republic of Congo (DRC) has been paralyzed in recent years by the manipulation of electoral laws and process by political elites. Citizens are unable to freely exercise basic civil liberties, and corruption is endemic throughout the government. Physical security is tenuous due to violence and human rights abuses committed by government forces, as well as armed rebel groups and militias that are active in many areas of the country.

KEY DEVELOPMENTS IN 2019

- In January, the Independent National Electoral Commission (CENI) declared that Félix Tshisekedi defeated the opposition bloc's candidate, Martin Fayulu, 38.6 to 34.8 percent, in the December 2018 presidential election. The poll was marred by widespread international and domestic criticism of voter suppression and electoral fraud.
- Tshisekedi took over as president in January from Joseph Kabila, whose last term had officially expired in 2016. Tshisekedi, head of an on-again-off-again opposition party, was widely presumed to have come to power via a backroom deal that gave him the win in exchange for his participation in outgoing president Kabila's ruling-party coalition.
- President Tshisekedi publicly affirmed civil rights and political liberties in speeches since taking office, and opposition and civil society groups have been able to operate more freely since the election period concluded. However, media closures, arrests of journalists, impunity in courts have also continued.

POLITICAL RIGHTS: 4 / 40 (+1)

A. ELECTORAL PROCESS: 1 / 12 (+1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

According to the constitution, the president is chief of state and is elected for a maximum of two five-year terms. The prime minister is head of government, and is formally appointed by the president.

Former president Joseph Kabila overstayed his constitutional mandate by two years, leaving the DRC without an elected head of government for a period starting in late 2016. A contentious Constitutional Court ruling that year allowed him to remain in office until a successor was in place, and the CENI later canceled the year's mandated general elections, citing violence along with logistical and other issues. Elections were repeatedly postponed by the CENI, despite mediation efforts by the Roman Catholic Church's National Episcopal Conference of Congo (CENCO), and ultimately not held until December 30, 2018.

In January 2019, the CENI declared that Félix Tshisekedi had defeated the opposition bloc's candidate, Martin Fayulu, 38.6 to 34.8 percent, amid widespread international and domestic criticism of voter suppression and electoral fraud. Tshisekedi, head of an on-again-off-again opposition party, was widely presumed to have come to power via a backroom deal that gave him the win in exchange for participating in outgoing president Kabila's ruling-party coalition. Throughout much of the electoral process, Kabila's coalition, the Common Front for Congo (FCC), had backed Emmanuel Ramazani Shadary, but Shadary held little popular support. The arrangement to replace Shadary made Tshisekedi a conduit for Kabila to retain significant political power while formally exiting the presidency. Several opposition candidates were barred from competing in the poll.

The CENI announced its satisfaction with the elections, but CENCO stated that the CENI's results "do not correspond to the data collected by our observation mission," and CENCO's tally—reportedly reviewed by multiple independent auditors—supported their contention that Fayulu won the elections, with around 60 percent of the vote. An internet shutdown from December 31 to January 11, suspension of text messaging services, and the expulsion of some foreign journalists during this time obstructed accurate reporting on the aftermath of the vote. Moreover, CENI only released its national tally, further preventing observers from assessing where tampering occurred.

Observers from the Catholic Church and the civil society coalition Synergy of Citizen Election Observation Missions (SYMOCEL) reported massive fraud and irregularities in voting, and the African Union (AU) also expressed serious doubts about the result. Foreign election observers were not permitted to operate. Citizens in three opposition areas—Beni territory and Butembo in North Kivu Province and Yumbi in Mai-Ndombe Province—were prevented from voting, officially for security and public health concerns; residents viewed the decision as politically motivated. This restriction disenfranchised 1.2 million voters. CENI's official results reported a margin of victory that was a little over half the number of voters disenfranchised in opposition areas.

CENCO reported widespread violations of ballot-validation procedures, large vote-counting discrepancies, and confusion over the locations of vote-counting centers. Many polling stations were closed or opened late, and results were not publicly posted at some sites, in violation of electoral law. Election observers were denied access to polling stations in some cases.

In May 2019, months after Tshisekedi took office, Sylvestre Ilunga Ilukamba, a Kabila ally, was appointed prime minister. In August 2019, Tshisekedi formed a power-sharing government with the FCC.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4 (+1)

The DRC has a bicameral national legislature with a 500-seat National Assembly directly elected for five-year terms, and a 108-seat Senate elected by provincial assemblies. Senators hold a five-year mandate. The DRC's 715 provincial legislators elect national senators and provincial governors. Eight Senate seats are reserved for customary chiefs.

National Assembly elections were held concurrently with the presidential vote in December 2018, and were also criticized as deeply flawed. Kabila's coalition took 341 out of 500 seats, Fayulu's opposition coalition took 112 seats, and Tshisekedi's coalition took only 47 seats. Because elections were postponed until March 2019 in opposition areas of Beni, Butembo, and Yumbi, voters in these areas were prevented from influencing the National Assembly race.

Senate elections were held in March 2019. Kabila's coalition took 91 out of the 101 elected Senate seats. Provincial elections, last held in December 2018, were compromised by vote buying, so national senators are not freely elected. As a former president, Kabila holds a lifetime Senate appointment, and remains the leader of the majority.

The electoral mandate of the previous National Assembly had expired in 2016. Provincial assembly elections were last held in 2006, and Senate elections were last held in 2007.

Score Change: The score improved from 0 to 1 because elections to both legislative houses held in 2018 and 2019, while severely flawed, ended a period in which the incumbent legislature had operated with no electoral mandate.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The country's electoral framework does not ensure transparent elections in practice. Opposition parties and civil society frequently criticize CENI and the Constitutional Court for lacking independence, and for bias in favor of Kabila. Throughout 2018 and 2019, the political opposition repeatedly protested that the electoral process was unfair. In January 2019, Fayulu launched an unsuccessful appeal at the Constitutional Court to nullify the result of the presidential election.

The United States in February announced diplomatic sanctions on CENI president Corneille Nangaa, along with the CENI vice president, the National Assembly president, and chief judge of the Constitutional Court, for electoral fraud. It added financial sanctions against Nangaa and two CENI members in March for inflating by up to \$100 million the cost of voting machines, and embezzling other CENI funds.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

People have the right to organize political parties. Hundreds of parties exist, with many configured along ethnic, communal, or regional lines. However, most lack national reach, and their ability to function is limited in practice. Opposition leaders and their supporters are often intimidated and face restrictions on their movement and right to campaign or organize public events.

Opposition and government coalitions were restructured in the lead-up to the December 2018 elections. In June 2018, Kabila and his party, the People's Party for Reconstruction and Democracy (PPRD), formed the FCC, which included parliamentary leaders, governors, and some civil society members and journalists. Key opposition groupings include the Lamuka (Wake Up) coalition, which chose Martin Fayulu as its presidential candidate. President Félix Tshisekedi leads the Union for Democracy and Social Progress (UDPS) party, which in August 2019 finally formed a power-sharing government with Kabila's majority coalition. (Tshisekedi is the son of longtime opposition leader Étienne Tshisekedi, who died in 2017.)

Opposition parties were able to operate more freely in 2019; for example, many were able to secure coverage on the radio by newly reopened stations, which had previously been shuttered by Kabila. Under Tshisekedi's government, some opposition members were also released from prison, and some politicians living in exile were permitted to return.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Although opposition groups enjoy significant public support, the repeated postponement of and government interference in elections have prevented the opposition from gaining power through electoral competition.

The government invested heavily in Shadary's campaign and prevented the opposition Lamuka coalition, led by Fayulu, from rising to power despite evidence that it won the vote. In the run-up to the 2018 elections, the CENI rejected the candidacy of six opposition politicians, including former rebel leader Jean-Pierre Bemba and former Katanga governor Moïse Katumbi. Government authorities regularly blocked or delayed the campaign activities of opposition candidates. Authorities also helped facilitate the movement and campaign activities of Kabila's favored candidate. Nonstate armed groups also obstructed candidate movements and looted opposition offices.

In May 2019, Tshisekedi reversed Kabila's decision and permitted Katumbi to return to the country.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The military, security services, and armed rebel or militia groups interfere with citizens' political choices. Systematic repression in major cities across the country intensified in the lead-up to the December 2018 elections, including excessive force against opposition demonstrators by government personnel who employed tear gas and live ammunition, as well as reports of people being paid to provoke violence during opposition rallies. In some areas, soldiers and armed groups at polling stations reportedly coerced voters to cast ballots for Kabila's FCC. The activities of nonstate armed groups in parts of the country also hindered citizens' ability to participate in the political process. Security forces arrested a political activist in Butembo in January for calling for voting rights when the area was prevented from participating in elections.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Ethnic discrimination and lack of access to public services and state institutions in rural areas hinder political participation; certain segments of the population, such as indigenous groups, are particularly marginalized. Women are severely underrepresented in government, holding only 44 seats in the National Assembly (or 9 percent of total seats) and 5 seats in the Senate (less than 5 percent of total seats). Of the 21 registered candidates for president in December 2018, only one was a woman. Internally displaced people throughout the country faced practical obstacles to participating in recent elections.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Massive electoral fraud and irregularities prevent democratically elected officials from determining government policies. Prior to the December 2018 and March 2019 elections, the

incumbent president, national legislature, and provincial assemblies had exceeded their electoral mandates by two years or more, undermining the legitimacy of their decisions on state policy and other matters. Despite Kabila's departure from presidency, he retains substantial political power in the national legislature, as his FCC coalition holds control over both houses.

The government lacks effective control over some parts of the country, particularly in North and South Kivu provinces.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption in the government, security forces, and mineral extraction industries is extensive and has corroded public services and development efforts. Appointments to high-level positions in government are often determined by nepotism. Accountability mechanisms are weak, and impunity is commonplace.

C3. Does the government operate with openness and transparency? 1 / 4

Despite previous, incremental improvements in revenue reporting, there is little transparency in the state's financial affairs. The law does not provide for public access to government information, and citizens often lack the practical ability to obtain records on public expenditures and state operations. Required financial disclosures from top officials have not typically been made public.

Nonetheless, Tshisekedi's government has enforced some transparency-related regulations, and carries more confidence from international financial institutions. In December 2019, the International Monetary Fund (IMF) lifted its ban on providing aid to the DRC.

CIVIL LIBERTIES: 14 / 60 (+2)

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

Although press freedom is constitutionally guaranteed, journalists often face criminal defamation suits, threats, detentions, arbitrary arrests, and physical attacks in the course of their work. Radio is the dominant medium, and newspapers and state-sponsored news channels are found in large cities. While journalists frequently criticize authorities, political harassment of reporters is common, and outlets are often pressured to carry progovernment content. Some foreign reporters were barred from the country during the last national elections. Since Tshisekedi came to power, journalists have been harassed and jailed for covering the political activities of runner-up Martin Fayulu, and others have been harassed by Lamuka supporters for favorable coverage of the FCC or Tshisekedi.

In 2019, there were a number of reported cases of intelligence and security services interfering with the media. Several journalists covering demonstrations or politics were detained, arrested, and beaten by state agents. Radio and television signals were cut in Goma during attempts by security forces to break up civilian protests, and in Kinshasa in June after channels aired views sympathetic with the political opposition.

Lwemba Community Radio journalist Papy Mahamba Mumbere was murdered at his house in November 2019; he had recently presented information on anti-Ebola measures that local armed groups reportedly opposed. According to the Committee to Protect Journalists (CPJ), two journalists missing for over 15 years remained so in 2019.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution guarantees freedom of religion, and authorities generally respect this right in practice. Although religious groups must register with the government to be

recognized, unregistered groups operate unhindered. Some church facilities, personnel, and services have been affected by violence in conflict areas.

The Catholic Church and some Protestant groups pressed for credible elections and aired public dissatisfaction with national election results throughout 2019. Authorities' aggressive response to their protest activities sometimes entailed violence in and around places of worship.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

There are no formal restrictions on academic freedom. Primary and secondary school curriculums are regulated but not strongly politicized. However, political events and protests at universities and schools are subject to violent repression. In October 2018, for example, police used force and tear gas to disperse an assembly at a school in Lubumbashi, injuring and arresting protesters. In November 2018, two students were killed when police fired live ammunition to disperse a campus protest against a teachers' strike at the University of Kinshasa. Armed group attacks have also targeted schools, preventing children from enjoying rights to education.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Private discussion of politically sensitive topics can be open, but political dissent by average civilians if detected is routinely repressed, and conditions grew worse during the political crisis surrounding Kabila's tenure.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12 (+2)

E1. Is there freedom of assembly? 1 / 4 (+1)

The constitution guarantees freedom of assembly, and demonstrations are held regularly, but those who participate risk arrests, beatings, and lethal violence. The government repeatedly banned opposition demonstrations and used force against protesters during 2019. Among other incidents throughout the year, security forces killed at least 10 civilians while dispersing election-related protests across the country in January. In June, security forces fired live ammunition to suppress an anti-FCC protest in Goma, killing one demonstrator, and fired tear gas at Kinshasa protestors that supported the political opposition. Assembly without political objectives was also repressed during 2019, as was the case in January when university students in Lubumbashi protested water and power cuts.

However, while the environment for free assembly remains restricted, the mass arrests and killings of protesters that took place in 2017 have not been repeated, and some small and medium-sized gatherings have been permitted to go forward. An anticorruption protest in Kinshasa in October 2019, while delayed for several days by the authorities, eventually went forward without major incident, and attracted several hundred people.

Score Change: The score improved from 0 to 1 because while the environment remains highly restrictive, the mass arrests and killings of protesters in 2017 have not been repeated, and some gatherings have been permitted to go forward.

E2. Is there freedom for nongovernmental organizations, particularly those engaged in human rights- and governance-related work? 1 / 4 (+1)

Thousands of nongovernmental organizations (NGOs) are active in the DRC, but many face obstacles to their work. Domestic human rights advocates in particular are subject to

harassment, arbitrary arrest, and detention, and pressure became acute during the election periods in 2018 and 2019.

However, repression has receded somewhat since Tshisekedi took office. He has publicly expressed commitment to protecting human rights, and in April 2019, took the symbolic step of meeting with the widow of well-known human rights advocate Floribert Chebeya.

Score Change: The score improved from 0 to 1 because the severe repression of human rights and democracy advocates that accompanied the election period in 2018 and early 2019 eased after the poll's conclusion.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

A number of national labor unions and professional associations, covering parts of the public and private sectors, operate legally in the DRC, but the overwhelming majority of workers are informally employed. Some civil servants and members of state security forces are not permitted to unionize and bargain collectively. Violations of the procedures for a legal strike can result in prison terms. Although it is against the law for employers to retaliate against workers for union activities, such legal protections are poorly enforced.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is often seen as corrupt and subject to political manipulation. It often shows bias against the opposition and civil society, while government allies typically enjoy impunity for abuses.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Courts are concentrated in urban areas; the majority of the country relies on customary courts or informal justice mechanisms. Civilians are often tried in military courts, which have weak safeguards for defendants' rights and are subject to interference from high-ranking military personnel. Arbitrary arrests and detentions are common, as is prolonged pretrial detention. Much of the prison population consists of pretrial detainees.

A number of important criminal cases have recently been opened or concluded. In June 2019, a trial began for security officials and police implicated in the murders of Burundian asylum seekers. Separately, a former rebel commander and military officer were convicted in 2019 for war crimes including rape and the use of child soldiers; however, the trial revealed difficulties in the judicial system, including intimidation of witnesses.

Courts have failed to provide justice for a 2014 massacre in South Kivu in which at least 30 civilians were killed. There has been and limited redress for the more than 1,000 civilians killed over the past five years in Beni, North Kivu. Congo's courts have granted reparations to victims of sexual violence and serious crimes, but these are rarely paid in practice.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Prison conditions are life-threatening, and torture of detainees is common. Civilian authorities do not effectively control security forces. The military is notoriously undisciplined. Incidents of soldiers exchanging intelligence and weapons with rebel or militia groups continued during 2019. Soldiers and police regularly commit serious human rights abuses, including rape and other physical attacks, and high-ranking military officials enjoy impunity for crimes. Government forces have participated in summary killings and forced

disappearances, and the judicial system has not held officials accountable. Senior intelligence officials accused of serious human rights abuses have not been tried for their acts.

Armed groups have also contributed to years of conflicts and communal violence that have had a catastrophic impact on civilians, with over five million conflict-related deaths since 1998. According to the Kivu Security Tracker, a joint project of Human Rights Watch (HRW) and New York University's (NYU) Congo Research Group, the number of armed groups in the DRC increased to at least 130 by August 2019, from an estimated 70 in 2015, in a reflection of an increasingly fragmented conflict. From January to May 2019, between 2,000 and 3,000 fighters agreed to or expressed interest in surrender, but no demobilization program was available.

In July, the International Criminal Court (ICC) found Bosco Ntaganda—the former armed group commander promoted to the acting commander of military operations of the Congolese national army—guilty of war crimes and crimes against humanity. Security forces killed Democratic Forces for the Liberation of Rwanda (FDLR) leader Sylvestre Mudacumura, who was wanted by the ICC for war crimes, in September.

Ebola response teams continued to be subject to violence in 2019, especially in the province of North Kivu, as well as in adjoining Ituri.

Since taking office, President Tshisekedi has removed some officials accused of human rights abuses from high-level security posts, but has appointed at least one other agent also accused of repressing political activists.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Ethnic discrimination is common and is a factor in local armed conflicts across the country. While the constitution prohibits discrimination against people with disabilities, they often encounter obstacles to finding employment, attending school, or accessing government services. Discrimination based on HIV status is also prohibited, but people with HIV similarly face difficulties accessing health care and education. LGBT+ people can be prosecuted for same-sex sexual activity under public decency laws.

Although the constitution prohibits discrimination against women, in practice they face discrimination in nearly every aspect of their lives, especially in rural areas. The family code assigns women a subordinate role in the household. Young women are increasingly seeking professional work outside the home, particularly in urban centers, though they continue to face disparities in wages and promotions. When families are short on money to pay school fees, boys are often favored over girls to receive education.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement is protected by law but seriously curtailed in practice, in large part due to armed conflicts and other security problems. An estimated 4.8 million people are displaced within the country. Various armed groups and government forces impose illegal tolls on travelers passing through territory under their control.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Individuals have the right to own property and establish private businesses. In conflict zones, armed groups and government soldiers have seized private property and destroyed

homes. Property ownership and business activity are also hampered by pervasive corruption and a complicated system of taxation and regulation that encourages bribery.

Although the constitution prohibits discrimination against women, some laws and customary practices put women at a disadvantage with respect to inheritance and land ownership.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Sexual and gender-based violence is common, especially in conflict zones; sex crimes affect women, girls, men, and boys. Rebel fighters and government soldiers have regularly been implicated in rape and sexual abuse. Rebel commanders have abducted girls into forced marriages. Convictions for these offenses remain rare. Abortion is prohibited except to save the life of a pregnant woman, and illegal abortions can draw lengthy prison sentences.

The family code obliges wives to obey their husbands, who are designated as the heads of their households. Married women are under the legal guardianship of their husbands. Although the legal minimum age for marriage is 18, many women are married earlier.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Formal protections against economic exploitation are poorly enforced, and most Congolese are informally employed. Although the law prohibits all forced or compulsory labor, such practices are common and include forced child labor in mining, street vending, domestic service, and agriculture. Some government forces and other armed groups force civilians to work for them, and the recruitment and use of child soldiers remains widespread.

Costa Rica

Population: 5,100,000

Capital: San José

Freedom Status: Free

Electoral Democracy: Yes

Overview: Costa Rica has a long history of democratic stability, with a multiparty political system and regular rotations of power through credible elections. Freedoms of expression and association are robust. The rule of law is generally strong, though presidents have often been implicated in corruption scandals, and prisons remain overcrowded. Among other ongoing concerns, LGBT+ and indigenous people face discrimination, and land disputes involving indigenous communities persist.

KEY DEVELOPMENTS IN 2019

- The investigation into the 2017 Cementazo corruption scandal—involving Chinese cement exports to Costa Rica, in which a number of high-level government officials were implicated—continued to roil the country’s politics. In July, the attorney general announced an investigation into former president Luis Guillermo Solís’s alleged role in the scandal.
- Indigenous land rights activist Sergio Rojas was murdered at his home in March, after surviving a previous assassination attempt. The attack remained unsolved at year’s end.

- A backlog in the asylum application process left some 26,000 Nicaraguans without an avenue to have their asylum claims heard.
- In December, the government modified the General Law on HIV/AIDS to expand confidentiality and other protections, and some related health-care services.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is directly elected for a four-year term and can seek a nonconsecutive second term. Presidential candidates must win 40 percent of the vote to avoid a runoff. In April 2018, Carlos Alvarado Quesada of the governing Citizen Action Party (PAC) was elected president in the second round of voting. Alvarado faced Fabricio Alvarado Muñoz of the evangelical National Restoration Party (PRN) in the runoff and won decisively, with over 60 percent of the vote.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Elections for the 57-seat unicameral Legislative Assembly occur every four years, and deputies are elected by proportional representation. Deputies may not run for two consecutive terms, but may run again after skipping a term. In the February 2018 legislative elections, which were held concurrently with the first round of the presidential poll, no party came close to winning a majority. The PAC took 10 seats, the PRN won 14, and the National Liberation Party (PLN), historically one of the most powerful parties in Costa Rican politics, won 17 seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

A special chamber of the Supreme Court appoints the independent national election commission, the Supreme Electoral Tribunal (TSE), which is responsible for administering elections. The TSE carries out its functions impartially and the electoral framework is fair.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

People have the right to organize in different political parties without undue obstacles. The historical dominance of the PLN and the Social Christian Unity Party (PUSC) has waned in recent years, as newly formed parties have gained traction, leading to the collapse of the traditional two-party system. (Seven parties won seats in the 2018 legislative elections). The PRN, which was founded in 2005, emerged as a major force in politics in 2018, as evidenced by Alvarado Muñoz's second-place finish in the presidential election and the party's relatively strong showing in the legislative elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Power regularly alternates in Costa Rica and opposition parties compete fiercely in presidential and legislative elections. Parties along a wide spectrum of the political order

freely competed in the 2018 elections, and the PRN made major gains, winning 14 seats in the legislature after capturing just 1 seat in the 2014 contest.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Citizens' political choices are free from domination by unelected elites and other undemocratic powers.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

In 2015, the legislature passed a constitutional amendment declaring Costa Rica to be "multiethnic and plurinational." However, indigenous rights have not historically been prioritized by politicians, and there are no indigenous representatives in the legislature.

The government has introduced initiatives to increase women's political participation, such as the institution of gender quotas in order to ensure gender parity in political parties. Women and women's interests are represented in government—46 percent of seats in the Legislative Assembly are held by women following the 2018 elections. Five of the six key leadership roles in the Legislative Assembly, including the presidency of the legislature, are held by women. Epsy Campbell Barr became the first Afro-Costa Rican woman to serve as vice president in 2018.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Costa Rica's freely elected government and lawmakers set and implement state policy without interference. However, legislative gridlock has been a major issue in recent years. After failing for years to pass legislation to address the country's growing national debt, in December 2018 the Legislative Assembly passed a controversial law that raised taxes and imposed limits on public spending.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Costa Rica's anticorruption laws are generally well enforced. However, despite its functioning anticorruption mechanisms, nearly every president since 1990 has been accused of corruption after leaving office. In 2017, former president Luis Guillermo Solís was implicated in the Cementazo scandal, involving influence peddling related to Chinese cement exports to Costa Rica. A legislative commission found that close to 30 people, including prominent officials from all three branches of government, were involved in the scandal. Although he was cleared of wrongdoing by the Public Ethics Office of the Attorney General in April 2018, in July 2019 the attorney general announced that Solís was being investigated.

A new unit to train prosecutors to combat corruption was approved by the Supreme Court in March 2019, and began work in September.

C3. Does the government operate with openness and transparency? 4 / 4

Citizens generally have access to government information. However, there are some deficiencies in the reporting of budgets to the public, including a lack of transparency in communicating the objectives of the annual budget. Senior government officials are required to make financial disclosures, but that information is not available to the public.

CIVIL LIBERTIES: 53 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16****D1. Are there free and independent media? 4 / 4**

Freedom of the press is largely respected in Costa Rica. Defamation laws are on the books, but imprisonment was removed as a punishment for defamation in 2010.

There are six privately owned daily newspapers. Both public and commercial broadcast outlets are available, including at least 6 private television stations and more than 100 private radio stations.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Roman Catholicism is the official religion, but the constitution guarantees the freedom of religion, which is generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is constitutionally protected and generally upheld.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is free and the government is not known to surveil the electronic communications of Costa Ricans.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12**E1. Is there freedom of assembly? 4 / 4**

Freedom of assembly is constitutionally protected, and this right is largely upheld in practice. A diverse range of groups, including LGBT+ and environmental organizations, hold regular rallies and protests without government interference.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs), including those engaged in human rights work, are active and do not encounter undue obstacles.

In March 2019, indigenous land rights activist Sergio Rojas was murdered at his home, in a case that remains unsolved.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Although labor unions are free to organize and mount frequent protests and strikes with minimal governmental interference, the law requires a minimum of 12 employees to form a union, which may negatively impact union rights at small enterprises. Rates of union membership in the private sector are low, due in part to discrimination by employers against union members. Employers have been known to occasionally fire workers who attempt to form unions.

In February 2019, a teacher's union strike was declared legal by an appeals court after having been declared illegal in November 2018. There were recurring strikes in 2019, including a strike by Social Security Service workers. In September, Congress approved on first instance a bill that would restrict strikes. The bill defined essential services, penalized strikes blocking access to essential services, placed time limits on strikes, and prohibited multiple strikes on the same policy.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

The judicial branch is generally independent and impartial. Supreme Court judges are elected by a supermajority of the legislature.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process rights are enshrined in the constitution, and they are protected for the most part. However, there are often substantial delays in judicial processes, at times resulting in lengthy pretrial detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Violent crime in Costa Rica has increased in recent years. In 2019, the country documented 560 murders, a rate of approximately 11 murders per 100,000 people. Criminal groups transport drugs along the Pacific coast, and the government has reported that many homicides there are related to organized crime and drug trafficking. There are reports of occasional police abuses of detainees and civilians, including violence and degrading treatment; confirmed cases are generally investigated and prosecuted.

Overcrowding, poor sanitation, insufficient access to healthcare, and violence remain serious problems in Costa Rica's prisons. In 2019 there was an outbreak of mumps that led to the suspension of visitations. Recurrent abuse by prison police has not been thoroughly investigated due to victims' reluctance to file formal complaints.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution outlines general equal rights for all people, but these rights are upheld unevenly. Indigenous people, who compose 3 percent of the population, continue to face discrimination, particularly in regard to land rights and access to basic services. Costa Ricans of African descent have also faced discrimination in health care, education, and employment.

Women experience discrimination due to entrenched gender stereotypes, which can limit their equal access to employment, health services, and the justice system. Executive orders prohibit discrimination on the basis of sexual orientation and gender identity, and the government has expressed commitment to the protection of the LGBT+ community. However, law enforcement officials have discriminated against LGBT+ people, and there have been reports of attacks by police on transgender sex workers.

In 2016, a new law provided disabled people greater personal autonomy. Prior to the law's passage, family members often had legal guardianship over some disabled people.

In December 2019, the government modified the General Law on HIV/AIDS. Under the reforms, employers are prohibited from mandating HIV tests, and disclosures of HIV/AIDS between employer and employee were deemed confidential. The changes also established the right to counseling throughout HIV testing and treatment, as well as the right to free HIV screenings and the provision of female and male condoms in public health centers. The government also established a National Council for Comprehensive HIV Care (CONASIDA).

The number of asylum seekers from Nicaragua has increased sharply a political crisis erupted there in 2018. By March 2019, approximately 29,500 Nicaraguans had submitted formal asylum requests. As many as 26,000 more had not yet filed claims due to backlogs in the overburdened registration system. Although the law entitles asylum seekers to access

public services, discrimination sometimes prevented them from taking advantage of those benefits, and legal restrictions limit employment opportunities for asylum seekers.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is constitutionally guaranteed and Costa Ricans enjoy relative freedom in their choice of residence and employment.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights are generally protected. However, laws protecting intellectual property are not always adequately enforced in practice.

Individuals are free to establish businesses, and the business and investment climate is relatively open, although the complicated bureaucracy can deter entrepreneurs seeking to establish a business.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Despite the existence of domestic violence protections, violence against women and children remains a problem. In May 2019 the president signed the “law of the right to time,” to increase the statute of limitations on child sexual abuse cases from 10 to 25 years.

In January 2018, the Inter-American Court of Human Rights issued an advisory opinion that member states of the American Convention on Human Rights, including Costa Rica, have an obligation to legally recognize same-sex marriage. In August 2018, the Supreme Court ruled that the prohibition of same-sex marriage was unconstitutional and allowed the legislature up to 18 months to pass legislation to legalize same-sex marriage, leaving the current ban in place (although same-sex couples can obtain common-law marital status). No legislation was passed in 2019, though it was expected to be in 2020.

Abortion is illegal in Costa Rica except when a woman’s health is in danger due to a pregnancy. Health professionals’ lack of knowledge of the law and fear of repercussions made it difficult for women to secure a legal abortion. However, in December 2019 President Alvarado signed a technical decree outlining the circumstances under which an abortion may be performed legally, though the conditions remain restrictive. For example, in addition to a woman’s health being deemed at risk, she must agree to mandatory evaluation by three medical professionals.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Despite legal protections, domestic workers, particularly migrant workers, are subject to exploitation and forced labor. Employers often ignore minimum wage and social security laws, and the resulting fines for violations are insignificant. Child labor is a problem in the informal economy.

Sex trafficking and child sex tourism are also serious problems. The US State Department’s 2019 *Trafficking in Persons Report* noted an increased number of investigations and convictions, less impunity for complicit government officials, and a 2018 amendment that strengthened an existing antitrafficking law to include penalties for force, fraud, and coercion. However, the report noted continued issues with the expenditures and designation of antitrafficking funds and the government’s failure to consistently execute referral mechanisms in a prompt or effective manner.

Côte d'Ivoire

Population: 25,500,000

Capital: Yamoussoukro (official), Abidjan (de facto)

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Côte d'Ivoire continues to recover from an armed conflict that ended in 2011. While security concerns and interference by security forces can constrain freedoms of expression and association, these are generally upheld. However, splits in the ruling coalition and unrest within the armed forces threaten stability. Several root causes of the country's violent conflict remain, including ethnic and regional tensions, land disputes, corruption, and impunity. Women are significantly underrepresented in politics.

KEY DEVELOPMENTS IN 2019

- In January, the International Criminal Court (ICC) acquitted former president Laurent Gbagbo of crimes against humanity over violence that occurred during the 2010–11 postelection conflict; he was conditionally released into Belgium in February. In September, prosecutors filed an appeal against the verdict.
- In June, the government adopted a new criminal code that restricts the dissemination of “fake news,” criminalizes offending the president or vice president, and includes one- to three-year prison sentences for organizing unauthorized assemblies.
- A new law on marriage, approved in July, improved property rights for women and established a minimum age for marriage of 18, but also explicitly banned same-sex marriage.
- In late December, the government issued an arrest warrant against former National Assembly speaker and opposition leader Guillaume Soro, alleging embezzlement and involvement in a coup plot. Soro avoided arrest when his flight was diverted to Ghana and then to the Canary Islands; he remained abroad at year's end.

POLITICAL RIGHTS: 19 / 40

A. ELECTORAL PROCESS: 7 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is directly elected to a five-year term, and will be subject to a two-term limit after the 2020 election. Alassane Ouattara won the 2015 presidential election in the first round.

Despite tensions and some government crackdowns on opposition rallies in the lead-up, the election itself was deemed credible by international and domestic observers, and was the first peaceful presidential election in Côte d'Ivoire in over two decades. Ouattara, who is currently serving his second term, previously claimed that the 2016 constitution permits him to run for a third in 2020.

The prime minister is the head of government, is appointed by the president, and is responsible for designating a cabinet, which is also approved by the president. Amadou Gon Coulibaly was appointed prime minister in early 2017, after the ruling coalition's victory in the 2016 legislative polls.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The bicameral parliament consists of a 255-seat lower house, the National Assembly, and a 99-seat Senate, which was envisaged by the 2016 constitution and seated in March 2018. National Assembly members are directly elected to five-year terms. Of the Senate's 99 seats, 66 are indirectly elected by the National Assembly and members of various local councils, and 33 members are appointed by the president; all members serve five-year terms.

The members of the current National Assembly were directly elected in credible, largely peaceful polls held in 2016. The Rally of Houphouëtists for Democracy and Peace (RHDP) won 167 seats. Independent candidates took the majority of the remaining seats. In the 2018 Senate election, RHDP candidates won 50 of the 66 elected seats, and independent candidates took the remaining 16; the opposition boycotted the vote over allegations of bias by the Independent Electoral Commission (CEI), as well as over claims that the CEI's establishment would help Ouattara consolidate power. (The opposition previously boycotted the referendum on the draft constitution that established the CEI.)

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

In 2016, the African Court on Human and People's Rights ruled that the CEI was biased in favor of the government and ordered amendments to the electoral law. In 2018, President Ouattara conceded to the CEI's reorganization. In July and August 2019, those amendments, which increased the number of civil society members in the CEI from four to six, were passed by the National Assembly and Senate respectively. While the African Union (AU) praised the reforms, civil society criticized them, warning that the government would still exert influence due to its continued ability to nominate members. Opposition parties were similarly critical, with two parties declining to nominate CEI members in September.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4**

The Ivorian constitution permits multiparty competition, and recent presidential and legislative elections have been contested by a large number of parties and independent candidates. The ruling RHDP, dominated by Ouattara's Rally of the Republicans (RDR), holds a virtual lock on political power, but has faced increased competition in recent years. In 2018, the Democratic Party of Côte d'Ivoire (PDCI) of former president Henri Konan Bédié split with the coalition after disagreement over the RHDP's 2020 presidential nominee; a faction of PDCI candidates ran against the RHDP in the 2018 municipal elections. In February 2019, former rebel commander and former premier Guillaume Soro resigned as National Assembly speaker. He later formed the Generations and People in Solidarity (GPS) party, and declared his presidential candidacy in October.

High-ranking opposition members faced apparent government reprisals in 2019, however. In January, legislator Alain Lobognon, a Soro ally, was convicted of disclosing "fake news" when he claimed that police planned on imprisoning another opposition politician over corruption; he was given a suspended six-month sentence after an appeal later in the year. In September, PDCI vice president and cocoa magnate Jacques Mangoua was arrested after weapons were discovered at his residence; Mangoua was given a five-year prison sentence in October. His family and the PDCI denounced the arrest as politically motivated.

In late December, the government issued an arrest warrant for Soro, accusing him of embezzlement and spearheading an attempted coup. Soro avoided arrest when his flight to Côte d'Ivoire was diverted to Ghana; he later flew to the Canary Islands after Ghanaian authorities denied him permission to disembark. However, 17 supporters, including 5 legislators, were arrested in Côte d'Ivoire.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

The Ivorian Popular Front (FPI) of former president Gbagbo holds seats in parliament but is relatively weak and disorganized. The FPI has been split between two factions; one called for election boycotts while Gbagbo was in ICC custody, while the other was relatively moderate.

While the RHDP posted the strongest performance in the 2018 municipal elections, the PDCI won control of a handful of key municipalities, including the business district of Abidjan.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Recent elections have been generally free from extensive voter intimidation or harassment. However, leaders within the military, especially former rebel commanders, are viewed as having significant political influence in the country.

Tensions ahead of the 2018 municipal polls contributed to unease among voters, with the split between the RHDP and PDCI prompting concerns that the polls would be accompanied by violence. Separately, there were some reports of candidates handing out cash to voters.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Citizenship has been a source of tension since the 1990s, when Ivorian nationalists adopted former president Bédié's concept of "Ivoirité" to exclude perceived foreigners, including Ouattara, from the political process. A law relaxing some conditions for citizenship went into effect in 2014 but its application remains uneven. Hundreds of thousands of individuals, mostly northerners, lack documentation.

Women are poorly represented in the parliament, holding 12 percent of seats in the National Assembly and 19 percent in the Senate at year's end. After Ouattara's September 2019 cabinet reshuffle, a total of 8 women were part of a 49-seat cabinet.

A north-south, Muslim-Christian schism has been a salient feature of Ivorian life for decades, and was exacerbated by the 2002–11 crisis. However, the schism has since receded, and the current coalition government includes Muslims and Christians.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Though defense and security forces are nominally under civilian control, problems of parallel command and control systems within the armed forces, known as the Republican Forces of Côte d'Ivoire (FRCI), remain significant. In 2016, the government instituted a law meant to reduce the size of the officer corps and refine the military's command structure, but these changes have largely gone unimplemented.

Additionally, after several years of relative calm, military mutinies in 2017 exposed the fragility of the civilian government's control over the state armed forces. Civilian control was tested again in September 2019, when special forces members scuffled with Abidjan police in an effort to free an arrested colleague; this incident ended without violence, however.

Nonstate armed actors and former rebels enjoy significant influence, especially in the north and west.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption and bribery remain endemic, and particularly affect the judiciary, police, and government contracting operations. Petty bribery also hampers citizens' access to services ranging from obtaining a birth certificate to clearing goods through customs. A public anticorruption body, the High Authority for Good Governance (HABG), was established in 2013, but is considered ineffective. Perpetrators at all levels seldom face prosecution.

C3. Does the government operate with openness and transparency? 1 / 4

The government generally awards contracts in a nontransparent manner. Access to up-to-date information from government ministries is difficult for ordinary citizens to acquire, although some ministries do publish information online. In 2013, the National Assembly passed an access to information law, but enforcement has been inconsistent. The HABG requires public officials to submit asset declarations, but this is not well enforced.

CIVIL LIBERTIES: 32 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

Conditions for the press have improved since the end of the 2010–11 conflict, and incidents of serious violence against journalists are rare. However, journalists face intimidation and occasional violence by security forces in connection with their work. Most national media sources, especially newspapers, exhibit partisanship in their news coverage, consistently favoring either the government or the opposition.

In May 2019, GPS leader Soro filed a criminal defamation complaint against Sidi Tehra, director of weekly newspaper *L'Essor Ivoirien*, over an article claiming that Soro was distributing arms in the north. A hearing was scheduled for late May, but was postponed; the matter remained pending at year's end. In June, Côte d'Ivoire adopted a new criminal code restricting dissemination of "fake news" and criminalizing "offense to the president or vice president."

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Legal guarantees of religious freedom are typically upheld. Relations between Muslims and Christians were exacerbated by the 2002–11 crisis, but tensions have largely receded. In May 2019, police closed Danané's great mosque, after the supporters of two imams vying for its leadership clashed.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Public universities were closed and used as military bases during the 2010–11 conflict, and now suffer from a lack of adequate resources and facilities. However, academic freedom is usually upheld. Classes were disrupted when teachers and university lecturers launched

a nationwide strike over salaries, bonuses, and housing aid in late January 2019; the strike was suspended in March when unions held talks with the government.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

People are generally free to engage in political discussion and debate without fear of harassment or detention. However, the legacy of violent conflict can serve to restrain public debate of some topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 2 / 4

While the constitution protects the right to free assembly, the government has attempted to restrict or forcibly disperse peaceful gatherings; violence between demonstrators and police has erupted. Freedom of assembly was also restricted by June 2019 criminal code revisions, which include one- to three-year prison sentences for organizing “undeclared or prohibited” assemblies.

Despite risks and restrictions, several notable protests and demonstrations took place during 2019, with police using force to respond. Ivorian students rallied for the resumption of classes in Abidjan in March, as a nationwide teachers’ strike continued. Police used tear gas and water cannons to disperse a late-March student rally in the city. In July, the government detained five activists who visited the CEI to meet with officials, and were released within two days. Local authorities previously denied their request to hold a sit-in protest over bias accusations. In early October, police fired on protesters demonstrating against the arrest and conviction of PDCI vice president Mangoua in the city of Bouaké; one person was killed in unclear circumstances, and several were injured. Supporters of GPS leader Soro protested his diversion to Ghana in a December rally in Abidjan; police used tear gas to disperse them.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Domestic and international nongovernmental organizations (NGOs) are generally free to operate. However, poor security conditions—especially in north and west—are a constraint for some organizations.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The right to organize and join labor unions is constitutionally guaranteed. Workers have the right to bargain collectively. Côte d’Ivoire typically has various professional strikes every year, though sometimes strikes have become violent. Teachers and university lecturers held a nationwide strike over salaries, bonuses, and housing aid from January through March 2019.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is not independent, and judges are highly susceptible to external interference and bribes. Processes governing the assignment of cases to judges are opaque.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The constitution guarantees equal access to justice and due process for all citizens, but these guarantees are poorly upheld in practice. The state struggles to provide attorneys to

defendants who cannot afford legal counsel. Security officials are susceptible to bribery and are rarely held accountable for misconduct. Prolonged pretrial detention is a serious problem for both adults and minors, with some detainees spending years in prison without trial. In late 2018, the lower house adopted a new Code of Criminal Procedure that included a circuit of criminal courts to address the backlog; the code remained pending at the end of 2019.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Physical violence against civilians in the form of extortion, banditry, and sexual violence, sometimes perpetrated by members of the state armed forces, remain common. Disputes over land use and ownership between migrants, and those who claim customary land rights, sometimes turn violent. In May 2019, interethnic clashes occurred between Baoulé and Malinké communities near the town of Béoumi, resulting in 14 deaths.

The country's prisons are severely overcrowded, and incarcerated adults and minors are not always separated.

Concerns about impunity, victor's justice, and reconciliation have persisted after the close of the 2010–11 conflict. To date, only a handful of individuals have been put on trial for crimes committed during that period, and most prosecutions have focused on figures associated with Gbagbo. In a 2018 move he said was meant to foster reconciliation, Ouattara pardoned 800 people accused or convicted of committing violent acts during the 2010–11 conflict, including former first lady Simone Gbagbo.

In January 2019, the ICC acquitted former president Gbagbo of crimes against humanity during the 2010–11 conflict, and Gbagbo was conditionally released in Belgium in February; prosecutors filed an appeal in September. The ICC has said it is investigating pro-Ouattara actors for crimes committed by former rebels, but it has only filed charges against pro-Gbagbo defendants so far.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Same-sex activity is not criminalized in Côte d'Ivoire, but LGBT+ people have face prosecution under criminal code language banning acts of "public indecency." This language was removed in June 2019, but the new code contains references to "unnatural acts" and "moral sensitivity." No law prohibits discrimination based on sexual orientation. LGBT+ people face societal prejudice as well as harassment by state security forces.

Intercommunal tensions over land rights frequently involve migrants from neighboring countries, who sometimes experience violent intimidation.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Freedom of movement has improved since 2011. However, irregular checkpoints and acts of extortion continue in some areas, particularly in the west and north, and near gold and diamond-producing regions. The government's efforts to combat these practices have been undermined by inconsistent financial support and a failure to investigate and prosecute perpetrators. Women are generally afforded equal freedom of movement, though risks of insecurity and sexual violence hinder this in practice.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Citizens have the right to own and establish private businesses, and the country has attracted significant investment since 2011. However, property and land rights remain weak, especially in the west, where conflict over land tenure remains a significant source of tension. Under a new marriage law passed in July 2019, women are legally entitled to use inherited property as collateral for loans.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Women suffer significant legal and economic discrimination, and sexual and gender-based violence are widespread. Impunity for perpetrators also remains a problem, and when it is prosecuted, rape is routinely reclassified as indecent assault. Costly medical certificates are often essential for convictions, yet are beyond the means of victims who are impoverished.

Child marriage is historically widespread, though the July 2019 marriage law set the minimum age for marriage at 18 for both sexes. Customary and religious marriages, which are more common outside urban areas, were not affected by the law. The July 2019 law also banned same-sex marriage.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Despite efforts by the government and international industries in recent years to counter the phenomenon, child labor is a frequent problem, particularly in the cocoa industry. Human trafficking is prohibited by the new constitution, but government programs for victims of trafficking—often children—are inadequate.

Croatia

Capital: Zagreb

Population: 4,100,000

Freedom Status: Free

Electoral Democracy: Yes

Overview: Croatia is a parliamentary republic that regularly holds free elections. Civil and political rights are generally respected, though corruption in the public sector is a serious issue. The Roma and ethnic Serbs face discrimination, as do LGBT+ people. In recent years, concerns about the presence of far-right groups and figures espousing discriminatory values in public life have increased.

KEY DEVELOPMENTS IN 2019

- In the May European Parliamentary elections, the center-right Croatian Democratic Union (HDZ) and the center-left Social Democratic Party (SDP) both lost seats to various populist right- and left-wing parties.
- In July, serious allegations of abuse carried out by Croatia's border police against migrants and refugees along the Bosnian border emerged, including allegations of torture.
- In the first round of the country's presidential elections in December, former prime minister Zoran Milanović claimed the most votes, while sitting president, Kolinda

Grabar-Kitarović, finished second, and far-right populist Miroslav Škoro finished third. The second round of voting was set to occur in January 2020.

POLITICAL RIGHTS: 36 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who is head of state, is elected by popular vote for a maximum of two five-year terms. The prime minister is head of government and is appointed by the president with parliamentary approval.

HDZ chairman Andrej Plenković became prime minister following the 2016 legislative elections, in which HDZ won a plurality of seats.

The first round of voting for the presidential election occurred in December 2019. Former prime minister Zoran Milanović of the SDP claimed the most votes, incumbent Grabar-Kitarović of the HDZ finished second, and far-right populist Miroslav Škoro finished third. The second round of voting was set to occur in January 2020.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 151-member unicameral parliament, called the Hrvatski Sabor, are elected to four-year terms.

Snap parliamentary elections in 2016—which were the second legislative polls in less than a year, held after the previous prime minister lost a no-confidence vote—were considered free and fair but marked by low turnout. The HDZ and its allies won 61 seats, and the party has since led a coalition government, the composition of which has changed occasionally.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

While some concerns about the use of public funds for political campaigns persist, in general, the State Election Commission implements robust electoral laws effectively.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Citizens may freely organize and participate in the activities of a wide variety of political parties. Small far-left and far-right parties made gains in the 2017 local elections.

The composition of the government changed in 2017. The reformist Bridge of Independent Lists party withdrew from the HDZ-led coalition, refusing to back Finance Minister Zdravko Marić, who had been implicated in a corruption controversy related to his time working at the company Agrokor. The HDZ then allied with the left-wing Croatian People's Party (HNS), which had been part of the SDP-led opposition coalition.

The HNS's 2017 decision to join the HDZ's government prompted the party's own fragmentation. Anka Mrak-Taritaš, who had been an HNS candidate for the 2017 municipal elections, formed her own party—the Civic Liberal Alliance (GLAS)—with three other HNS lawmakers.

The May 2019 European Parliament elections saw the emergence and election of a slate of new right- and left-wing populist parties and candidates, all of whom made significant headway against the mainline HDZ and SDP.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The SDP-led opposition coalition holds a significant bloc of seats in the legislature and is generally able to operate free from restrictions or intimidation. In general, however, the HDZ has dominated politics, and draws support from the Roman Catholic Church, veterans, and a growing number of conservative nongovernmental organizations (NGOs). The main SDP-led opposition bloc has won the most seats in only two parliamentary elections since 1991, although the country was headed by an SDP president from 2010 to 2015, and a non-HDZ and non-SDP executive from 2000 to 2010.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

While voters and candidates are generally able to freely express their political choices, many public servants obtained their positions through patronage networks, and thus risk becoming beholden to a party or special interest group as a result. Patronage networks are particularly influential in Zagreb, which has been under the stewardship of HDZ-affiliated Mayor Milan Bandić—considered one of the country's most powerful politicians—almost continuously for the past 20 years. Bandić's tenure has been marked by corruption allegations, including conflict-of-interest cases and credible allegations of improper hiring practices and public procurement deals.

The Catholic Church remains influential in Croatia and has begun associating with conservative and far-right civil society groups, which have become a bigger factor in local politics in recent years.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Eight parliamentary seats are set aside for ethnic minorities, including three for ethnic Serbs. However, the political interests of marginalized groups, notably Roma and Serbs, are underrepresented.

Women are represented across political parties, and a woman held Croatia's presidency through 2019 (the first of two rounds of the presidential election was held in December 2019). However, the number of women in parliament decreased in 2016 after the Constitutional Court struck down a law requiring 40 percent of a party's candidates be women. A 2016 Organization for Security and Co-operation in Europe (OSCE) election monitoring mission called for political parties to run more women as candidates, and to promote more women to senior leadership positions.

The treatment of ethnic Serbs in public office in Croatia has deteriorated in recent years. In September 2018, sitting lawmaker and Independent Democratic Serb Party (SDS) leader Milorad Pupovac was pelted with food items by a protester in Zagreb. Pupovac claimed the incident reflected growing hostility toward the Serb population from ascendant right-wing and nationalist movements in the country, many of which appear to enjoy the tacit support of the HDZ. Pupovac remained the target verbal attacks throughout 2019, and his party's election posters were repeatedly defaced during the European Parliament elections.

Societal discrimination discourages LGBT+ people from participating in politics, and elements of the political establishment have espoused discriminatory attitudes in their activism.

C. FUNCTIONING OF GOVERNMENT: 10 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

Democratically elected representatives are duly installed into office and are generally able to make public policy without undue external influence or pressure.

C2. Are safeguards against official corruption strong and effective? 3 / 4

A criminal code in effect since 2013 enforces stiffer penalties for various forms of corruption. While some progress has been made, official corruption—including nepotism, bribery, fraud, and patronage—remains a serious problem. Numerous high-level corruption cases, like the one involving the government’s mismanagement and collapse of Croatia’s largest employer, Agrokor, have been filed in recent years, but many have yet to see a verdict. International bodies including the European Commission have called for greater efforts to eliminate malfeasance in public procurement processes.

In October 2018, Zagreb’s Mayor Milan Bandić was acquitted of corruption charges alleging that he had improperly manipulated city financing by allowing a church-affiliated group to collect campaign signatures without paying appropriate fees. Separately, the same month, Bandić and a number of associates were tried on charges including abuse of power, influence peddling, tax evasion, and customs fraud. The case was still in the courts at the end of 2019.

C3. Does the government operate with openness and transparency? 3 / 4

In 2013, Croatia adopted the Law on the Right of Access to Information. The legislation includes a proportionality and public-interest test designed to determine a balance between reasons for disclosing information and reasons for restricting it; and it establishes an independent information commissioner to monitor compliance. However, government bodies do not always release requested information in a timely manner.

Media reports in 2018 suggested that Economy Minister Martina Dalić and a group of well-connected businesspeople and lawyers crafted a 2017 law allowing the government to take over management of the troubled agricultural company, Agrokor. The entire drafting process took place outside of official proceedings and in private meetings. Facing conflict-of-interest allegations, Dalić resigned in May 2018.

CIVIL LIBERTIES: 49 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16****D1. Are there free and independent media? 3 / 4**

Media in Croatia is highly polarized, but generally free from overt political interference or manipulation. However, journalists continue to face threats, harassment, and occasional attacks, which has created an atmosphere of self-censorship. In June 2018, reporter Hrvoje Bajlo was attacked and severely beaten in the city of Zadar. Bajlo said his attacker threatened him with further harm if he did not stop reporting on two individuals in government who had been charged with embezzling from state-run companies. The Croatian Journalists Association characterized the attack on Bajlo as a consequence of authorities’ failure to condemn earlier threats toward, attacks on, and harassment of journalists.

Several incidents of police intimidation and harassment against journalists occurred in 2019. The most striking was the arrest (and eventual release) of Gordan Duhacek in September over two tweets he had written, one of which was critical of the Croatian police. The general secretary of the European Federation of Journalists, as well as local journalist

associations, have warned of growing political pressure and attacks on the free press in the country under the HDZ government.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The Croatian constitution guarantees freedom of religion, and this is generally upheld in practice. However, the small Serb Orthodox community remains vulnerable to harassment, and members have reported vandalism of their churches. Jewish communities and other groups have expressed increasing concern about Holocaust denial and displays by right-wing nationalists of symbols and slogans associated with the fascist Ustaša regime that governed Croatia during the Second World War. Revisionist accounts of the Ustaša period continued to be promoted by far-right groups and newspapers throughout 2019.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

While there are generally no overt restrictions on speech in schools and universities, critics continue to allege inappropriate political interference at all levels of education. While aspects of a long-planned modernization of school curriculums were approved by Parliament in July 2018, the HDZ has long sought to delay the updates, and has moved to install its own members into the group tasked with developing its policies—including extremely conservative members opposed to sex education.

Also in July 2018, a far-right movement sought to fire three academics at the University of Zagreb for a paper they had published on the surging far-right in the country. While the authors of the paper were not fired, the allegations prompted an initial investigation by the university, reflecting the increasing presence and influence of far-right groups.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to engage in discussions of a sensitive nature without fearing surveillance or retribution, although there have been some reports of police arresting individuals voicing criticism of the government.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected and respected in Croatia.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

NGOs in Croatia are robust, active, and free from restrictions. However, many groups have complained of growing political pressure from parts of the government and the HDZ against journalists and civil society activists.

In September 2019, Prime Minister Plenković verbally attacked a local NGO which had shed light on the allegedly illicit financial dealings of Croatia's candidate for the "Democracy and Demography" portfolio of the European Commission.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The constitution allows workers to form and join trade unions, and this right is generally respected in practice.

F. RULE OF LAW: 11 / 16**F1. Is there an independent judiciary? 3 / 4**

While judicial independence is generally respected, there have been recent concerns about the influence of extreme right-wing groups on the judiciary. For example, in 2017, a court reversed a 1945 conviction of an academic who was complicit in atrocities committed by the fascist Ustaša regime. Critics allege the courts have been ruling in line with the views of right-wing NGOs and the HDZ, while the courts maintain that they are redressing partisan rulings of the Yugoslav communist era.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process rights are generally upheld, but the system tends to work more efficiently for individuals with abundant resources or high social standing.

In November 2018, Ivica Todorović, the former owner of Agrokor under investigation for fraud in relation to the company's collapse, was extradited from the United Kingdom. He was arrested upon arrival in Croatia but released days later after posting the €1 million bail. Todorović was not indicted by the end of 2019.

The International Commission on Missing Persons has criticized Croatia for its slow progress in identifying human remains of victims of the 1991–95 conflicts and in making reparations to survivors and their families.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Violence by state and nonstate actors is uncommon. Prison conditions do not meet international standards due to overcrowding and inadequate medical care.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Ethnic and religious minorities and LGBT+ people in Croatia face discrimination. Analysts have expressed concerns that the increasing visibility of far-right, nationalist groups has spread discriminatory rhetoric. Occasionally, the government's actions suggest their endorsement of far-right groups, and observers have expressed concern that the government has tacitly approved of discriminatory behavior. A group of NGOs in December 2018 criticized the government for lacking a comprehensive human rights policy, and warned of the continuing deterioration of protection of human rights in the country, especially for marginalized groups and women.

The constitution prohibits gender discrimination, but women earn less than men for comparable work and hold fewer leadership positions.

Reports of police violence against migrants, refugees, and asylum-seekers continued in 2019. Most of such incidents took place along the border with Bosnia and Herzegovina, rather than Serbia, as in the past. Reports emerged in July that border police had allegedly committed serious abuse and torture of migrants and refugees.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

Freedom of movement is protected by the constitution and upheld in practice. People may freely change their place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights are generally well protected. However, corruption can inhibit normal business operations.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

In 2014, following a 2013 referendum that banned same-sex marriage, the parliament passed a law allowing same-sex civil unions. The law affords same-sex couples equal rights in inheritance, social benefits, and taxation, but not the right to adopt children.

Domestic violence remains a concern. Convictions for rape and domestic violence can bring lengthy prison terms, although Amnesty International noted that the vast majority of cases receive light sentences of one year or less. Police sometimes fail to adhere to recommended procedures for handling reports of domestic violence.

In April 2018, lawmakers ratified the Istanbul Convention, a treaty on preventing and combating gender-based and domestic violence. The treaty was unpopular among conservative and far-right groups who believed its tenets could lead to the legal introduction of same-sex marriage, a third gender category, or school curriculum changes. In response, the government adopted a statement saying the treaty's adoption would not change the legal definition of marriage. Amnesty International criticized that, although the treaty had been signed, the Croatian government had not fully harmonized its legislative and policy framework with the treaty's terms.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Worker protection laws are robust, and the Office of the Labor Inspectorate actively investigates work sites. However, labor violation remain a problem within the hospitality sector. Workers in the informal sector have less access to legal protections.

Human trafficking remains a problem, sentences for those convicted of it can be light, and witness statements are not always given the appropriate consideration in court cases.

Cuba

Population: 11,200,000

Capital: Havana

Freedom Status: Not Free

Electoral Democracy: No

Overview: Cuba is a one-party communist state that outlaws political pluralism, bans independent media, suppresses dissent, and severely restricts basic civil liberties. The government continues to dominate the economy despite recent reforms that permit some private-sector activity. The regime's undemocratic character has not changed despite a generational transition in political leadership between 2018 and 2019 that included the introduction of a new constitution.

KEY DEVELOPMENTS IN 2019

- A new constitution was approved in a February national referendum that included a historic number of abstentions and “no” votes. The charter maintained the

one-party state and socialist management of the economy, but contained some modest changes, including the recognition of private property.

- Miguel Díaz-Canel, who had served as president of the Council of Ministers and head of Council of State since April 2018, took on the newly created post of president of the Republic in October. In December, he appointed Manuel Marrero as Cuba's prime minister. Raúl Castro, who left the presidency in 2018 after two five-year terms, continues on as first secretary of the Communist Party of Cuba (PCC) until 2021.
- New laws approved during the year legalized electronic surveillance and banned citizens from hosting web content on foreign servers, effectively placing all independent digital media outlets in greater legal jeopardy.
- Cubans took advantage of the availability of third-generation (3G) mobile data service to criticize government policies and confront ministers via social media, using popular hashtags linked to periodic public protests, including ones demanding lower internet prices and calls to abstain from voting or vote against the new constitution.

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Every five years, the National Assembly designates the members of the Council of State through a noncompetitive process. This body in turn appoints the Council of Ministers in consultation with its president, who until recently had served as both chief of state and head of government.

The new constitution approved by voters in February 2019 separated these roles, creating the post of president of the republic, to which Miguel Díaz-Canel was elected in a nearly unanimous National Assembly vote in October 2019. In December, he appointed long-serving tourism minister Manuel Marrero as Cuba's first prime minister in 40 years; he will lead the Council of Ministers and oversee daily government affairs. In a surprise to many who had expected someone younger, 75-year-old National Assembly head Esteban Lazo took on the role of head of the Council of State. The new constitution sets a limit of two consecutive five-year terms for the presidency, as well as an age limit of 60 years for the start of a president's first term.

Raúl Castro, having served as president since he succeeded his brother Fidel in 2008, stepped down in April 2018. However, Castro continues to wield considerable power as first secretary of the PCC—a post he will hold at least until 2021.

A significant process of generational transition and partial decoupling of top party and government posts continued during 2019 with the final members of Cuba's "historic" generation stepping down from the Council of State, including the powerful long-time hardline stalwarts Ramiro Valdés (87) and Guillermo García Frías (91). In the October reshuffling, the Council of State shrank to 21 members, from 31 previously, with 4 new people joining and 14 departing.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

In the 2018 National Assembly elections, held in March, voters were asked to either support or reject a single PCC-approved candidate for each of the unicameral body's 605 seats. All candidates were elected. Subsequent elections in 2019 have been restricted to the

members of the National Assembly and serve as virtually unanimous ratification exercises of single preselected candidates.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The only Cuban elections that offer a choice of more than one candidate per office are those for municipal assemblies, but no campaigning is allowed. This did not change under the new electoral laws that are slated to follow ratification of the new constitution, which was approved in a February national referendum that included a historic number of abstentions and “no” votes. On the occasion of constitutional referendum and again later during the October National Assembly vote ratifying Miguel Díaz-Canel as president of the republic, numerous dissident group headquarters were raided and independent journalists intimidated or placed under extrajudicial house arrest to prevent their interfering with or even witnessing the polls.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Political parties other than the PCC are illegal. Political dissent is a punishable offense, and dissidents are systematically harassed, detained, physically assaulted, and imprisoned for minor infractions. Supposedly spontaneous mob attacks, known as “acts of repudiation,” are often used to silence political dissidents.

The Cuban Observatory of Human Rights (OCDH), a nongovernmental organization based in Madrid, reported 3,157 arbitrary arrests of peaceful opponents during 2019, a notable increase over the 2,525 in 2018. OCDH indicates that these detentions normally took place without legal oversight and were often “accompanied by home raids, fines, confiscation of belongings, beatings, and threats.” Such brief politically motivated detentions of political dissidents and independent journalists were a key repressive tactic under the government of Raúl Castro, and have continued in a similar fashion under Díaz-Canel.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The PCC and the Castro brothers in particular have dominated government and politics in Cuba since 1959, allowing no transfer or rotation of power between rival groups. While the unprecedented attempt by dissident groups to field independent candidates in the 2017 municipal elections was aimed at challenging the PCC’s monopoly, the authorities’ successful campaign to block opposition candidacies ensured that no independent candidates made it on the ballot.

Similarly, both the February 2019 constitutional referendum and the October National Assembly election of the president saw a substantial mobilization of Cuba’s repressive apparatus to block oppositional organizing.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The authoritarian one-party system in Cuba largely excludes the public from any genuine and autonomous political participation. The military and intelligence agencies play an important role in suppressing dissent and wield deep influence over virtually every aspect of the state. Several members of the extended Castro family hold important government

positions, though none (apart from PCC first secretary Raúl Castro) were granted seats on the PCC's Central Committee during the Seventh Party Congress in 2016, and none currently serve on either the Council of Ministers or the Council of State.

State employees who express political dissent or disagreement with the authorities often face harassment or dismissal. Professionals dismissed from their jobs in the state sector have difficulty continuing their careers, as licenses for professions are not available in the private sector.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The PCC leadership has exhibited greater gender and racial diversity in recent years. However, since political rights are denied to all Cuban citizens, women and members of minority groups are unable to choose their representatives or organize independently to assert their political interests.

At the 2016 party congress, the proportion of women on the PCC Central Committee rose to 44.4 percent, from 41.7 percent in 2011. Afro-Cubans accounted for 35.9 percent, up from 31.3 percent in 2011. Women also now hold more than half of the 605 National Assembly seats and make up almost half of the 31-member Council of State; Cubans of African and mixed-race descent make up about half of each body. Half of Cuba's six vice presidents are black, and three are women. Additionally, the Afro-Cuban Communist party stalwart Esteban Lazo simultaneously holds the powerful positions of National Assembly president (since April 2018) and head of the Council of State (since October 2019).

The political interests of LGBT+ people are not well represented. Some public advocacy is permitted, but only with the permission of the PCC.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

None of Cuba's nominally elected officials are chosen through free and fair contests, and major policy decisions are reserved for the PCC leadership in practice. The National Assembly, which the constitution describes as the "supreme organ of state power," has little independent influence and meets for brief sessions only twice a year.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a serious problem in Cuba, with widespread illegality permeating everyday life. The state enjoys a monopoly on most large business transactions, and there are no independent mechanisms to hold officials accountable for wrongdoing.

During his 10 years as president, Raúl Castro prioritized the fight against corruption; a new comptroller general was installed, and long prison sentences were imposed on high-level Cuban officials and foreign businessmen found guilty of corruption-related charges. However, the government has not enacted internal reforms that would make the system more transparent and less prone to abuse, nor does it allow civil society groups, journalists, or courts to serve as external checks on its authority.

C3. Does the government operate with openness and transparency? 0 / 4

Cuba lacks effective laws that provide for freedom of information and access to official records. Major state events frequently take place behind closed doors.

In October 2019, a group of nearly 20 independent island-based digital media outlets published an open letter to the government demanding greater access to information so they

could respond effectively to “the right of Cuban citizens to information of public interest.” They also demanded that the “government put at the disposition of the citizenry and journalists all the information generated by its diverse branches of power, including data that is open, free, complete, timely, permanent, and primary in order to facilitate citizen oversight.” These demands were ignored by the government.

CIVIL LIBERTIES: 13 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16

D1. Are there free and independent media? 1 / 4

The formal media sector is owned and controlled by the state, and freedom of expression is not constitutionally guaranteed. The independent press is illegal, its publications are considered “enemy propaganda,” and its journalists are frequently harassed, detained, and prohibited from traveling abroad. Government agents routinely accuse them of being mercenaries, and many face charges of “usurpation of legal capacity,” or “diffusion of false news.”

Despite these obstacles, independent digital media outlets have continued to emerge in recent years, and to exhibit greater boldness, unity, and professionalization. However, there have also been stepped-up state efforts to repress, legally undermine, and discredit them. Both the Inter-American Commission of Human Rights of the Organization of American States (OAS) and the Inter-American Press Association issued detailed 2019 reports criticizing the government for its crackdown on the island’s emergent independent press, and for the new constitution’s failure to guarantee freedom of the press or expression. Additionally, Decree Law 370, enacted in 2019, bans Cuban citizens from having information hosted on foreign servers, in effect further restricting the independent digital press. In partial response to these measures, a group of independent journalists issued an unprecedented declaration demanding legalization and the repeal of abusive media laws. The declaration also enumerated the common aggressions they are subject to including arbitrary detentions, interrogations, intimidation, home raids, prohibition of foreign travel, sexual assault, cyberattacks, defamation, and the confiscation of equipment. Leading independent journalists targeted with house arrest or foreign travel bans during 2019 include Luz Escobar, Yoani Sánchez, and Reinaldo Escobar of 14ymedio; Abraham Jiménez Enoa of El Estornudo; Maykel González Vivero of Tremenda Nota; Elaine Díaz of Periodismo de Barrio; and José Jasán Nieves Cárdenas of El Toque.

A small but growing percentage of the population has access to the internet, thanks to expanded government access via a network of pay-as-you-go Wi-Fi hotspots and 3G mobile access, launched in December 2018. Nearly 100,000 Cubans also now have paid home-based access. In 2019, Cubans took advantage of the availability of 3G service to criticize government policies and confront its ministers via social media, using popular hashtags linked to periodic public protests including a demand for lower internet prices and calls to abstain from voting or vote against the new constitution.

Still, shoddy service has made using these online services frustrating, and high prices place them out of reach for most. In response, multiple innovative workarounds have appeared, such as *el paquete*, an affordable compendium of digital data that circulates on the entire island.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom has improved over the past decade, but official obstacles still make it difficult for churches to operate without interference. Given its positive role in US-Cuban diplomatic talks, the Roman Catholic Church has enjoyed an expansion of its pastoral

rights, including periodic access to state media and public spaces and the ability to build new churches and distribute its own publications. Protestant and evangelical groups tend to face greater restrictions, though they too have experienced improved conditions in recent years.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Academic freedom is restricted in Cuba, and private schools and universities have been banned since the early 1960s. Teaching materials often contain ideological content, and educators commonly require PCC affiliation for career advancement. University students have been expelled for dissident behavior. Despite the elimination of exit visas in 2013, university faculty must still obtain permission to travel to academic conferences abroad, and officials often prevent dissident intellectuals from attending such events. Officials also deny entry to prominent intellectuals who have been critical of the regime. One notable case was the November 2019 banning of academic Ted Henken from a University of Havana conference, at which he had been accepted to present his work about a Cuban art and community outreach project. Additionally, there were numerous cases in 2018 and 2019 of academics being expelled from their jobs for their political opinions or activities, including Omara Ruiz Urquiola, José Raúl Gallego, and René Fidel González García. In mid-2019 of Cuba's vice minister of higher education, Martha del Carmen Mesa Valenciano, declared that "whoever doesn't feel they are an activist of our party's revolutionary policy, an advocate of our ideology, our morale, our political convictions, must renounce their position as a university professor."

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Cubans often engage in robust private discussions regarding everyday issues like the economy, food prices, foreign travel, and difficulties gaining internet access, but they tend to avoid discussing more sensitive political issues such as human rights and civil liberties. Neighborhood-level "Committees for the Defense of the Revolution" assist security agencies by monitoring, reporting, and suppressing dissent.

In 2019, government monitoring of social media was reflected in efforts to restrict debate on the new constitution through authorities' active manipulation of online Twitter discussions using bots, false accounts, trolls, and even the takeover of some dissident accounts.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Restrictions on freedom of assembly remain a key form of political control. Security forces and government-backed assailants routinely break up peaceful gatherings or protests by political dissidents and civic activists.

The new constitution limits the rights of assembly and association to prevent their exercise "against the existence and objectives of the Socialist State." While some of the harsher language banning independent or opposition gatherings was eliminated, the new charter still qualifies the right to assembly by requiring that it be exercised "with respect to public order and in compliance with the precepts established by the law."

An independent LGBT+ march in May 2019 was banned, and participants were arrested when it went forward anyway.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Based on the 1985 Law on Associations, the government refuses to register any new organization that is not state supervised. Nearly all politically motivated short-term detentions in recent years have targeted members of independent associations, think tanks, human rights groups, political parties, or trade unions.

A number of independent civil society organizations suffered repression during 2019, with some activists detained on arbitrary charges, prevented from traveling abroad, or forced into exile. The dissident groups most commonly persecuted by the government include the Ladies in White, the Patriotic Union of Cuba (UNPACU), the Christian Liberation Movement (MCL), the United Anti-Totalitarian Forum (FAU), and the Cuban Association of Electoral Observers (ACOE). Particularly noteworthy in 2019 was the suspension of activities of the independent think tank Cuba Posible following an intensive intimidation campaign against its leaders, and threats against prominent LGBT+ and environmental activist Isbel Díaz Torres, who has been forced into exile.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Cuban workers do not have the right to strike or bargain collectively, and independent labor unions are illegal.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 0 / 4

The Council of State has full control over the courts, whose rulings typically conform to the interests of the PCC. Judges are tasked with enforcing laws on vaguely defined offenses such as “public disorder,” “contempt,” “disrespect for authority,” “pre-criminal dangerousness,” and “aggression,” which are used to prosecute the regime’s political opponents. In May 2019, Cuban Supreme Court president Rubén Remigio threatened to apply Law 88 (known to critics as the “muzzle law”) to anyone who “collaborates with foreign media” against the Revolution.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Multiple legal cases against dissidents illustrated the systematic violation of due process. These included the systematic persecution of activist and UNPACU leader José Daniel Ferrer, who was arrested multiple times during 2019 and held incommunicado for over a month in October and November, in violation of habeas corpus. Eduardo Cardet, a Christian Liberation Movement leader who had been imprisoned for over two-and-a-half years on political charges following the death of Fidel Castro, was released in May but remains on probation, which permits authorities to return him to prison arbitrarily. Because his freedom is conditional, Amnesty International (AI) continues to list him as a prisoner of conscience. Additionally, AI named five new prisoners of conscience in August 2019, most of whom have been imprisoned under laws used to silence dissent, such as those banning “resistance,” “public disorder,” “contempt,” and “dangerousness.”

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Opposition activists, human rights defenders, and other perceived enemies of the regime are routinely subjected to public assaults as well as abuse in custody. For example, during the various raids on the homes of UNPACU dissidents during the years, police commonly used excessive force in entering homes and physically assaulted various activists while confiscating their belongings, without providing any legal documentation for the seizures.

The government has repeatedly refused to allow international monitoring of its prisons. Prison conditions are poor, featuring overcrowding, forced labor, inadequate sanitation and medical care, and physical abuse.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women enjoy legal equality and are well represented in most professions, though their labor force participation rate stands at about 40 percent, suggesting persistent economic disparities and cultural double standards.

While racial discrimination has long been outlawed, Cubans of African descent have reported widespread discrimination and profiling by police. Many lack access to the dollar economy. A recent survey found that 78 percent of hard-currency remittances sent to the island from abroad go to white Cubans, leaving Afro-Cubans at an even greater disadvantage.

Discrimination based on sexual orientation is illegal in areas such as employment and housing, and Mariela Castro Espín, Raúl Castro's daughter and the director of the National Center for Sexual Education (CENESEX), has advocated on behalf of LGBT+ people. However, the advocacy efforts of independent LGBT+ groups are either ignored or actively suppressed.

Article 42 of the new constitution extends protection from discrimination to a wider array of vulnerable groups, explicitly adding categories such as ethnic origin, gender identity, sexual orientation, age, and disability to the existing safeguards regarding race, sex, national origin, and religion.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement and the right to choose one's residence and place of employment are restricted. Cubans who move to Havana without authorization are subject to removal. Some dissidents and journalists are barred from foreign travel, despite a 2013 migration law that rescinded Cuba's exit visa requirement. Cubans still face extremely high passport fees, and Cuban doctors, diplomats, and athletes who "defect" are barred from visiting for eight years.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Private employment opportunities remain restricted, though the new constitution recognized private property. While the number of Cubans licensed as "self-employed" reached an unprecedented 617,974 by November 2019, in July of the previous year the government issued a 129-page compendium of new regulations designed to rein in the nonstate sector, curbing "illegalities" and preventing the private concentration of wealth and property. In August 2019, the government issued Decree-Law 366, which is designed to halt the growth of nonagricultural cooperatives—indicating that an experiment that began 5 years earlier had run its course. In October 2019, the government authorized the importation of goods from abroad to a handful of businesses on the island. However, it is as yet unclear whether the measure will facilitate business for the island's small private sector, or is more intended to undercut the lucrative dealings of Cuban "mules," who travel abroad frequently in order to return and resell scarce merchandise.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individuals enjoy broad freedom in their interpersonal, romantic, and sexual relationships. While divorce is common, men and women enjoy equal rights to marital goods and child custody. The new constitution does not contain language that defines marriage as a union between a man and a woman (as in the past), raising the possibility that same-sex marriage could be legalized in the future. A proposed change that would have more explicitly supported legalization was ultimately rejected. Abortion is legal in Cuba.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Average official salaries remain extremely low. The national currency is very weak, encouraging an exodus of trained personnel into the private and tourism sectors, where the convertible peso—pegged to the US dollar—is used. Cubans employed by foreign firms are often much better remunerated than their fellow citizens, even though most are contracted through a state employment agency that siphons off the bulk of their wages and uses political criteria in screening applicants.

Cyprus

Population: 1,300,000

Capital: Nicosia

Freedom Status: Free

Electoral Democracy: Yes

Note: The numerical scores and status listed here do not reflect conditions in Northern Cyprus, which is examined in a separate report.

Overview: The Republic of Cyprus is a democracy that has de jure sovereignty over the entire island. In practice, however, the government controls only the southern, largely Greek-speaking part of the island, as the northern area is ruled by the self-declared Turkish Republic of Northern Cyprus (TRNC), recognized only by Turkey. Political rights and civil liberties are generally respected in the Republic of Cyprus. Ongoing concerns include societal discrimination against minority groups and weaknesses in the asylum system.

KEY DEVELOPMENTS IN 2019

- In the May elections for Cyprus's six seats in the European Parliament (EP), four parties won representation. One candidate, Niyazi Kızılyürek of the Progressive Party of Working People (AKEL), became the first ethnic Turkish Cypriot to be elected to the EP or to win office in the Republic of Cyprus since 1964.
- The country continued to experience year-on-year increases in the number of arriving migrants and asylum seekers, putting additional strain on the government's ability to house them and process their cases in a fair and timely manner.
- In June, an army officer received multiple prison sentences for the serial murders of five foreign women and two of their children. The murders prompted public discussion concerning the exploitative conditions faced by many migrant domestic workers in Cyprus.

POLITICAL RIGHTS: 38 / 40**A. ELECTORAL PROCESS: 12 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

The president is elected by popular vote for five-year terms. The current president, Nicos Anastasiades of the center-right Democratic Rally (DISY), won a second term with 56 percent of the vote in a 2018 runoff against Stavros Malas, who was backed by the left-wing AKEL. The two had outpolled seven other candidates in the first round. International observers found that the overall election process adhered to democratic principles.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral House of Representatives has 80 seats filled through proportional representation for five-year terms. The Turkish Cypriot community has 24 reserved seats, which have been unfilled since Turkish Cypriot representatives withdrew from the chamber in 1964.

In the 2016 legislative elections, which were held in accordance with international standards, DISY led the voting with 18 seats, down slightly from 2011, followed by AKEL with 16, also a decline. The Democratic Party (DIKO) received 9 seats, the Movement for Social Democracy (EDEK) took 3, and the Green Party secured 2. Three new parties won seats for the first time: the far-right National Popular Front (ELAM) took 2, while 3 each went to the center-left Citizens' Alliance (SYPOL) and the right-wing Solidarity, an offshoot of DISY.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Electoral laws are generally fair. In their report on the 2018 presidential vote, election monitors from the Organization for Security and Co-operation in Europe (OSCE) noted some improvements since the 2013 contest, including 2017 legal changes that abolished most mandatory-voting provisions and established a ceiling of €1 million (\$1.1 million) for candidates' campaign spending. The report found that the election was administered in a "highly professional, efficient, and transparent manner."

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

A wide array of parties compete in the political system. Cyprus's two main parties, DISY on the right and AKEL on the left, usually split the largest share of the vote, but neither has dominated politics, and other parties are often able to play significant roles. Both DISY and AKEL lost seats in the 2016 parliamentary elections, and despite an increase in the vote threshold for representation, from 1.8 percent to 3.6 percent, three new parties were able to enter the parliament. In the May 2019 EP elections, four parties won representation: DISY and AKEL with two seats each, and DIKO and EDEK with one each.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Cyprus has experienced regular democratic transfers of power between rival parties in recent decades, and multiple opposition parties are able to gain representation in the legislature.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People are generally able to express their political choices without undue interference from outside actors.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Three recognized Christian minorities—the Armenians, the Latins, and the Maronites—each have one nonvoting representative in the parliament. Members of these minority groups vote in special elections for their representatives, as well as in the general elections. The Turkish Cypriot community's 24 seats remain unfilled. However, in the 2019 EP elections, Niyazi Kızılyürek of AKEL became the first Turkish Cypriot to be elected to the EP or to win office in the Republic of Cyprus since 1964.

Women in Cyprus have equal political rights, but they are underrepresented in political parties. No parliamentary party is led by a woman, and parties have failed to meet internal quotas mandating that 30 to 35 percent of their candidates be women. Women hold about 18 percent of the seats in the House of Representatives. No women ran for president in 2018. Sexism and patriarchal attitudes discourage women from playing a more active role in politics.

The interests of the LGBT+ community, which still faces significant discrimination from some sectors of society, are not always well represented in the political system.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The freely elected government is able to make and implement policy without improper interference from unelected entities.

In a further sign of the country's recovery from a 2013 banking crisis and the subsequent period of policy constraints imposed by international creditors, in September 2019 Cyprus repaid in full—two years ahead of schedule—a €2.5 billion (\$2.8 billion) Russian loan it had negotiated in late 2011 as the crisis developed.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Cyprus has strong anticorruption laws that are, for the most part, adequately enforced. However, there have been a number of high-profile corruption scandals in recent years, and critics of the government's record have raised concerns about early releases and pardons of individuals convicted on corruption charges.

C3. Does the government operate with openness and transparency? 4 / 4

In general, the government operates with openness and transparency. The country enacted a long-awaited freedom of information law in late 2017, though civil society activists had argued that the bill's exemptions were too broad.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 4 / 4

Freedom of speech is constitutionally guaranteed, and media freedom is generally respected. A vibrant independent press frequently criticizes the authorities. Numerous private outlets compete with public media, and there are no restrictions on access to online news sources.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is guaranteed by the constitution and generally protected in practice. Nearly 90 percent of those living in government-controlled Cyprus are Orthodox Christians, and the Orthodox Church enjoys certain privileges, including religious instruction and some religious services in public schools. Non-Orthodox students may opt out of such activities. The government recognizes Muslim religious institutions and facilitates crossings at the UN buffer zone between north and south for the purpose of worship at religious sites. Muslim groups have occasionally faced obstacles in the operation of their religious sites. Other religious minorities sometimes encounter discrimination.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is respected in Cyprus. However, state schools use textbooks containing negative language about Turkish Cypriots and Turkey, and there is some political pressure regarding schools' treatment of sensitive historical and unification-related issues.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to engage in political and other sensitive discussions without fear of retribution or surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12**E1. Is there freedom of assembly? 4 / 4**

Freedom of assembly is constitutionally guaranteed and generally respected.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations are generally free to operate without government interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers have the right to strike, form independent trade unions, and engage in collective bargaining. The law provides remedies for antiunion discrimination, though enforcement is uneven.

F. RULE OF LAW: 15 / 16**F1. Is there an independent judiciary? 4 / 4**

The judiciary, which operates principally according to the British tradition, is independent in practice. Supreme Court judges are appointed by the president on the recommendation of the court's existing members, and lower court judges are appointed by Supreme Court judges in their capacity as the Supreme Council of Judicature.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The justice system generally upholds due process standards. Law enforcement agencies largely observe safeguards against arbitrary arrest and detention, and criminal defendants have access to counsel and fair trial procedures.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Residents of Cyprus are free from major threats to physical security, though human rights monitors have noted cases of police brutality. Overcrowding and other problematic conditions have been reported at prisons and migrant detention centers.

In an attempt to block Cyprus's efforts to explore for offshore oil and gas, Turkey has threatened to use force against drilling vessels. Ankara argues that the maritime areas in question are under the jurisdiction of either Turkey or the TRNC.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Despite government efforts to combat prejudice and inequality, non-Greek Cypriot minorities, including migrants and asylum seekers, face discrimination and occasional violence. In June 2019, an army officer was sentenced to seven terms of 25 years in prison for the serial murders of five women migrant workers and two children between 2016 and 2018. Police were accused of failing to properly investigate the women's initial disappearances because of their marginalized status in society; most were household workers. A month before the sentencing, the police chief was dismissed and the justice minister resigned.

The country has received rapidly increasing numbers of migrants and asylum seekers in recent years. There were more than 13,000 new asylum applications in 2019, compared with about 7,800 in 2018 and 4,600 in 2017. The influx has created a large backlog of asylum cases, which can take several years to process; a specialized administrative court began operating in June 2019 to handle appeals. While many newcomers are quickly released from overburdened reception centers, they often lack access to other housing.

Gender discrimination in the workplace remains a problem, including with respect to hiring practices, salaries, and sexual harassment; laws against it have not been adequately enforced.

Antidiscrimination laws generally prohibit bias based on sexual orientation, and there are legal protections for transgender people on some issues as well. For example, laws barring incitement to hatred apply to both sexual orientation and gender identity. However, the LGBT+ community continues to face societal discrimination in practice.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

There are few impediments to freedom of movement within the government-controlled area of the Republic of Cyprus. The UN buffer zone dividing the island remains in place, though travel between north and south has improved since 2004 due to an increase in the number of border crossings. In 2018, two new crossing points opened at Derynea and Lefka-Aplici.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Property rights are generally respected in Cyprus. A 1991 law stipulates that property left by Turkish Cypriots after 1974, when a Turkish invasion divided the island, belongs to the state. Under the law in the north, Greek Cypriots can appeal to the Immoveable Property Commission (IMP), which in 2010 was recognized by the European Court of Human Rights as a responsible authority for the resolution of property disputes. However, its work has been seriously impaired in recent years by a lack of funding from the TRNC and Ankara.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Personal social freedoms are largely unrestricted. Same-sex civil unions are allowed under a 2015 law, but it did not include adoption rights for same-sex couples. Since 2017, the government has been considering legislation that would establish a procedure to correct one's legal gender. Domestic violence remains a problem despite official efforts to prevent and punish it. Two government-funded shelters are open to survivors of domestic abuse.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The legal framework generally protects workers against exploitative conditions of employment, and the government has made genuine progress in combating human trafficking. However, persistent problems include a lack of resources for labor inspectors and illegally low pay for undocumented migrant workers. Migrant workers and asylum seekers remain vulnerable to sexual exploitation and forced labor. The serial murders exposed in 2019 prompted a broader public discussion concerning the difficult conditions that many migrant domestic workers face in Cyprus.

Czech Republic

Capital: Prague

Population: 10,700,000

Freedom Status: Free

Electoral Democracy: Yes

Overview: The Czech Republic is a parliamentary democracy in which political rights and civil liberties are generally respected. However, in recent years, the country has experienced a number of corruption scandals and political disputes that have hampered normal legislative activity. Illiberal rhetoric and the influence of powerful business entities in the political arena are increasingly visible.

KEY DEVELOPMENTS IN 2019

- Prime Minister Andrej Babiš faced a wave of protests from April through June, and again in November, calling for his resignation due to his role in a large corruption scandal involving subsidy fraud. The protests were the largest in the Czech Republic's modern history since the Velvet Revolution.
- In May, President Miloš Zeman refused to appoint the nominee for the Minister of Culture favored by the Czech Social Democratic Party and requested by Babiš, and instead appointed an accepted substitute. The president technically violated the constitution, which obligates him to grant the prime minister's appointment requests for cabinet positions.
- In September, the state attorney halted the prosecution of Prime Minister Babiš for his alleged involvement in the Stork's Nest affair, a scandal involving European Union subsidy fraud in which Babiš was implicated. Though the case was reopened in December, public protests voiced disappointment at how the case had been handled.

POLITICAL RIGHTS: 36 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is the head of state but holds limited powers and is directly elected to up to two five-year terms. The January 2018 presidential election was considered credible. President Miloš Zeman of the Party of Civic Rights was reelected, defeating his opponent, Jiří Drahoš, in the second round of voting.

The prime minister is the head of government and holds most executive power. In December 2017, controversial billionaire Andrej Babiš of the ANO party was sworn in as prime minister, following elections that were held in accordance with international standards.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 200 members of the Chamber of Deputies, the lower house of Parliament, are elected to four-year terms by proportional representation. The Senate, the upper chamber, which holds limited legislative power, has 81 members elected for six-year terms, with one-third up for election every two years.

The ANO, led by Babiš, won 78 seats in the Chamber of Deputies in the October 2017 legislative elections, followed by the Civic Democratic Party (ODS) with 25, and the populist, anti-immigration Freedom and Direct Democracy (SPD) party with 22. The polls were generally well administered, and the results were broadly accepted by stakeholders.

Babiš was sworn in as prime minister in late 2017, but mainstream parties refused to cooperate with him, and he struggled to assemble a coalition. In July 2018, after almost nine months of negotiations, corruption allegations, and a vote of no confidence in January, the ANO, the ČSSD, and the Communist Party of Bohemia and Moravia (KSČM) formed a coalition government. Since then, the coalition has experienced a number of crises, with ČSSD threatening to leave the coalition multiple times.

The most recent Senate elections were held in October 2018, with 27 seats contested. The opposition ODS won the most seats, with 10.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The electoral framework is robust and generally well implemented by the State Election Commission. However, the body does not always operate with transparency, and a 2017 Organization for Security and Co-operation in Europe (OSCE) needs assessment mission expressed concern that its meetings were typically closed to the public and opposition representatives. The OSCE mission also criticized the decentralized procedures surrounding the maintenance of voter lists, which made the lists difficult to verify.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are free to form and operate. Since the 2013 elections, the political scene has seen somewhat of a shake-up, with the establishment ODS and the ČSSD losing support, and space opening up for the populist ANO, anti-immigration and nationalist SPD, and liberal Czech Pirate Party.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Power rotates between parties regularly. The opposition holds a significant bloc of seats in Parliament.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

The influence of politically connected media outlets has been a growing concern in recent years, notably after a controversy arose in 2017 involving the daily newspaper *MF Dnes*, which is among the assets Babiš placed in a trust to comply with 2016 conflict-of-interest legislation. Critics have accused him of using *MF Dnes* and another newspaper his trust owns, *Lidove noviny*, as tools to advance his political and business interests.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

By law, all citizens have full political rights and electoral opportunities. However, the Roma lack meaningful political representation. Women hold 45 out of the 200 seats in the Chamber of Deputies, and 13 of the 81 seats in the Senate, an increase from the previous Parliament. However, women remain underrepresented in politics and public bodies generally. There are few initiatives aimed at boosting their political participation.

C. FUNCTIONING OF GOVERNMENT: 9 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

Elected officials are duly installed and generally able to craft and implement policy. Political polarization and the controversy surrounding Babiš contributed to drawn-out negotiations that left the country without a governing coalition through the first half of 2018. In addition to the ČSSD threatening to leave the government multiple times in 2019, the prime minister's escalating dispute with President Miloš Zeman deepened the nation's political instability. In May, Zeman refused to appoint Minister of Culture nominee demanded by the ČSSD and requested by Babiš, despite the president's constitutional obligation to grant appointment requests by the prime minister. In August, Zeman appointed an accepted substitute. The dispute challenged Prime Minister Babiš's authority to implement administrative decisions.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a problem in Czech politics, but institutions have generally been responsive to corruption allegations and scandals. In 2017, Czech police and the European Anti-Fraud Office began an investigation into Prime Minister Babiš, following allegations of improprieties regarding the disbursement of European Union (EU) subsidy funds to one of his firms, known as the Stork's Nest fraud scandal. In November 2018, a leaked European Commission legal opinion concluded that Babiš's formal transfer of the company Agrofert to two trusts did not resolve his de facto ownership of the company.

The Stork's Nest scandal further escalated in 2019 when Justice Minister Jan Kněžínek resigned in April, one day after police investigators proposed charging the prime minister with subsidy fraud. As a result, Babiš decided to appoint Marie Benšová, a close ally and advisor to Miloš Zeman, to the vacant position. The highly controversial appointment triggered a wave of protests fueled by fear that the appointment would convince President

Zeman to block the prosecution of Babiš. Roughly 400,000 Czech residents added their names to a petition demanding Babiš's resignation.

C3. Does the government operate with openness and transparency? 3 / 4

The government often fails to proactively publish information about procurement processes, public officials' salaries, and public spending. Members of the public must request a time-sensitive password to view asset declarations online. In 2018, new legislation came into force requiring that the "ultimate beneficial owners" of companies and trust funds be disclosed in a register. Although the register is not available to the public, law enforcement agencies, the courts, and several other entities can access it. Analysts viewed the register as a step forward for transparency and a tool for identifying conflicts of interest.

In July 2019, the government proposed legislation to regulate government lobbying. Although generally seen as a positive change, a potential loophole in the legislation could exempt the president's office from such regulations.

CIVIL LIBERTIES: 55 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

The media operate relatively freely, and the government does not place undue restrictions on content. Legislation protects private ownership of media outlets, but concerns remain about the extent to which the media is controlled by wealthy business figures and its potential impact on journalists' ability to investigate commercial interests.

Although Prime Minister Babiš placed his significant media holdings in a trust, the trust is controlled in part by his close associates. Critics have accused both of his newspapers of biased coverage, claiming that they are being used as tools to advance the prime minister's political interests. Another Czech billionaire, Petr Kellner, announced in October 2019 his upcoming acquisition of Central European Media Enterprises (CME), which owns 30 TV channels broadcasting to five countries. Among the most influential television stations in the Czech Republic is TV Nova, now operated by CME. Analysts note that media outlets serve as a means of influence in the region, and although Kellner denies any political motives, his acquisition of CME raises questions over his ability to influence public discourse.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The government generally upholds freedom of religion. Tax benefits and financial support are provided to registered religious groups. The state has initiated a process to return land confiscated from churches by the former communist regime, which will take place over the next 30 years.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is respected. Ceremonial presidential approval is required for academic positions.

In November 2019, reports emerged that four faculty members at Prague's Charles University had received secret Chinese payments, prompting an investigation and the firing of the faculty members involved. Analysts have voiced concerns that China might use its ties with prominent politicians to build a foothold in Czech academia.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally able to express controversial or political opinions without fear of surveillance or retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12**E1. Is there freedom of assembly? 4 / 4**

Freedom of assembly is upheld in practice, and demonstrations take place frequently and without incident. Beginning in April 2019, demonstrations in Prague involving thousands of protesters demanded Prime Minister Babiš's resignation over corruption allegations and his much-criticized appointment of Marie Benešová as Minister of Justice. The protests culminated in June, the largest since the Velvet Revolution with over 200,000 people coming to Letná Park. Although the protests were held in peaceful and ordered manner, both the president and prime minister verbally attacked the organizers and the cause they were mobilized by. The prime minister's claim that the protests were paid by his political opponents caused a public outrage. The last protest was held in November, on the eve of the 30th anniversary of the Velvet Revolution, when between 200,000 and 300,000 people returned to Letná Park calling for Prime Minister Babiš's resignation.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Tens of thousands of registered nongovernmental organizations (NGOs) operate in the country, generally without interference from the government or security forces. However, the environment for civil society has grown increasingly antagonistic as the government and its allies have harshly criticized some outspoken NGOs.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Trade unions and professional associations function freely, though they are weak in practice. Workers have the right to strike, though this right is limited for essential public employees, such as hospital workers and air traffic controllers.

F. RULE OF LAW: 14 / 16**F1. Is there an independent judiciary? 3 / 4**

The judiciary is largely independent, though its complexity and multilayered composition have led to slow delivery of judgments.

In 2019, the appointment of Marie Benešová as Minister of Justice raised concerns over the independence of the judiciary. She took office in April, following Minister Jan Kněžínek's resignation one day after police investigators proposed charging the prime minister with subsidy fraud. Citizens feared Benešová's appointment would undermine the criminal investigation into the prime minister. The investigation was paused in September without clear explanation, causing a public outcry and disappointment in how the investigation was handled. Although the case was reopened in December, the process severely damaged the overall trust in the judiciary and its independence. Similarly in September, the Černošice council found Babiš at fault in a conflict-of-interest case, however, the Central Bohemia's regional council suspended the proceeding after an appeal.

Benešová's appointment was accompanied by rumors in August about potential reform of the prosecutor general's office, currently the main force behind the Babiš investigation. Although Babiš and Benešová deny ulterior motives, the proposed reforms would likely end

the office's mandate. The prosecutor general's reservations have been ignored, and President Zeman openly expressed his concerns about the motivations behind the changes.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The rule of law generally prevails in civil and criminal matters. Despite corruption and political pressure within law enforcement agencies, the office of the public prosecutor has become more independent in recent years.

However, the recent investigation of Prime Minister Babiš and his nomination of Marie Benešová for Minister of Justice showed that political interests may interfere with due process. In September, President Zeman openly stated he would use his constitutional authority to dismiss potential criminal charges of fraud against the prime minister.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The Czech Republic is free from war in insurgencies. However, prisons are overcrowded and at times unsanitary.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The 2009 Antidiscrimination Act provides for equal treatment regardless of sex, race, age, disability, belief, or sexual orientation. The Roma face discrimination in the job market and significantly poor housing conditions than non-Roma, as well as occasional threats and violence from right-wing groups. Many Roma children attend ethnically segregated schools.

Women are underrepresented at the highest levels of business. According to data from the European Commission, the gender pay gap in the Czech Republic is one of the largest in the EU.

Anti-Muslim attitudes have increased in the wake of the refugee crisis confronting European states, and the country's legal battle with the EU about accepting refugee quotas. The populist and anti-immigration SPD continue to spread Islamophobic rhetoric characterizing Islam as "incompatible with freedom and democracy." These positions are episodically approved by some of the highest representatives of state as well.

Asylum seekers are routinely detained, and conditions in detention centers are generally poor. Xenophobic and antirefugee rhetoric was voiced by Prime Minister Babiš and President Zeman on a regular basis in 2019. Although the country is notoriously known for granting only a few asylums every year (in 2018, offering protection to just 1 in 10 applicants), the general salience of the topic is high.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The rights to own property and operate private businesses are established in the law and upheld in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Authorities generally do not restrict social freedoms, though same-sex marriages are not legally recognized. While gender discrimination is legally prohibited, sexual harassment in the workplace appears to be fairly common.

Parliament has yet to ratify the Council of Europe Convention on preventing and combating violence against women and girls and domestic violence (the Istanbul Convention). Reports show that only a small number of perpetrators of gender-based violence face criminal charges.

In September 2019, the government cut funding for NGOs providing support for survivors of gender-based and domestic violence by 70 percent. The resources no longer available could lead to the closure or extreme limitation of counseling and legal support to those who have experienced gender-based violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Human trafficking remains a problem as organized criminal groups use the country as a source, transit, and destination point; women and children are particularly vulnerable to being trafficked for the purpose of sexual exploitation. The government has made increasing efforts in recent years to fund protective services and other resources for survivors, and to prosecute perpetrators.

Denmark

Population: 5,800,000

Capital: Copenhagen

Freedom Status: Free

Electoral Democracy: Yes

Overview: Denmark is a robust democracy with regular free and fair elections. Citizens enjoy full political rights, the government protects free expression and association, and the judiciary functions independently. However, Denmark has struggled to uphold fundamental freedoms for immigrants and other newcomers.

KEY DEVELOPMENTS IN 2019

- The Social Democratic Party (SDP) became the largest in Parliament after an election in June; later that month, it formed a minority government with the backing of three parties in the so-called “Red Bloc.”
- The SDP government loosened some restrictions for refugees and asylum seekers during the year. It committed to participating in an UN-backed quota system for refugee resettlement in June, and committed to moving families of rejected asylum seekers to a less restrictive facility in November; In December, Parliament allowed for the return of children and adolescents who were removed from Denmark under the 2016 amendment to the Integration Law, even though their guardians had attained legal residence.
- In October, Parliament adopted legislation allowing the immigration minister to strip citizenship from dual citizens who fought for foreign extremist organizations,

namely including the Islamic State (IS) militant group. Three dual citizens lost their Danish citizenship under the new law in December.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The constitution retains a monarch, currently Queen Margrethe II, with mostly ceremonial duties. The monarch chooses the prime minister, usually the leader of the largest party or government coalition. Mette Frederiksen of the SDP was appointed by Queen Margrethe in June 2019, after that party emerged as Parliament's largest in an election earlier that month.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 179 members of Denmark's unicameral Parliament (Folketinget) are elected to four-year terms through a system of modified proportional representation.

In the June 2019 parliamentary election, the SDP won 48 seats and 25.9 percent of the vote. The Liberal Party (Venstre) of former prime minister Lars Løkke Rasmussen won 43 seats with 23.4 percent of the vote. The populist and anti-immigration Danish People's Party (DF) lost over half of the seats it held in the 2015–19 parliament; in June 2019, it won 16 seats with 8.7 percent of the vote. The Social Liberal Party (SLP) won 16 seats with 8.6 percent of the vote. Another six parties won the remaining seats.

In late June, Frederiksen formed an SDP-led government with the support of the Red-Green Alliance, the Socialist People's Party (SF), and the SLP, which are affiliated with the left-leaning "Red Bloc." The election was considered free and fair, and the results were accepted by stakeholders and the public.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Robust electoral laws are upheld impartially by the various bodies tasked with implementation. In a May 2019 preelection assessment, Organization for Co-operation in Europe (OSCE) monitors reported a high level of public confidence in Danish election laws and administration.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Numerous political parties compete freely.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The Danish political system is open to the rise of opposition parties through elections. In recent years, the most significant political ascent has been that of the DF, which supported the 2015–19 Liberal-led government.

The Nye Borgerlige (New Right) party was established in 2015 by former DF members, and espouses an anti-immigrant, anti-European Union (EU), and libertarian-leaning agenda.

In June 2019, it won four parliamentary seats. Hard Line (Stram Kurs) was formed in 2017 and espouses an anti-Muslim agenda; founder Rasmus Paludan notably burned copies of the Koran during campaign events in 2019. Hard Line fell short of the two-percent popular-vote threshold to gain parliamentary representation in the June election.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and political figures are generally free from undue influences by actors who are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

The electoral laws guarantee universal suffrage for citizens, as well as representation in regional and municipal elections for permanent residents. Refugees and other immigrants may vote in municipal and regional elections after having obtained permanent residence at least three years before an election date. Women, LGBT+ people, and members of ethnic and religious minorities are active in political life.

The territories of Greenland and the Faroe Islands each have two representatives in Parliament. They also have their own elected institutions, which have power over almost all areas of governance, except foreign and financial policy.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Denmark's freely elected government is able to craft and implement policy. Danish governments most often control a minority of seats in Parliament, ruling with the aid of one or more supporting parties. Since 1909, no single party has held a majority of seats, helping to create a tradition of compromise.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Anticorruption laws and bodies are generally effective, and corruption is not considered an urgent problem in Denmark. However, in 2018, the Council of Europe's anticorruption body, GRECO, deemed Denmark noncompliant with its standards, citing deficient accountability mechanisms for the judiciary and for members of Parliament. The move came in the wake of a number of financial scandals involving public officials, as well as auditor reports suggesting misuse of EU subsidies.

In late 2018, a Danish social worker was arrested on suspicion of stealing as much as 117 million kroner (\$18 million) from Denmark's public welfare agency over a 25-year period; her trial was ongoing at the end of 2019. In December 2019, the National Audit Office warned that Defense Ministry employees made unauthorized and fictitious purchases using public funds over several years; two employees were subsequently reported to the police on suspicion of fraud.

C3. Does the government operate with openness and transparency? 4 / 4

Government operations are generally transparent. However, the government has come under pressure to amend the Public Information Act to remove restrictions on certain information, including documents that are shared between ministers and their advisers. In August 2019, the Frederiksen government rejected parliamentary pressure to amend this legislation.

CIVIL LIBERTIES: 57 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Domestic media reflect a wide variety of political opinions and are frequently critical of the government.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of worship is legally protected. However, the Evangelical Lutheran Church is subsidized by the government as the official state religion. The faith is taught in public schools, though students may withdraw from religious classes with parental consent.

In 2015, a Danish citizen of Palestinian origin launched an attack on a freedom of expression event and then on a Copenhagen synagogue, killing several people. Since the attack, the government has provided security for Jewish religious and cultural facilities considered to be at risk of attack.

In 2018, a ban on the public wearing of face coverings—widely referred to as a “burqa ban” applicable to Muslim women—took effect. Between the end of August 2018 and June 2019, 39 people were charged with violating the ban; 23 of them wore Muslim face coverings.

In 2018, Parliament adopted a law requiring mandatory participation in a ceremony for confirmation of newly granted Danish citizenship, with guidelines including a requirement for shaking hands. The provision was viewed as a means of requiring Muslims who refuse to touch someone of a different gender on religious grounds to adopt practices seen as “Danish.”

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is vibrant and unrestricted.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution provides for freedom of assembly, which is upheld in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate freely in Denmark, and frequently inform policy debates.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers are free to organize and bargain collectively.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent. Judges are formally appointed by the monarch but are recommended by the justice minister in consultation with the independent Judicial Appointments Council.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Citizens enjoy full due-process rights. However, individuals who were denied asylum in Denmark, but whom the government is for various reasons unable to deport, may be subject to administrative measures parallel to those imposed on people with criminal convictions. For example, many such individuals live in isolated centers with poor facilities where they are subject to travel restrictions and have no legal option to challenge their placement. In 2017, the Danish Helsinki Committee criticized the conditions of the Kærshovedgård detention center for offering worse conditions than Danish prisons. In 2018, the Danish Ombudsman also called conditions at Kærshovedgård unsatisfactory.

In 2018, lawmakers approved funding for a controversial facility that would house 100 refused asylum seekers who completed prison sentences but could not be deported for fear of persecution in their home countries. The center was to be established on an island connected to the outside world via nonpublic ferry, but the Frederiksen government reversed the decision in June 2019. However, the government introduced strict restrictions on asylum seekers with criminal convictions, along with those who could not be deported for fear of persecution, that same month; those who do not comply with daily reporting obligations six times can be remanded into custody under the new rules, while 151 such violations were required before.

In October 2019, Parliament adopted legislation that would allow the immigration minister to strip citizenship from individuals who fight abroad for extremist groups, namely the IS; the minister only has the power to do so for those holding dual citizenship. In December, three dual citizens were stripped of their Danish citizenship under the new law.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

People in Denmark are generally free from violent crime and physical abuse by state authorities.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Danish immigration laws have long been some of the harshest in Europe, and immigration laws and asylum policies were previously tightened in response to the massive influx of refugees and asylum seekers entering Europe beginning in 2015. While Denmark recorded 21,000 asylum applications that year, the figure stood at 2,716 in 2019.

Families of rejected asylum seekers who cannot be deported have often been required to reside at a facility in Sjælsmark. Following an inspection visit in 2018, the Ombudsman expressed concern that the conditions for nearly 100 children, many of whom have stayed at the center for several years, put them at risk in terms of their healthy growth and development. The children of permanent residents have also faced the risk of deportation, even after guardians maintained legal residence in Denmark. A 2016 amendment to the Integration Law required strict integration assessments for children and adolescents seeking residency, and 83 individuals were subsequently removed from the country by 2019.

Denmark has loosened some restrictions for refugees and asylum seekers in 2019. In June, the SDP committed to accepting refugees under an UN-backed quota system in return for parliamentary support for its government. In November, the government declared that families living in Sjælsmark will be moved to a new, less restrictive, facility in 2020. In December, lawmakers amended existing legislation to allow children and adolescents who were previously removed under the Integration Law to return to Denmark and secure their own residency. However, the UN Committee on Economic, Social and Cultural Rights

(CESCR) criticized Denmark in an October report, noting that refugees lacked universal access to interpretation services while using Denmark's health system and that municipalities were not obligated to provide housing to refugees.

Discrimination, including based on gender identity or sexual orientation, is prohibited by law. As of 2017 identifying as transgender is no longer considered a mental disorder. However, procedures related to legally changing one's gender remain onerous.

The Greenlandic Inuit community faces social marginalization in Denmark, though the government has implemented programs to address this issue.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is protected by law and generally respected by the government. However, in 2018, the previous Rasmussen government proposed an "antighetto" initiative, applicable to neighborhoods identified as having high unemployment and crime rates, and a high percentage of foreign-born residents. It aims to shift the areas' demographics, institute daycare requirements for foreign children that would integrate them into Danish society through language and culture lessons, and enact stricter punishments for crimes committed there. Legislation to demolish certain housing structures to meet demographic quotas passed that November, and the daycare provision was approved that December. The Frederiksen government has continued these initiatives during 2019.

Since 2015, Denmark has enacted measures that restrict the movement of people who seek to join, or have joined, extremist groups abroad—notably the IS. Some of the measures have been criticized for having a low evidentiary threshold or for lacking appropriate oversight mechanisms.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Private business activity is free from undue influence by government officials or non-state actors.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Refugees and other newcomers face lengthy waiting times for family reunification, including in cases involving small children, and restrictions on family reunification were tightened in the wake of the 2015 refugee crisis. The SDP, under pressure from partners in the Red Bloc, committed to loosening some restrictions in return for their support in forming the government in June 2019, and specifically committed to reviewing strict requirements for children seeking permanent residence in Denmark.

In 1989, Denmark became the first country in the world to adopt same-sex civil unions, and in 2012, Parliament overwhelmingly passed same-sex marriage legislation enabling couples to wed in the Lutheran state church of their choosing. Priests are not obligated to officiate but, when requested to do so, must find a colleague who will.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

Public- and private-sector workers are generally free from exploitation by employers. However, migrants engaged in forced labor can be found in some sectors, including the agricultural and service industries. Women and children, also primarily migrants, can be found

engaged in forced sex work. The government and NGOs work, frequently in conjunction, to identify and prevent human trafficking and to provide aid to survivors.

Djibouti

Population: 1,000,000

Capital: Djibouti

Freedom Status: Not Free

Electoral Democracy: No

Overview: Djibouti is a republic ruled by a powerful president, Ismail Omar Guelleh, who has been in office since 1999 and is not subject to term limits. While Djibouti technically has a multiparty political system, the ruling Union for a Presidential Majority (UMP) uses authoritarian means to maintain its dominant position. The opposition's ability to operate is severely constrained, and journalists and activists who air criticism of Guelleh or the UMP are regularly harassed or arrested.

KEY DEVELOPMENTS IN 2019

- Djibouti's government ignored an April international court ruling that ordered it to pay compensation to a Dubai-based company for the termination of the firm's partial ownership of a container port and the seizure of its assets. It was reported in July that the government would ask Djibouti's high court to nullify the ruling.
- Six teachers—four of them union activists—were arrested and held without trial on suspicion of leaking the contents of an exam. Reports of the detentions that emerged in June prompted condemnation from international human rights and labor organizations.

POLITICAL RIGHTS: 5 / 40 (-2)

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president, who holds most executive power in Djibouti, serves five-year terms under current rules. President Guelleh was elected to a fourth term in 2016, having been credited with 87 percent of the vote. The opposition fractured, with some groups boycotting the poll and others participating. The lead-up to the election featured restrictions on the media and the harassment or detention of opposition figures. On election day, opposition parties complained that their monitors were turned away from polling sites.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The 65 members of the unicameral legislature, the National Assembly, are directly elected for five-year terms. Constitutional changes in 2010 called for the creation of an upper house, but the new Senate had yet to be established as of 2019.

Most of the opposition boycotted legislative elections held in 2018, citing the government's failure to honor a 2014 political agreement by implementing electoral reforms. The

polls were marked by irregularities, and the ruling UMP increased its majority to 57 of 65 seats. The opposition Union for Democracy and Justice–Djiboutian Democratic Party (UDJ-PDD) won seven seats, and the Center of Unified Democrats (CDU) took one.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

A core element of the 2014 political agreement—meant to end the opposition’s boycott of the legislature following deeply flawed elections in 2013—was a pledge to reform the Independent National Electoral Commission (CENI), which the opposition has accused of bias. These reforms had not been carried out as of 2019. Other electoral provisions favor the dominant party, for example by awarding at least 80 percent of the seats in each multimember parliamentary district to the party that wins a majority in that district.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

While Djibouti technically has a multiparty political system, parties must register with the government to operate legally. The authorities have denied recognition to opposition parties including the Movement for Democratic Renewal and Development (MRD), the Rally for Democratic Action and Ecological Development (RADDE), and the Movement for Development and Liberty (MoDEL), whose members have been periodically harassed, arrested, and prosecuted. The law requires the leaders of political parties to have clean criminal records, and the government has pursued spurious charges against opposition figures to disqualify them or their parties.

In 2018, police raided the RADDE headquarters, confiscated equipment, and arrested one person as the party was preparing demonstrations. Also that year, five members of MoDEL were reportedly detained for opening a training school for party activists, and the Republican Alliance for Development (ARD) lost its recognition after an internal leadership dispute caused a temporary split in the party.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

President Guelleh has been in power since 1999, when he succeeded his uncle, the only other president since independence in 1977. The 2013 elections marked the first time that the opposition had won any seats in the National Assembly. Opposition parties have traditionally been disadvantaged by Djibouti’s electoral system, media controls, abuse of state resources to favor incumbents, and arrests and harassment of opposition leaders and supporters.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The ruling party dominates the state apparatus and uses security forces and other administrative resources to marginalize, disrupt, and suppress independent political activity.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The constitution prohibits political parties based on gender or on ethnic, religious, or regional identity. Minority groups, including the Afar, Yemeni Arabs, and non-Issa

Somalis, are represented at all levels of the government, but the president's majority Issa group holds paramount positions in the ruling party, the civil service, and the security forces. Women are underrepresented in leadership positions, partly due to societal discrimination. A legal quota ensures that women hold at least 25 percent of the seats in the National Assembly; there are currently 17 women in the legislature. The president's cabinet includes three women. In practice, the authoritarian political system restricts the ability of women and ethnic and religious minorities to organize independently and advance their respective interests.

C. FUNCTIONING OF GOVERNMENT: 0 / 12 (-2)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The president, who is not freely elected, effectively controls policymaking and governance, and the UMP-dominated parliament does not serve as a meaningful check on executive power.

C2. Are safeguards against official corruption strong and effective? 0 / 4 (-1)

Corruption is a serious problem that is enabled and sustained by the dominant position of President Guelleh and his ruling party in every aspect of public administration. All significant business deals reportedly go through the president himself.

State bodies tasked with combating corruption lack the resources and independence to function effectively. Prosecutions of senior officials are rare.

Score Change: The score declined from 1 to 0 because there have been no meaningful attempts to address corruption in recent years despite growing indications of its prevalence.

C3. Does the government operate with openness and transparency? 0 / 4 (-1)

The government operates in an opaque manner and resists attempts to shed light on its policymaking, budgetary, and contracting decisions. There is no law establishing the right to access public information. The government has made no effort to explain to citizens how it spends the tens of millions of dollars in revenues it collects from foreign powers that lease land for military bases in Djibouti, including the United States, China, and France.

There is also little transparency on Guelleh's investment deals with countries like China, which has provided Djibouti with loans, built critical infrastructure, and operates special economic zones. The agreements have resulted in a massive amount of public debt—China alone is owed the equivalent of more than 70 percent of Djibouti's gross domestic product—and spread discontent among local communities that were not consulted on the location or terms of foreign development projects.

Score Change: The score declined from 1 to 0 due to the government's failure to release relevant information about a series of investment and development deals with China and other foreign partners over the past several years.

CIVIL LIBERTIES: 19 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 0 / 4 (-1)

Despite constitutional protections, freedom of expression is not upheld in practice, and journalists engage in self-censorship. Under the 1992 communications law, defamation and distribution of false information are criminal offenses. The National Communication

Commission, authorized by the Ministry of Communication, distributes licenses to media outlets; the National Security Service reportedly has a role in approving such licenses. The government owns the dominant newspaper, television station, and radio broadcaster, as well as printing presses. According to Reporters Without Borders, domestic media content generally reflects government views. Journalists affiliated with outlets based abroad or small opposition publications are subject to harassment and arbitrary arrest.

The government typically places few restrictions on the internet, but the websites of the overseas opposition radio station *La Voix de Djibouti*, run by exiles in Europe, and the Association for Respect for Human Rights in Djibouti (ARDHD) are sometimes blocked by the state-owned internet service provider.

Score Change: The score declined from 1 to 0 because the government has enforced a virtual monopoly in the domestic media sector in recent years and punished journalists and others who attempt to share independent news and commentary.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4 (+1)

Islam is the state religion, and 94 percent of the population is Sunni Muslim. The Ministry of Islamic Affairs oversees religious matters; a 2013 law and 2014 implementing decree gave it direct authority over mosques and imams, who became civil service employees. The ministry vets the Friday sermons of imams and has previously used this power to curb dissent. However, there were no reports of disciplinary action against preachers in 2018 or 2019 beyond warnings for polarizing speech. Registered non-Muslim religious groups operate freely, and unregistered groups are able to worship in private, though public proselytizing is illegal.

Score Change: The score improved from 1 to 2 because while religious congregations are closely monitored, there have been few reports of harassment in recent years, and members of minority faiths are generally allowed to practice freely.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom is not always respected. Teachers have at times been detained for alleged affiliation with opposition groups. The state oversees the curriculums of the secular public school system and private Islamic schools.

In June 2019, Education International and the Francophone Trade Union Committee for Education and Training called for the release of six teachers—four of them union activists—who had been arrested and were being held without trial for allegedly leaking contents of the baccalaureate exam online. The six apparently remained in custody at year's end. A seventh teacher, who had also been arrested and was pregnant, received a suspended sentence for defamation.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Open discussion of sensitive political issues is impeded by restrictive laws on defamation and other such offenses. The government reportedly monitors social media and conducts surveillance on perceived opponents. Individuals are subject to arrest for posting critical content about the government online.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12**E1. Is there freedom of assembly? 0 / 4**

Freedom of assembly is protected under the constitution but not respected in practice. Permits are required for public gatherings. Police regularly use violence to disperse unauthorized protests and arrest participants. In late October and early November 2019, police allegedly employed live ammunition and tear gas to break up opposition protests prompted by the arrest of an ARD member. Up to 50 people were reported injured.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Local human rights groups that work on politically sensitive matters cannot operate freely, face difficulties in registering with the authorities, and are subject to government harassment. Organizations that focus on social and economic development, including women's rights groups, are generally tolerated by the government. Individual activists are regularly arrested for their work. Anticorruption activist Degmo Ali Abdi was arrested in July 2019 after making a speech that implicated senior government officials.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Though workers may legally join unions and strike, the government has been known to intimidate labor leaders and obstruct union activities. The Labor Ministry is responsible for union registration; it has used its authority to support progovernment unions and deny recognition to independent labor groups. Teachers' union activists have reported being dismissed, transferred, demoted, or denied access to wages.

F. RULE OF LAW: 4 / 16**F1. Is there an independent judiciary? 0 / 4**

The courts are not independent of the government and suffer from corruption. Supreme Court judges are appointed by the president, with the advice of a judicial council dominated by presidential and UMP nominees. The president and parliamentary majority also control appointments to the Constitutional Council.

In July 2019, it was reported that the government would ask Djibouti's high court to nullify a judgment of the London Court of International Arbitration, which had ruled in April that the government should pay more than \$500 million in compensation to DP World, the Dubai-based port operator. The dispute dated to 2012, when Djibouti sold part of its concession in the Doraleh Container Terminal to a Chinese state-owned competitor of DP World, the original concession partner. In 2018, Djibouti canceled its contract with DP World and nationalized the company's assets at the port. The government had similarly rejected previous unfavorable international rulings in the case.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Security forces frequently make arrests without the required court approval, and lengthy pretrial detention is a problem, with detainees often waiting years to go to trial. Allegations of politically motivated prosecutions are common, and opposition groups consistently accuse the government of sanctioning arbitrary arrests and detentions. The government has used counterterrorism laws to target political opponents.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Security forces regularly engage in physical abuse and torture during arrest and detention. Prison conditions are reportedly poor, with pretrial and convicted prisoners often held together due to overcrowding.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Though the law provides for equal treatment of all Djiboutian citizens, minority ethnic groups and clans suffer from discrimination that contributes to their social and economic marginalization. Women have fewer employment opportunities and are paid less than men for the same work. While the law requires at least 20 percent of upper-level public service positions to be held by women, this rule has not been enforced.

Same-sex sexual activity is not specifically banned, but such conduct has been penalized under broader morality laws, and there are no laws in place to prevent discrimination against LGBT+ people. Matters of sexual orientation and gender identity are generally not discussed publicly.

According to the World Food Programme, Djibouti hosted nearly 30,500 refugees as of late 2019, mostly from Somalia, Ethiopia, and Yemen. However, slow processing of asylum claims leaves many asylum seekers at risk of deportation. A 2017 law allows registered refugees to work without a permit and provides access to health care and education.

In September 2019, it was reported that Djibouti had released 19 Eritrean prisoners of war captured during a 2008 border conflict. The government coordinated with the Office of the UN High Commissioner for Refugees (UNHCR), which resettled the Eritreans in Canada; the Eritrean government had refused to acknowledge them, and they were ultimately designated as stateless refugees.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The government has been accused of suspending the travel privileges of political opponents. In March 2019, Abdourahman Mohamed Guelleh, leader of the RADDE, had his passport returned after it was held by the authorities for three years. Civilian movement is restricted in militarized border areas due to past activity by the Front for the Restoration of Unity and Democracy (FRUD-Armé), a rebel group, and tensions with Eritrea.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Private property protections are weak, according to the Heritage Foundation's Index of Economic Freedom, and court proceedings on business and property matters "suffer from corruption and executive interference."

Customary practices and personal status rules based on Sharia (Islamic law) place women at a disadvantage regarding inheritance and property ownership.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Female genital mutilation is illegal, but most women and girls have undergone the procedure. Domestic violence is rarely reported and prosecuted, and spousal rape is not specifically criminalized. The Sharia-based family code requires women to obtain a guardian's consent to marry, among other discriminatory provisions surrounding marriage and divorce.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Many residents have difficulty finding employment in the formal sector, as the president and his allies tightly control all large-scale economic activity, especially around the military bases leased by foreign powers. Legal safeguards against exploitative working conditions are poorly enforced; migrant workers and refugees are especially vulnerable to abuse. A 2016 law on human trafficking includes strong penalties for perpetrators, but authorities have struggled to secure convictions and to effectively identify and assist victims.

Dominica

Population: 70,000

Capital: Roseau

Freedom Status: Free

Electoral Democracy: Yes

Overview: Dominica is a parliamentary democracy and has been governed by the Dominica Labor Party (DLP) since 2000. While the country is committed to democratic governance and civil liberties are generally upheld, a number of concerns persist; these include effective management of elections, judicial efficiency, and high levels of corruption in government—notably relating to the country’s Citizenship by Investment (CBI) program.

KEY DEVELOPMENTS IN 2019

- In the December general parliamentary election, the incumbent Dominica Labor Party (DLP) won convincingly, and Prime Minister Roosevelt Skerrit returned as prime minister. Electoral observers noted that the vote was free and credible, though the campaign was punctuated by unrest, with the opposition objecting to the lack of electoral reform.
- In July, a gay man, who chose to remain anonymous for his own safety, filed a claim against Dominica’s colonial era laws that criminalize same-sex sexual relations, arguing that the laws violate “numerous rights guaranteed in the Constitution of Dominica.”

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who is the ceremonial head of state, is nominated by the prime minister and opposition leader, and elected by the House of Assembly for a five-year term. The prime minister is head of government and is appointed by the president.

The leader of the governing DLP, Roosevelt Skerrit, retained his position as prime minister after his party won a majority of the parliamentary seats in the 2019 general elections. Despite the overall credibility of the elections, the campaign was marred by unrest due to opposition concerns over the lack of electoral reform and a corruption scandal involving Skerrit. To ensure the elections passed without incident, a request was made by the government for personnel from the Regional Security System of the Caribbean—an organization comprising several Eastern Caribbean states to provide mutual assistance and

ensure stability and well-being among members—to be deployed to Dominica four days before the election.

In October 2018, the government reelected former minister of security Charles Savarin as president. Savarin received the full support of the DLP, but the opposition United Workers' Party (UWP) walked out of the parliamentary confirmation session in protest of what they said was an irregular nominating process, which had not followed procedures set out in the Constitution.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Dominica's unicameral House of Assembly consists of 30 members who serve five-year terms; 21 members are directly elected, 5 senators are appointed by the prime minister, and 4 are appointed by the opposition leader. There are two ex-officio members: the House speaker and the clerk of the House.

The DLP won 18 seats in the 2019 general elections and the UWP captured 3. Turnout was historically low, with only 54 percent of eligible voters participating. The polls were monitored by the Caribbean Community (CARICOM), the Organization of American States (OAS), and the Commonwealth of the United Kingdom. They generally concluded that voters were able to cast their ballots without intimidation or fear, and that the results reflected the will of the people. However, the campaign was marred by unrest due to opposition concerns over the lack of electoral reform, and to ensure the elections passed without incident members of the Regional Security System of the Caribbean were deployed.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Electoral Commission manages and organizes the election process, and the electoral laws are generally fair. However, there are concerns over aspects of the electoral process. In the aftermath of the 2014 elections several recommendations were made, and there was an expectation that the government would support some reforms, including the updating and modernizing of the voters list and the issuance of voter identification cards that would address concerns about voting by members of the Dominican diaspora. The government instituted no electoral reform and opposition supporters accused DLP officials of buying plane tickets home for Dominicans living abroad, so as to enable them to vote. Opposition protests turned violent in the lead-up to the December 2019 elections, raising concerns that the outcome of the election would not be accepted by the opposition as legitimate. After the 2019 elections, the OAS recommended a series of changes, such as issuing photo ID cards to voters; introducing an electronic voting system; undertaking a review of the voter list; and introducing legislation to regulate political party and campaign financing. In response to the pressures for reform, the government appointed a commission in mid-December to advise on possible improvements to the electoral system. At the end of December, the opposition challenged the results in ten constituencies won by the DLP.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are free to organize and operate. The effects of the country's first-past-the-post electoral system has entrenched two-party politics, and while there are a number

of small political parties in the country, since 2005 only the DLP and UWP have won seats in parliament.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties are unencumbered by formal restrictions and are generally free to operate. There has not been a change of party in government since 2000, but this has more to do with the weakness of the opposition than any unfairness in the electoral system.

After a series of antigovernment protests in 2017, the government denied several demonstration permits to the opposition, citing public security grounds.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and candidates are generally able to express their political choices without undue influence from actors that are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

All adult citizens may vote. Women are underrepresented in politics generally. Out of 42 candidates in the 2019 elections, only 13 were women, and 8 won seats; although this was an improvement from the 2014 elections. There are three women serving as senators out of nine positions. The position of House speaker is held by a woman.

The indigenous Carib-Kalinago population participates in the political process, with members generally supporting one of the two major political parties. LGBT+ people face discrimination and are marginalized, impacting their ability to engage fully in political processes.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The freely elected prime minister, cabinet, and national legislative representatives determine the policies of the government.

C2. Are safeguards against official corruption strong and effective? 3 / 4

While the government generally implements anticorruption laws effectively, domestic and international observers have raised concerns over Dominica's Citizenship by Investment (CBI) program, that allows foreigners to gain citizenship through an economic investment in the country. These have included persistent allegations that the government has sold diplomatic passports to noncitizens.

In 2017, the prime minister announced an interim policy to tighten the issuance of diplomatic passports, following a controversy in which an Iranian businessman ensnared in a corruption scandal in Iran was found to hold a Dominican diplomatic passport. More information was exposed this year, when Al Jazeera published a story in November 2019, detailing how officials from both parties, including the prime minister, were willing to receive money in return for a political post. Prime Minister Skerrit, in particular, allegedly received hundreds of thousands of dollars in return for appointing an Iranian businessman as the Dominican ambassador to Malaysia.

In 2017, the US State Department described CBI as vulnerable and "susceptible to abuse by criminal actors." It again criticized the program in 2018 and 2019. The 2019 report

noted that “due diligence has been lax,” and that there are “increasing concerns about the expansion of these programs due to the visa-free travel and the ability to open bank accounts accorded these individuals.”

In June 2019, Dominica was removed from the European Union (EU) blacklist of tax havens, after the government changed its tax rules to comply with EU standards that seek to reduce risk of tax evasion.

C3. Does the government operate with openness and transparency? 3 / 4

The government of Dominica generally operates with openness and transparency, though there are concerns that the long-incumbent DLP has been less forthcoming in recent years with information on some programs, including CBI. Government officials are required to submit financial accounts, but these accounts are frequently incomplete.

Access to information is not protected by law, but the government makes efforts to provide information on many topics, and makes information related to the budget available online.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Freedom of expression is constitutionally guaranteed, and the press is generally free in practice. However, defamation remains a criminal offense punishable by imprisonment or fines. Defamation lawsuits and threats of lawsuits are commonly used by the Skerrett government against members of the media, resulting in some self-censorship. In addition, defamation lawsuits are used by business people to protect their interests. In 2017, leader of the UWP, Lennox Linton, was ordered to pay a significant fine in a case that went back 2002 when he was a journalist.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is protected under the constitution and other laws, and is generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are generally free to express their personal views on political or other sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is guaranteed under the constitution, and the government has generally respected these rights. However, protests sometimes become violent, or give way to looting or acts of vandalism. Some unrest took place at opposition protests in 2017, and the prime minister characterized them as threats to state security. Later, several UWP members, including leader Lennox Linton, were charged with incitement and obstruction. The trials had not concluded by the end of 2019. In December 2018, riot police used tear gas against

demonstrators with the Concerned Citizens Movement—a civil society group that often criticizes the government—who blocked a road and refused calls to disperse.

In the lead up to the 2019 general elections UWP protests at times were violent, blocked roads, burned debris, and disrupted normal life. Protesters confronted riot police in several instances, with no major injuries. When 200 people tried marching to the home of President Savarin in November, police fired rubber bullets and tear gas at them.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights–and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) and advocacy groups generally operate without interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers have the right to organize, strike, and bargain collectively, and laws prohibit antiunion discrimination by employers. However, the country’s definition of “essential” workers is broad, extending to those in the agricultural sector, and there are burdensome restrictions on the ability of these workers to strike.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

An independent judiciary is provided for in the constitution, and judicial independence is generally respected. Courts are subordinate to the interisland Eastern Caribbean Supreme Court (ECSC).

F2. Does due process prevail in civil and criminal matters? 4 / 4

The constitution provides for due process rights, and these are generally observed in practice. While the judicial system generally operates efficiently, staffing shortages remain a problem and can result in prolonged pretrial detention, which can last as long as 24 months.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

People in Dominica generally enjoy freedom from illegitimate force. The Dominica police force used rubber bullets and teargas to combat protests that turned violent in November 2019, in the lead up to the December elections. No major injuries were reported.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Members of Dominica’s small indigenous population, the Carib-Kalinago, face discrimination and a variety of accompanying challenges, including high poverty levels and difficulties in obtaining loans from banks. Rastafarians have reported discrimination and profiling by police. Same-sex sexual relations are illegal, though the relevant provisions of the Sexual Offences Act are not enforced. However, in July 2019, a gay man, who chose to remain anonymous for his own safety, filed a claim against Dominica’s colonial era laws that criminalize same-sex sexual relations. Sexual harassment is not prohibited by law and remains a widespread problem.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Individuals in Dominica generally enjoy freedom of movement, though those outside the established Carib-Kalinago community must apply for special access to the Carib Reserve area, which is granted by the Carib Council. There are no restrictions on people's ability to change their place of employment or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 4 / 4

The government of Dominica supports both domestic and foreign investment. Property rights are generally safeguarded. However, women have more limited rights because property is deeded to the head of household, who is usually a man.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Women and children have some limitations on their personal freedoms, including freedom from violence. There is little protection against domestic abuse, and both violence against women and child abuse remain widespread problems.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

Revisions to labor laws have strengthened worker protections in recent years, though there are reports of violations of overtime laws in the tourism sector. The labor commissioner operates within the Justice Department, and is under resourced. The government has made efforts to address poverty and unemployment, including in the wake of Hurricane Maria, which devastated the island in 2017.

According to the most recent (2018) *Child Labor and Forced Labor Report* from the United States' Department of Labor, Dominica made minimal improvements in efforts to eliminate the most severe forms of child labor, which is a problem in the country.

Dominican Republic

Population: 10,400,000

Capital: Santo Domingo

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: The Dominican Republic holds regular elections that are relatively free, though recent years have been characterized by controversies around establishing an electoral framework. Pervasive corruption undermines state institutions. Discrimination against Dominicans of Haitian descent and Haitian migrants, as well as against LGBT+ people, remains a serious problem.

KEY DEVELOPMENTS IN 2019

- The Constitutional Court in May struck down components of a new political party law that criminalized dissemination of negative messages, and it affirmed social networks as important public spaces. The opinion was lauded by press freedom advocates and others as having overturned restrictions on the free exercise of journalism.

- In August, the Constitutional Court struck down multiple sections of the same law that limited some activities of political parties, including aspects of preelection campaigning and activity by candidates without certain prior experience.
- Protests erupted in June and July after President Danilo Medina of the Dominican Liberation Party (PLD) suggested he might seek constitutional reforms that would allow him to run for a third term. He ultimately abandoned the initiative.
- Irregularities and voting-machine errors marred the country's first-ever simultaneous primary elections for presidential, congressional, and municipal candidates, held in October. General elections are set for 2020.
- The National Human Rights Commission reported that security forces had committed at least 80 extrajudicial killings during the year.

POLITICAL RIGHTS: 26 / 40

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is both head of state and chief of government, and is elected to a four-year term. A 2015 constitutional amendment allowed presidents to run for a second term; Danilo Medina, of the Dominican Liberation Party (PLD), won a second term in 2016. In July 2019, Medina decided not to pursue constitutional reforms that would permit him to run for a third consecutive term.

In 2016, observers from the Organization of American States (OAS) monitored the presidential and concurrent legislative elections and deemed the polls credible, but called for major reforms to guarantee greater participation of women and equal access to party financing and media coverage, questioned the efficacy of new electronic voting and vote-counting infrastructure, and condemned election-related violence in which six people were killed. The Central Electoral Board (JCE) claimed the violence erupted due to frustration with delays created by demands for manual vote-counting.

The country held its first simultaneous primary elections for the PLD and the Modern Revolutionary Party's (PRM) presidential candidates in October 2019, and the JCE used the opportunity to test new a voting procedures ahead of the May 2020 general elections. The OAS and the Inter-American Union of Electoral Organizations observed the primaries along with local group Participación Ciudadana, and voting irregularities including voting-machine errors were reported. After former president, Leonel Fernández was apparently defeated in the PLD primary; he declared the vote fraudulent. Manual recounts affirmed his defeat. Civil society activists said the dispute and other problems revealed uncertainties resulting from authorities' failure to properly audit electronic-voting software.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The Dominican Republic's bicameral National Congress consists of the 32-member Senate and the 190-member Chamber of Deputies, with members of both chambers directly elected to four-year terms.

In the 2016 legislative elections, held concurrently with presidential election, the ruling PLD captured 26 Senate seats and 106 seats in the Chamber of Deputies. The next legislative and presidential elections will be held in May 2020.

Primaries for congressional and municipal candidates were held in October alongside the presidential primaries, and were affected by the same issues.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The 2016 general elections exposed serious problems with electoral infrastructure and the capacities of the JCE. The polls also exposed irregularities in party financing.

In February 2019, the Electoral Regime Law was enacted. The new law restricts the use of state resources in campaigns of incumbent candidates, establishes funding caps on campaigns, and identifies prison sentences for certain election-related crimes. This law and the Law of Political Parties, Groups, and Movements, which was enacted in August 2018 and allows the JCE to administer the primary elections of political parties, establishes the country's new electoral framework. Both laws face legal challenges. In August 2019, the Constitutional Court struck down sections of the Law of Political Parties, Groups, and Movements, including those that interfere with parties' abilities to organize their activities, and which limited preelection campaigning and the eligibility of candidates without prior experience. Additional challenges are pending.

Despite the JCE's shortcomings, the body operates with some transparency and cooperates with international election monitors, opposition parties, and other relevant groups.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties are generally free to form and operate. However, newer and smaller parties struggle to access public financing and secure equal media coverage, hampering their competitiveness. Provisions of the electoral law enacted in August 2018 that required a minimum time candidates must be associated with the parties for which they aspire to run were declared unconstitutional in August 2019.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Opposition parties and candidates generally do not face selective restrictions during election periods but are disadvantaged by elements of the electoral framework. Provisions of the August 2018 electoral law prohibiting parties running in an election for the first time from joining preexisting alliances were declared unconstitutional in August 2019 and other challenges were still pending at year's end.

The PLD has won legislative majorities in the last four elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People are generally free to exercise their political choices. However, a history of violent police responses to social and political demonstrations may deter political participation by some, and economic oligarchies and organized crime groups have some influence over the political sphere. Electoral laws now require some accountability for campaign finances, including a ceiling on individual contributions and reports on party income, expenditure, and donors. However, donors' identities remain largely shielded, potentially allowing undisclosed donors significant influence over politics.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

A 2013 Constitutional Court decision stripped Dominican-born descendants of Haitian migrants of their citizenship, and thus their right to vote. Parity laws have led to a higher number of women in the legislature, with 27 percent of positions in the lower house of Parliament occupied by women after the 2016 polling, up from the previous 20 percent. Woman lawmakers report that it is difficult for them to exert influence over their parties' positions and to secure funding for political candidacies.

Discriminatory attitudes and occasional acts of targeted violence against LGBT+ people discourages their political participation. In 2019, an LGBT+ collective, which in July held its annual march in Santo Domingo, demanded more space in politics, asserting that 450,000 of its members were registered to vote in the 2020 elections.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Government and legislative representatives are generally able to determine national policies in a free and unhindered manner.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a serious, systemic problem at all levels of the government, judiciary, and security forces, and in the private sector. A US Justice Department investigation into the Brazilian construction company Odebrecht, the results of which became public in late 2016—revealed that \$92 million had been paid to public officials in the Dominican Republic to obtain contracts for major infrastructure projects in the country during three consecutive governments. Numerous officials from both the previous and current administration were linked to the scandal, but only seven were formally charged. Trials for six of these defendants were ongoing, but the decision in December to separate the cases and transfer five of them to a new criminal court was criticized as an attempt to circumvent justice. The government has not responded to requests to establish an independent inquiry into the Odebrecht corruption allegations. Previously unknown bribes related to the Punta Catalina coal power station project were also uncovered in 2019, prolonging an existing scandal and prompting allegations of efforts by government officials to cover up wrongdoing.

The naming by the US Treasury Department in August of the Dominican national Cesar Emilio Peralta as a significant narcotics trafficker led to further allegations of government corruption with respect to drug trafficking.

A September 2019 Constitutional Court decision held that citizens could present complaints against government officials independently of the public prosecutor, and was hailed for empowering citizens to act against corruption.

C3. Does the government operate with openness and transparency? 2 / 4

The government does not always operate with transparency. Although state agencies generally respond to information requests, they often provide inaccurate or incomplete responses. Public officials are required to publicly disclose assets, but nongovernmental organizations (NGOs) have cast doubt upon the accuracy of these disclosures. Public contracting and purchasing processes are opaque and allow for high levels of corruption.

CIVIL LIBERTIES: 41 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 2 / 4

The law guarantees freedom of speech and of the press. Several national daily newspapers and a large number of local publications operate in the country. There are more than 300 privately owned radio stations and several private television networks alongside the state-owned Radio Televisión Dominicana (RTVD), though ownership of private outlets is highly concentrated.

Journalists risk intimidation and violence when investigating drug trafficking and corruption. Journalists can also face legal or regulatory pressure as a result of their investigations. Journalist Marino Zapete's television program, broadcast on Teleradio América, was taken off the air following reporting in September 2019 on allegations of corruption by the sister of the country's public prosecutor, and a defamation case against Zapete is ongoing. In May, journalist Teresa Casado of the news portal El Día received telephoned threats in connection with her reporting on a drug trafficking case.

The Constitutional Tribunal in May struck down components of the new political party law criminalizing dissemination of negative messages and affirmed social networks as important public spaces, in an opinion lauded for overturning restrictions on the free exercise of journalism.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally upheld. However, the Catholic Church receives special privileges from the state including funding for construction, and exemptions from custom duties.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Constitutional guarantees regarding academic freedom are generally observed.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to express personal views in public and privately without fear of retribution or surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is guaranteed by the constitution, and demonstrations are common, but sometimes subject to violent dispersal by police.

In 2019, protests erupted in June in response to President Medina's potential (and since abandoned) pursuit of a third consecutive term. In October, citizens protested former president Fernández's defeat in the PLD primaries. Also in 2019, public school teachers marched over demands including better conditions, workers marched for better salaries, and civic organizations protested forced evictions without compensation and violence against women.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Freedom of association is constitutionally guaranteed, and the government respects the right to form civic groups.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers other than military and police personnel may form and join unions, though over 50 percent of workers at a workplace must be union members in order to engage in collective bargaining. Workers must exhaust mediation measures and meet other criteria in order for a strike to be considered legal. In practice, workers are often dissuaded from joining unions, and risk dismissal for joining a union.

In August, 2019, more than 20 workers of the hotel company Majestic in Punta Cana were dismissed for unionizing, and at least 20 people were detained that same month during a 24-hour strike in Cibao over local social and economic issues. A protest in April by workers at the Punta Catalina power plant following the consortium's claimed inability to pay bond profits was dispersed with tear gas.

In May 2018, the National Confederation of Trade Union Unit registered a complaint against the Dominican Republic before the International Labor Organization for a breach of international conventions on freedom of association and collective bargaining at several companies. In 2019, members of the business sector, trade unionists and the government met to discuss reform of the Labor Code, but failed to reach an agreement.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 3 / 4

Judicial independence is hampered by corruption and the judiciary is susceptible to political pressure. Justices of the Supreme Court and Constitutional Court are appointed to seven- and nine-year terms, respectively, by the National Council of the Judiciary. The body is comprised of the president, the leaders of both chambers of Congress, the Supreme Court president, and a congressional representative from an opposition party, and this composition has led to claims that the body is susceptible to politicization.

Reports of selective prosecution and the improper dismissal of cases continue. The National Council of the Judiciary has taken some action to curb judicial abuses, and announced in 2018 that since 2012 it had dismissed 22 judges over questionable rulings in favor of defendants.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Corruption and politicization of the justice system have significant impact on due process, and strongly limits access to justice for people without resources or political connections. Corruption within law enforcement agencies remains a serious challenge.

In late 2018, 60 percent of people being held in prisons were in pretrial detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Rates of murder and other violent crime are high. The Citizen Security Observatory, a governmental body that records crime statistics, reported 1,068 homicides in 2018. There was a modest reduction in the homicide rate in the first nine months of 2019. The National Human Rights Commission and NGOs reported that security forces had committed at least 80 extrajudicial killings in 2019.

Prisons are severely overcrowded.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Dominicans of Haitian descent and Haitian migrants face persistent discrimination, including obstacles in securing legal documents such as identification, birth certificates,

and marriage licenses, and have difficulty registering their children as Dominican citizens. In April, the Dominican government refused to recognize the Inter-American Court of Human Rights' resolution stating the Dominican government failed to comply with reparations ordered over violations of the rights of Dominicans of Haitian descent and Haitian migrants.

LGBT+ people suffer from violence and discrimination as well as discrimination in employment, education, and health services. They are still barred from working in certain public sectors, such as the police and armed forces. An antidiscrimination bill remained stalled in 2019 despite renewed calls from civil society to bring it into effect.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

While citizens are generally free to move around the country, asylum seekers and refugees must pay a fee to gain travel documents. Separately, the prevalence of drive-by robberies by armed assailants has prompted some reluctance to move about freely, particularly at night.

People of Haitian descent without identification cards cannot attend university or obtain formal jobs.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 3 / 4

Private business activity remains susceptible to undue influence by organized crime and corrupt officials.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Violence and discrimination against women remain pervasive, including a high rate of femicide. Many girls are married before their 18th birthday. Poor medical care has left the country with one of the highest maternal mortality rates in the region. After a 2014 law decriminalizing abortion in some situations was struck down in 2015 by the Constitutional Court, a complete ban on abortion was effectively reinstated. In 2018, a national survey revealed that a majority of the population supported decriminalization of abortion.

An Amnesty International report released in March 2019 found that “police in the Dominican Republic routinely rape, beat, humiliate and verbally abuse” cisgender and transgender women sex workers as a means of punishing them for “transgressing social norms of acceptable femininity and sexuality.”

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Many workers in the country are employed informally, leaving them without legal protections.

The Dominican Republic remains a source, transit, and destination country for the trafficking of men, women and children for sexual exploitation and forced labor. Haitians who lack documentation and clear legal status are particularly susceptible to forced labor. The 2019 *Trafficking in Persons* report issued by the US State Department noted that the government had been more active in addressing trafficking, including by prosecuting and convicting more people on trafficking charges. However, it noted that victims' services remained insufficient.

Ecuador

Population: 17,300,000

Capital: Quito

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Elections take place regularly, and the National Electoral Council (CNE), considered a politicized body for many years, has begun to display greater independence. A leftist government has ruled the country since 2007. The new administration of President Lenin Moreno, which came to power in 2017, has taken steps to fight corruption, bolster security, remove restrictions on civil society, encourage the free press, and strengthen democratic governance. A 2019 protest movement against austerity measures prompted a harsh crackdown that marred the administration's progress. However, the situation calmed after Moreno canceled the austerity program, following negotiations with protest leaders.

KEY DEVELOPMENTS IN 2019

- In early October, President Moreno signed an order eliminating subsidies for gasoline and diesel, effectively doubling fuel prices in the country. The development triggered massive, countrywide demonstrations, strike actions, and road closures. The movement was led by indigenous movements, transportation workers' unions, and students, but drew support from many other sectors of Ecuadoran society.
- Numerous protest events featured violence, including attacks on journalists by protesters and police, clashes between participants and police, looting, and attacks on private property. Authorities declared a state of emergency that placed strict limits on free assembly, and police responded to the chaos with mass arrests.
- Later in October, after days of negotiations, Moreno canceled the order eliminating subsidies for gasoline and diesel, and civil society leaders in turn called off the demonstrations.
- In January, the Transitional National Council of Citizen Participation and Social Control (CPCCS) named a new Constitutional Court, selected by a committee of experts. In June, members of the court effectively recognized same-sex marriage, adopting an opinion by the Inter-American Court of Human Rights (IACHR).
- In October, a court upheld a six-year prison sentence against former Vice President Jorge Glas, who had been convicted of illicit association in connection with the Odebrecht case, a wide-ranging scandal involving a Brazilian construction firm.

POLITICAL RIGHTS: 27 / 40 (+2)

A. ELECTORAL PROCESS: 8 / 12 (+1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The 2008 constitution provides for a directly elected president, who can serve up to two terms. The president has the authority to dissolve the legislature, which triggers new elections for both the assembly and the presidency. In February 2018, voters approved a referendum that restored term limits, which had been eliminated in a 2015 constitutional amendment under former president Correa; the president can now serve up to two terms, which effectively bars Correa from reclaiming the presidency.

In April 2017, Lenin Moreno of the Proud and Sovereign Fatherland (PAIS) alliance won the presidential runoff with 51 percent of the vote, defeating Guillermo Lasso of the Creating Opportunities–Society United for More Action (CREO–SUMA) alliance, who took 49 percent. Some observers expressed concerns about the use of state resources to produce materials favoring Moreno.

Lasso denounced the results as fraudulent and refused to concede, but failed to produce strong evidence to support his claims. Meanwhile, international observers generally praised the election’s conduct. Lasso requested a full recount of the vote, though the National Electoral Council (CNE) granted only a partial one. The CNE stated that the recount failed to reveal any significant discrepancy from the previous count, and ratified the election’s result.

Mayoral elections in March 2019 took place without incident, although the Organization of American States (OAS) observer mission recommended better training for polling station staff. The PAIS alliance lost some mayoralties to other establishment and some newer parties.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Ecuador has a 137-seat unicameral National Assembly, with 116 members directly elected, 15 elected by proportional representation, and 6 elected through multiseat constituencies for Ecuadorians living abroad; members serve four-year terms. International and domestic observers generally praised the February 2017 legislative elections, though an OAS mission urged reforms including removing the names of deceased persons from the voter rolls, and called for more training to be made available to various actors in the electoral process. The ruling PAIS alliance won 74 out of 137 seats, followed by the opposition CREO–SUMA, which took 28. The rest of the seats were captured by nine other parties.

Local and provincial elections took place without disruption in March 2019.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4 (+1)

In recent years, the CNE had generally been considered government-controlled. The body faced some criticism for its administration of the 2017 elections, including for slow vote counting and irregularities on the voter rolls. In response to the criticism, the transitional National Council of Citizen Participation and Social Control (CPCCS), which is responsible for appointing CNE members, dismissed all sitting CNE members in July 2018, and in November 2018, five newly appointed members began a six-year term. The new members have displayed greater impartiality than the previous group, and have worked to bring greater transparency and independence to the CNE; they also oversaw the successful 2019 local elections. Some members have also actively participated in outreach events organized by CNE’s academic arm, the Institute for Democracy.

The seat allocation formula for the parliament favors larger parties, which has benefited the PAIS alliance in the last decade. In December 2019, the National Assembly approved a slate of reforms to the country’s Democracy Code, aimed at addressing this issue, as well as existing inconsistencies and weak campaign finance regulations, among other issues. The reforms include a permanent formula for seat allocation in legislature, initiatives meant to ensure greater transparency for party financing and the electoral registry, and a parity rule mandating that candidates lists include an equal number of men and women.

Score Change: The score improved from 1 to 2 because a newly appointed electoral commission has displayed greater impartiality than its predecessors, including through its oversight of generally free and fair subnational elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

According to the 2008 constitution, political organizations must register in order to participate in general elections, with a requirement that groupings must collect voters' signatures equivalent to 1.5 percent of the electoral rolls to win recognition. If a party or grouping fails to win 5 percent of the vote for two consecutive elections, its registration can be revoked, disadvantaging smaller parties. In September 2018, the transitional CNE announced that there were 276 political organizations registered for the 2019 local and provincial elections; 278 parties and movements wound up taking part.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4 (+1)

For decades, Ecuador's political parties have been largely personality based, clientelist, and fragile. The ruling PAIS alliance, the largest bloc in the legislature, was split into two factions, one loyal to President Moreno and another loyal to former President Rafael Correa; ahead of the 2019 polls the latter group resigned from the ruling party and joined the new Citizens' Revolution party. Other establishment parties like Social Christian Party, and newer parties like Lasso's CREO, saw strong performances in the 2019 local elections, winning 43 and 34 mayoral races, respectively, compared with 27 won by the ruling PAIS alliance.

There was less informal suppression of opposition and new parties in the 2019 campaign period, compared to past years. For example, they had more equal access to media, whereas in past years some groups had been overwhelmed by progovernment advertising.

Score Change: The score improved from 2 to 3 because opposition and new parties competed in a freer environment, and posted strong results in the year's subnational elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

The people's political choices are generally free from domination by powerful groups that are not democratically accountable. However, wealthy business interests can undermine democratic accountability by facilitating or encouraging corruption among elected officials.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ecuador's constitution promotes nondiscrimination and provides for the adoption of affirmative action measures to guarantee equality and representation of minorities. In practice, however, indigenous groups often lack a voice in key decisions pertaining to their land and resources.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Elected officials are generally free to set and implement government policy without undue interference from nonstate actors. However, the executive has exhibited a strong influence on other branches of the government, and political actors are susceptible to manipulation by powerful business interests.

President Moreno has taken steps to reduce the dominance of the executive. Additionally, the fracturing of the PAIS alliance, with more than one-third of its members in the parliament defecting in January 2018 to a new coalition that backs Correa, has compelled Moreno to work with opposition lawmakers to advance legislation.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Ecuador has long been racked by corruption, and the weak judiciary and lack of investigative capacity in government oversight agencies contribute to an environment of impunity. President Moreno campaigned on a promise to tackle high-level corruption, and in 2017, he stripped Vice President Jorge Glas of his powers amid corruption allegations regarding Glas's involvement with the Odebrecht scandal, which involved kickbacks paid to Ecuadorian officials by the Brazilian construction company. Later in 2017, Glas was convicted and sentenced to six years in prison for his role in the scandal, and in October 2019, a court upheld the sentence. Separately, in December 2018, Moreno suspended Vice President María Alejandra Vicuña, who had been accused of accepting bribes from an aide during her time as a lawmaker, and she subsequently resigned. In May 2019, the National Court of Justice accepted the request of the chief prosecutor to try her on corruption charges. The trial was scheduled for early 2020.

In September 2019, Congress passed a reform to the Penal Code that allows confiscation of assets without a judicial sentence for cases of money laundering, illicit enrichment, and embezzlement. In the same session, Congress decided not to pass another reform that would have allowed the seizure of assets obtained as the result of a corruption-related crime. However, in October, President Moreno partially vetoed the Penal Code reforms, including the provision that would have allowed asset seizure without sentencing.

C3. Does the government operate with openness and transparency? 2 / 4

The law guarantees citizens' right to access public information, and although compliance has improved over the years, some government bodies remain reluctant to disclose it. In 2018, the government took steps to enhance access to information, including the establishment of a transparency-monitoring mechanism to ensure that public agencies provide relevant information online. Public procurement processes are frequently opaque.

The October 2019 protests were triggered in large part the government's failure to consult with broad sectors of society before eliminating gasoline subsidies. Authorities eventually entered negotiations with protest leaders, leading to the deescalation of widespread unrest.

CIVIL LIBERTIES: 38 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

Media freedom improved after President Moreno took office in 2017. Upon his election, Moreno met with the owners of private media outlets and pledged to usher in a new, more open environment for journalists. His administration has permitted more diverse coverage in the country's state-run media, which had previously shown clear bias toward Correa and the PAIS alliance.

In December 2018, the National Assembly approved a reform of the restrictive Organic Communications Law, including the elimination of the notorious Superintendency of Information and Communication (SUPERCOM), which monitored media content, investigated journalists, and issued fines and other sanctions. The legislation also removes a provision that allowed the criminalization of investigative reporting.

However, many obstacles remain before Ecuador can host a fully free and independent media. A report on the implementation of sustainable development goals in Latin America, released in April 2019 by a group of Latin American civil society organizations, found that state actors in Ecuador are still responsible for implementing assaults on the press through legislative, judicial, and administrative means. The report noted that local officials and authorities, rather than the central government, are now generally responsible for the attacks. Media also face pressure from nonstate actors, including protesters.

During the protests that paralyzed the country in October 2019, more than 130 journalists were reportedly threatened, beaten, or harassed, by both protesters and security forces. The television network Telemazonas and one of the country's most important newspapers, *El Comercio*, had their headquarters attacked. Also in October, executives from the Venezuelan network Telesur claimed that their channel was removed from the airways by the government.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally guaranteed and generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

In May 2018, the National Assembly approved reforms to the Organic Law on Higher Education, which restores public funding for research at universities that operate in Ecuador under international agreements. The legislation that removed the funding, passed in 2016, had threatened the viability of two graduate institutions, Universidad Andina Simón Bolívar and FLACSO Ecuador.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Discussion of controversial topics among private citizens is generally free. However, crackdowns on social media have led some online outlets to disable sections for public commentary for fear of reprisals, limiting the freedom of private discussion online.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12 (-1)

E1. Is there freedom of assembly? 2 / 4 (-1)

Numerous protests occur throughout the country without incident, and restrictions on assembly rights have eased under President Moreno. However, national security legislation provides a broad definition of sabotage and terrorism, extending to acts against persons and property by unarmed individuals, which can be used to limit assembly rights.

In October, President Moreno signed Executive Order 883, which eliminated subsidies for gasoline and diesel, effectively doubling fuel prices in the country. The move triggered massive, countrywide demonstrations and strike actions by unions, indigenous movements, and other sectors of society. Some demonstrations turned violent, featuring looting, clashes between protesters and police, and attacks on private property. In response, the government

declared a nationwide state of emergency that imposed a curfew and other limits on freedom of assembly rights. A number of demonstrations also saw mass arrests of participants. After days of negotiations, Moreno canceled the order eliminating subsidies for gasoline and diesel, and civil society leaders in turn called off the demonstrations.

Score Change: The score declined from 3 to 2 due to violence and mass arrests that accompanied protests against the elimination of gasoline subsidies, and the imposition of a nationwide state of emergency that limited public gatherings.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

In 2017, President Moreno rescinded controversial Correa-era decrees that had introduced onerous requirements for forming a nongovernmental organization (NGO), granted officials broad authority to dissolve organizations, and obliged NGOs to register all members. However, while observers say Moreno's new regime for NGO regulation is an improvement, it has also drawn criticism for retaining excessive government regulatory power. For example, Moreno's NGO regulations allow authorities to close an NGO deemed to be performing activities different from those for which it was created, or to be participating in politics.

In May 2019, the government announced that it would negotiate a new cooperation agreement with the United States Agency for International Development (USAID), which had stopped operating in Ecuador in September 2014, under accusations from President Correa of working with the opposition to undermine his government.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Private-sector labor unions have the right to strike, though the labor code limits public-sector strikes. Only a small portion of the general workforce is unionized, partly because many people work in the informal sector. In March 2018, the National Union of Educators (UNE), which had been dissolved by the government in 2016 under restrictive NGO regulations, was able to resume operations when it was registered as a union.

F. RULE OF LAW: 8 / 16 (+1)

F1. Is there an independent judiciary? 2 / 4 (+1)

Ecuador's highest-ranking judicial bodies are the 21-member National Court of Justice, and the 9-member Constitutional Court. Both courts faced attacks on their autonomy during the Correa era, but President Moreno has moved to increase judicial independence. One of the measures passed in a February 2018 referendum involved restructuring the CPCCS, a powerful body responsible for appointing the attorney general and the Judiciary Council, which appoints judges. The referendum's passage led to the sacking of all CPCCS members, who were considered allies of the Correa government and had previously ensured the removal of independent judges and the appointment of judges loyal to the former president. In June 2018, the Transitional CPCCS appointed by Moreno replaced all members of the Judiciary Council with transitional members who have expressed commitment to an independent judiciary.

In August 2018, the Transitional CPCCS voted to remove all nine judges on the Constitutional Court, citing corruption and a lack of independence within the body. The referendum earlier that year did not include the Constitutional Court as one of the bodies the CPCCS has jurisdiction over, meaning the move itself could be construed as an impingement on judicial independence. The Transitional CPCCS created a committee to select the new members of the Constitutional Court. In January 2019, those members were selected and

then approved by the Transitional CPCCS. Later in the year, the new Constitutional Court ratified the legality of the actions of the members of the Transitional CPCCS.

New members to the CPCCS were elected in March 2019. However, the attorney general in July announced the beginning of an investigation into members of the new CPCCS after that body voted to review judicial appointments made by the Transitional CPCCS. The next month, the CPCCS's leadership was replaced. The Constitutional Court in September gave its approval for a move to collect signatures to hold a referendum to eliminate the CPCCS entirely.

Score Change: The score improved from 1 to 2 because the Constitutional Court has demonstrated increased independence, including in its handling of controversies involving a powerful judicial nominating body.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Judicial processes remain slow, and procedures designed to expedite cases have been implemented at the detriment of defendants' due process rights. Many people are held in pretrial detention for longer than is permitted by law. While the number of public defenders has increased in recent years, the state is still unable to provide adequate legal counsel for all defendants who are unable to supply their own.

During his tenure, former president Correa and his allies frequently intervened in court cases, telling judges how they should rule, and sometimes removing judges who refused to comply. Under President Moreno, such blatant interference in court proceedings has subsided, allowing defendants more fair public hearings of their cases.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Allegations of police abuse of suspects and detainees continue. In August 2019, a police officer in the city of Quevedo was caught on video kicking a suspect, who was handcuffed and on the ground, who had tried to rob the officer's wife. Later that month, despite severe criticism by the human rights community, the officer was decorated by the Governor of Los Ríos.

The demonstrations in October 2019, triggered by the elimination of gasoline subsidies, created a state of siege in which hundreds of people were beaten, threatened, or harassed by violent protesters who kidnapped journalists, police officers, and military personnel, attacked media outlets and private businesses, and openly called for the removal of the elected government. Police and security forces also violently attacked protesters and journalists during the two weeks of demonstrations.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Indigenous people continue to suffer widespread societal discrimination, and oil-drilling projects on indigenous lands are frequently carried out without consulting local indigenous communities, as required by the constitution.

Ecuador is one of the largest recipient of refugees in Latin America. According to the UN High Commissioner for Refugees (UNHCR), 1.5 million people from Venezuela have arrived in Ecuador since 2016, with some 380,000 there as of the end of 2019. In addition, approximately 250,000 refugees from Colombia have entered Ecuador since the late 1990s and thousands are still there. Many Venezuelan immigrants have reported facing discrimination and xenophobia, amid unfounded accusations that their arrival has caused a spike in crime and violence in the country.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement outside and inside the country is largely unrestricted. Workers in the palm oil industry, however, have faced restrictions on their movement imposed by employers, including curfews. Individuals may generally determine their place of employment and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The government does not impose significant restrictions on the right to own property and establish private businesses. However, widespread corruption by both public officials and private-sector actors can obstruct normal business activity and weakens the protection of property rights.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

In June 2019, the Constitutional Court, by a vote of 5-4, ruled that the marriage ban on same-sex couples was unconstitutional, based on a previous opinion by the Inter-American Court of Human Rights (IACHR), which recommended the recognition of same-sex marriage. The Constitutional Court ruling divided public opinion, but same-sex couples have been successfully applying for marriage licenses in following months. Civil unions had previously been recognized in Ecuador.

Abortion remains a crime in Ecuador. In September 2019, the National Assembly failed to pass a bill that would have legalized abortion in the case of rape.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Men, women, and children are sometimes subjected to forced labor and sex work in Ecuador; indigenous and Afro-Ecuadorian individuals, as well as migrants and refugees, remain most vulnerable. In February 2019, the Office of the Ombudsman published a report detailing the exploitation of workers in the plantations of the Japanese company Furukawa. The report described the inhumane living conditions of employees and their families as well as the legal maneuvers from the company to avoid prosecution. The National Institute of Statistics and Censuses also reported over 1,200 cases of economic exploitation against migrants, mostly from Venezuela.

The government has taken some action to address the problem of economic exploitation, including by increasing trafficking-related law enforcement operations. However, services for victims are inadequate, and some public officials believed to be complicit in trafficking operations have escaped punishment.

Egypt

Population: 99,100,000

Capital: Cairo

Freedom Status: Not Free

Electoral Democracy: No

Overview: President Abdel Fattah al-Sisi, who first took power in a 2013 coup, has governed Egypt in an increasingly authoritarian manner. Meaningful political opposition is virtually nonexistent, as expressions of dissent can draw criminal prosecution and imprisonment. Civil liberties, including press freedom and freedom of assembly, are tightly restricted. Security forces engage in human rights abuses with impunity, and physical security is further undermined by terrorist violence centered in the Sinai Peninsula.

KEY DEVELOPMENTS IN 2019

- Constitutional amendments that were adopted in a tightly controlled referendum in April further concentrated power in the hands of President Sisi and authorized him to remain in office until 2030. The amendments also undermined the independence of the judiciary and strengthened the military's role in civilian governance.
- In September, small protests broke out in several cities to express opposition to the regime's corruption and economic mismanagement. In response, the authorities detained thousands of people and censored online speech.

POLITICAL RIGHTS: 7 / 40 (-1)

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is elected by popular vote for up to two terms. Sisi, who originally seized power in 2013 while serving as Egypt's defense minister and armed forces commander, won election in 2014 and reelection in 2018 with 97 percent of the vote. The balloting did not offer voters a genuine choice. In 2018, legitimate opposition candidates were pressured to withdraw, and Sisi ultimately faced an approved challenger, Mousa Mostafa Mousa of the loyal opposition party Al-Ghad, who had campaigned on the president's behalf before entering the race. The vote was also marred by low turnout, the use of state resources and media to support Sisi's candidacy, voter intimidation, and vote buying. The electoral commission threatened nonvoters with fines in an attempt to increase participation.

The 2019 constitutional amendments added two years to Sisi's current term, extending it through 2024, at which point he would be allowed to seek an additional six-year term.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The 2019 amendments to the constitution reestablished the Egyptian parliament as a bicameral body. The upper house, formerly called the Shura Council, was abolished by the 2014 constitution. Under the amendments, it was restored as a 180-member Senate. Members will serve five-year terms, with two-thirds elected and one-third appointed by the president. The amendments reduced the number of seats in the House of Representatives from 596 to 450. Elections for both chambers were scheduled for 2020.

The last elections for the House of Representatives took place in two stages in 2015. They featured low turnout, intimidation, and abuse of state resources. The progovernment coalition For the Love of Egypt, consisting of some 10 parties, won all 120 bloc-vote seats. Independents, a number of whom were aligned with the coalition, won 351 of the 448 constituency seats, and the coalition parties' candidates generally outpolled their rivals in the remaining districts. Just three parties outside For the Love of Egypt won more than 10 seats. Many parties—including moderate Islamist parties and liberal and leftist factions—boycotted the elections and voiced serious reservations about their fairness, accusing

security forces of harassment and intimidation. In 2016, the parties associated with For the Love of Egypt formed a parliamentary bloc, In Support of Egypt, which controlled a majority of the chamber.

Elections for local councils, called for in the 2014 constitution, had yet to be held as of 2019. The last councils were elected in 2008 and dissolved in 2011 after the ouster of long-time authoritarian president Hosni Mubarak. Since 2011, government-appointed officials have controlled local governance.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The 2014 constitution was not drafted in a fair or transparent manner, and the referendum through which it was adopted was tightly controlled, with little opportunity for public debate or an opposition campaign. The drafting and passage of the 2019 constitutional amendments featured direct intervention by leaders of the General Intelligence Directorate, known as the Mukhabarat, including Deputy Director Mahmoud al-Sisi, the president's son. The April 2019 referendum, held over three days, was marred by reports of vote buying and other irregularities, and no organized opposition was permitted to challenge the well-resourced "yes" campaign. Nearly 89 percent of participants backed the amendments, according to official results.

While the electoral laws themselves provide some basis for credible elections, electoral authorities largely fail in practice to ensure an open and competitive campaign environment. In 2017, Sisi signed a law creating the National Electoral Commission (NEC), as envisioned in the 2014 constitution. The commission's board consists of senior judges drawn from some of Egypt's highest courts to serve six-year terms. However, the NEC legislation phases out direct judicial supervision of elections by 2024, which critics argue will damage the integrity of elections and reduce public trust in the results.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Political parties are legally allowed to form and operate if they meet membership thresholds, pay fees, and comply with other requirements. However, in practice there are no political parties that offer meaningful opposition to the incumbent leadership.

Parties formed on the basis of religion are forbidden. While some Islamist parties still operate in a precarious legal position, the Muslim Brotherhood was outlawed in 2013 as a terrorist organization, and its political party, the Freedom and Justice Party (FJP), was banned. Since then, authorities have systematically persecuted its members and supporters. Former president Mohamed Morsi, who was overthrown in the 2013 coup, died in a Cairo courtroom while on trial in June 2019; like many other prisoners, he had been denied medical care and otherwise mistreated during his years in custody. Muslim Brotherhood leader Mohamed Badie has received multiple sentences of life in prison and death sentences on various charges since 2013.

Activists, parties, and political movements that criticize the government continued to face arrests, harsh prison terms, death sentences, extrajudicial violence, and other forms of pressure during 2019. Following a series of small protests in September 2019, the regime carried out thousands of arrests, targeting not only protesters but also political activists and politicians, among others.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The persecution of Sisi's potential challengers in the 2018 presidential election and of political activists throughout 2019 illustrated the regime's determination to eliminate any opportunity for a peaceful change in leadership. By tightly controlling the electoral process, intimidating presidential candidates into withdrawing, and denying credible opposition parties the space to function effectively, the government makes it nearly impossible for the opposition to gain power through elections. The extension of presidential term lengths and limits in 2019 only exacerbated the problem.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Since the 2013 coup, the military has dominated the political system, with most power and patronage flowing from Sisi and his allies in the armed forces and security agencies. Most of Egypt's provincial governors are former military or police commanders. The vaguely worded 2019 constitutional amendments further strengthened the legal underpinnings of the military's political influence, calling on it to "protect the constitution and democracy, and safeguard the basic components of the state and its civilian nature, and the people's gains, and individual rights and freedoms."

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The constitution and Egyptian laws grant political rights to all citizens regardless of religion, gender, race, ethnicity, or any other such distinction. However, women, Christians, Shiite Muslims, people of color, and LGBT+ people face indirect forms of discrimination that limit their political participation to varying degrees.

Coptic Christians, who account for some 10 percent of the population, were allocated 24 of the unicameral parliament's 120 party-list seats. Thirty-six Christians were elected in 2015, and some were also among the lawmakers appointed by the president. Thanks in large part to quotas, women won 75 seats in the 596-seat parliament in 2015, and another 14 were appointed by the president.

Under the 2019 constitutional amendments, at least a quarter of the seats in the new House of Representatives will be reserved for female representatives. As with the old parliament, some seats will also be set aside for Christians, workers and farmers, people under 35, people with disabilities, and Egyptians living abroad.

C. FUNCTIONING OF GOVERNMENT: 3 / 12 (-1)**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4 (-1)**

President Sisi, who was not freely elected, dominates the policymaking process. The parliament plays a modest role in forming and debating laws, but it does not provide a meaningful check on executive power.

The 2019 constitutional amendments further consolidated Sisi's authority, in part by permitting him to appoint one-third of the new Senate. The changes also increased the military's already considerable independence from civilian oversight and its constitutional role in civilian governance. In addition to the language tasking the military with protecting "the constitution and democracy," the amendments allow the Supreme Council of the Armed Forces to permanently control the appointment of the defense minister, who is also

the commander in chief; that power had previously been limited to the first two presidential terms after the 2014 constitution took effect. Sisi continues to rule in a style that entrenches military privilege and shields the armed forces from legal accountability for their actions.

Score Change: The score declined from 1 to 0 due to constitutional amendments that expanded the military's independence from civilian oversight and its authority to intervene in civilian governance.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is pervasive at all levels of government. Official mechanisms for investigating and punishing corrupt activity remain weak and ineffective. Under a 2015 amendment to the penal code, defendants in financial corruption cases can avoid imprisonment by paying restitution, and punishments are typically light in practice. The Administrative Control Authority (ACA), the body responsible for most anticorruption initiatives, often pursues politically motivated cases and operates opaquely.

President Sisi has denied the corruption allegations raised by Mohamed Ali, a former military contractor living in exile in Spain, in online videos that he began posting in early September 2019. The videos, which sparked that month's antigovernment protests in Egypt, accused the president of spending millions of dollars of public money on a presidential palace, villas, and luxury hotels while the country faces severe economic challenges.

C3. Does the government operate with openness and transparency? 1 / 4

The Sisi administration has provided very little transparency regarding government spending and operations. Civil society groups and independent journalists have few opportunities to comment on or influence state policies and legislation. The military is notoriously opaque with respect to both its core expenditures and its extensive business interests, including in major infrastructure and land-development projects. This leads to an almost complete lack of accountability for any malpractice.

CIVIL LIBERTIES: 14 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 1 / 4

The Egyptian media sector is dominated by progovernment outlets; most critical or opposition-oriented outlets were shut down in the wake of the 2013 coup. Moreover, in recent years, a number of private television channels and newspapers have been launched or acquired by progovernment businessmen and individuals with ties to the military and intelligence services. Journalists who fail to align their reporting with the interests of owners or the government risk dismissal.

Egyptian journalists also continue to face arrest for their work. According to Reporters Without Borders, at least six journalists were detained in the weeks following the September 2019 protests. The Committee to Protect Journalists reported that 26 journalists were behind bars in Egypt as of December. In November, security forces raided the offices of the independent English-language media outlet *Mada Masr*, detained 18 people on the premises for several hours, and arrested four staffers. The outlet had recently published an article reporting that Mahmoud al-Sisi, the president's son, was reassigned from his senior post at the General Intelligence Directorate to a long-term position with Egypt's diplomatic mission in Russia, apparently due to his poor performance.

Two laws ratified in 2018 posed additional threats to press freedom. The Media Regulation Law prescribes prison sentences for journalists who “incite violence” and permits censorship without judicial approval, among other provisions. The Anti-Cyber and Information Technology Crimes Law is ostensibly intended to combat extremism and terrorism, but it allows authorities to block any website considered to be a threat to national security, a broad stipulation that is vulnerable to abuse.

Websites that provide independent news and information are regularly blocked in practice, particularly during politically sensitive moments. For example, the online censorship monitoring group NetBlocks reported in April 2019 that internet service providers blocked access to 34,000 internet domains in the run-up to that month’s constitutional referendum.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

While Article 2 of the 2014 constitution declares Islam to be the official religion, Article 64 states that “freedom of belief is absolute.” Most Egyptians are Sunni Muslims. Coptic Christians form a substantial minority, and there are smaller numbers of Shiite Muslims, non-Coptic Christian denominations, and other groups. Religious minorities and atheists have faced persecution and violence, with Copts in particular suffering numerous cases of forced displacement, physical assaults, bomb and arson attacks, and blocking of church construction in recent years.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The state controls education and curriculums in public schools and to a lesser degree in some of the country’s private institutions. Faculty members and departments have some autonomy in shaping specific courses, though many scholars self-censor to avoid any punitive measures.

A 2015 decree allows for the dismissal of university professors who engage in on-campus political activity, and in 2016 the government reportedly began imposing more systematic requirements for academics to obtain approval from security officials for travel abroad. A number of prominent academics were arrested in the wake of the September 2019 protests, including political science professor Hassan Nefea.

Since 2013, university students have faced reprisals for political activism that include arrests, disciplinary sanctions such as expulsion, military trials, and extrajudicial killings.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The security services have reportedly upgraded their surveillance equipment and techniques in recent years so as to better monitor social media platforms and mobile phone applications. Progovernment media figures and state officials regularly call for national unity and suggest that only enemies of the state would criticize the authorities. The spate of arrests of government critics ahead of the 2018 presidential election and in the wake of the September 2019 protests sent a clear message that voicing dissent could result in arrest and imprisonment, contributing to self-censorship among ordinary Egyptians.

The 2018 Media Regulation Law subjects any social media user with more than 5,000 followers to government monitoring and regulation, threatening online expression. The Anti-Cyber and Information Technology Crimes Law, also adopted that year, requires telecommunications companies to store users’ data for 180 days, enabling widespread government

surveillance, and vaguely worded language in the law criminalizes online expression that “threatens national security.” Following the September 2019 protests, the Twitter accounts of many Egyptian activists, including those already living in exile, were reported for suspicious activity and suspended in a manner that suggested regime retaliation for outspoken criticism.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

According to the constitution, freedom of assembly should not be restricted. However, a 2013 law, as amended in 2017, allows the Interior Ministry to ban, postpone, or relocate protests with a court’s approval. Among other restrictions, unauthorized gatherings of 10 or more people are subject to forced dispersal, protests at places of worship are prohibited, and protest organizers must inform police of their plans at least three days in advance. Thousands of people have been arrested under the 2013 law, and some jailed protesters have received death sentences. The severity of the crackdown on assembly rights has made protests extremely rare.

In September 2019, small protests erupted after videos posted online by businessman and former military contractor Mohamed Ali alleged government corruption and urged people to take to the streets. The regime responded with a sweeping nationwide crackdown; more than 4,000 people were arrested, including protesters, human rights lawyers, journalists, and politicians.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Nongovernmental organizations (NGOs) have faced mass closures as well as harassment in the form of office raids, arrests of members, lengthy legal cases, and restrictions on travel in recent years. A highly restrictive 2017 law banned NGOs from engaging in work deemed to harm “national security, public order, public morality, or public health”; and required a regulator’s approval for any field research or polling and any type of cooperation with foreign NGOs. All NGO funding and basic management decisions are also subject to the regulator’s approval. Violations of the law can lead to dissolution or crippling fines; the possibility of imprisonment was excluded from a revised version of the law signed in August 2019, though conditions for NGOs remained highly repressive in practice throughout the year.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The government only recognizes unions affiliated with the state-controlled Egyptian Trade Union Federation. While Article 15 of the constitution provides for the right to organize peaceful strikes, they are not tolerated in practice, and the law on protests prohibits gatherings that impede labor and production. Striking workers are regularly arrested and prosecuted, particularly since labor protests increased in 2016; workers at military-owned businesses are subject to trials by military courts.

A new law enacted in August 2019 eased many of the restrictions imposed by a 2017 law on trade unions, which had effectively compelled them to join the state-controlled federation and imposed controls on their structures, by-laws, and elections. Among other changes, the new law lowered the threshold for union formation from 150 to 50 workers, and imposed fines rather than prison terms for violations. It remained unclear whether the legislation would lead to actual improvements in the recognition, registration, and operational autonomy of independent unions.

F. RULE OF LAW: 3 / 16**F1. Is there an independent judiciary? 1 / 4**

The executive branch exerts influence over the courts, which typically protect the interests of the government and military and have often disregarded due process and other basic safeguards in cases against the government's political opponents. The 2019 constitutional amendments further strengthened the president's supervisory powers over the judiciary and undermined its independence. The changes allow the president to appoint the heads of judicial bodies and authorities, choosing from among several candidates nominated by their governing councils. The president will also serve as the veto-wielding head of the Supreme Council for Judicial Bodies and Authorities, which controls appointments and disciplinary matters for the judiciary. The chief justice of the Supreme Constitutional Court will be chosen by the president from among its most senior members.

Many detained government critics and opposition figures have been prosecuted in the Emergency State Security Courts created when President Sisi declared a state of emergency in 2017; the state of emergency was repeatedly renewed through 2019. Decisions in these courts are subject to executive branch approval, as the president can suspend any of their rulings and order retrials.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Although the constitution limited military trials of civilians to crimes directly involving the military, its personnel, or its property, a 2014 presidential decree placed all "public and vital facilities" under military jurisdiction, resulting in the referral of thousands of civilian defendants to military courts. That expansion of jurisdiction was effectively incorporated into the constitution in 2019. Charges brought in military courts are often vague or fabricated, defendants are denied due process, and basic evidentiary standards are routinely disregarded. The Emergency State Security Courts also disregard due process protections, including the right to appeal convictions.

In October 2019, Amnesty International noted major problems with the investigations of those arrested in connection with the September protests, citing "a flagrant disregard for due process."

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Police brutality and impunity for abuses by security forces were catalysts for the 2011 uprising against Mubarak, but no reforms have since been enacted. A 2015 antiterrorism law provided a vague definition for terrorism and granted law enforcement personnel sweeping powers and immunity. Reports of torture, alleged extrajudicial killings, and forced disappearances continued through 2019, with NGOs documenting numerous cases. Prison conditions are very poor; inmates are subject to physical abuse, overcrowding, a lack of sanitation, and denial of medical care. Use of the death penalty has increased dramatically since Sisi took power, despite serious concerns about due process violations and politicized prosecutions.

Fighting continues between security forces and adherents of the Islamic State (IS) militant group based in the North Sinai region. Both terrorist attacks and military operations have consistently resulted in civilian casualties.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women enjoy legal equality on many issues, and their court testimony is equal to that of men except in cases involving personal status matters such as divorce, which are more

influenced by religious law. In practice, women face extensive discrimination in employment, among other disadvantages. Other segments of the population that are subject to various forms of harassment and discrimination include religious minorities, people of color from southern Egypt, migrants and refugees from sub-Saharan Africa, people with disabilities, and LGBT+ people.

While same-sex sexual conduct is not explicitly banned, people suspected of such activity can be charged with prostitution or “debauchery.” The police have carried out dozens of arrests in recent years.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

The constitution guarantees freedom of movement, but internal travel and access are restricted tightly in North Sinai and to a lesser extent in other governorates along Egypt’s borders. Sinai residents are subject to curfews, checkpoints, and other obstacles to travel.

Individuals seeking to change their place of employment or education can encounter bureaucratic barriers and scrutiny from security officials. In addition, a growing list of rights activists, journalists, political party members, bloggers, and academics have been subjected to arbitrary bans on international travel in recent years. A number of foreign researchers or activists have been expelled or denied entry to the country. Arbitrary travel restrictions reportedly intensified following the September 2019 protests.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 2 / 4

While a 2017 investment law was designed to encourage private investment in underdeveloped areas, bureaucratic barriers and related corruption remain serious problems, and the outsized role of military-affiliated companies has sidelined private businesses and hindered economic development. Property rights in Sinai and other border areas are affected by the activities of security forces. In 2018, the military expanded the summary demolitions of homes and commercial buildings beyond a security zone along the border with the Gaza Strip, destroying at least 3,000 structures as part of a counterterrorism campaign.

Women are at a legal disadvantage in property and inheritance matters, typically receiving half the inheritance due to a man. Societal biases also discourage women’s ownership of land.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence, sexual harassment, and female genital mutilation (FGM) are still among the most acute problems in Egyptian society. The country has adopted laws to combat these practices in recent years, and FGM is reportedly becoming less common over time. However, the effectiveness of such laws is hindered by societal resistance, poor enforcement, abuses by the police themselves, and lack of adequate protection for witnesses, all of which deter victims from contacting authorities. Spousal rape is not a crime.

Personal status rules based on religious affiliation put women at a disadvantage in marriage, divorce, and custody matters. Muslim women cannot marry non-Muslim men, for example, and the Coptic Church rarely permits divorce.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Egyptian women and children, migrants from sub-Saharan Africa and Asia, and Syrian refugees are vulnerable to forced labor and sex trafficking in Egypt. The Egyptian authorities routinely punish individuals for offenses that stemmed directly from their circumstances as trafficking victims. Military conscripts are exploited as cheap labor to work on military- or state-affiliated development projects.

An economic reform program developed with the International Monetary Fund has caused acute hardship for many Egyptians since 2016, increasing their susceptibility to exploitative labor conditions and highlighting inequities in access to opportunity. However, beginning in February 2019 the government restored two million people to its food subsidy program, and domestic fuel prices were lowered in October.

El Salvador

Population: 6,500,000

Capital: San Salvador

Freedom Status: Partly Free

Electoral Democracy: Yes

Status Change: El Salvador's status declined from Free to Partly Free because criminal groups continue to commit acts of violence and intimidation against politicians, ordinary citizens, and religious congregants, and because the justice system has been hampered by obstruction and politicization.

Overview: Elections in El Salvador are largely credible and free. However, corruption is a serious problem that undermines democracy and rule of law, and violence remains a grave problem. Authorities have pursued a harsh, militarized response to the country's gangs, resulting in allegations of abuse. The country has a lively press and civil society sector, though journalists risk harassment and violence in connection with work related to gang activity or corruption.

KEY DEVELOPMENTS IN 2019

- Nayib Bukele, the Grand Alliance for National Unity (GANU) candidate, was elected president in the first round of voting in February, easily defeating the long-dominant Nationalist Republican Alliance (ARENA) and Farabundo Martí National Liberation Front (FMLN) parties. Bukele became the first third-party candidate to win the presidency since the end of the civil war in 1992.
- In August, President Bukele stopped asylum seekers aiming to present their cases at the US border from traveling through the country, despite warnings from rights groups that El Salvador's pervasive violence made it an unsuitable third country for asylum seekers.
- Forced disappearances rose by over 20 percent in the first 11 months of the year compared to 2018, as gangs used the tactic to extort and intimidate Salvadorans. While the government also claimed that homicides fell during the year, it removed deaths at the hands of police from its reporting.

POLITICAL RIGHTS: 32 / 40**A. ELECTORAL PROCESS: 11 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

El Salvador's president is directly elected for a single five-year term. In February 2019, Nayib Bukele, who ran on the Grand Alliance for National Unity (GANU) ticket, won the presidential election in the first round with 53.1 percent of the vote, followed by Carlos Calleja of ARENA with 31.72 percent and Hugo Martínez of the FMLN, with 14.41 percent. Voter turnout was 51.88 percent. Organization of American States (OAS) observers called the election free and generally fair, and lauded the losing candidates' willingness to concede on election night.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The 84-member, unicameral Legislative Assembly is elected for three years. In the March 2018 elections, ARENA won 37 seats, the FMLN won 23, GANA won 11, and the National Conciliation Party (PCN) won 8; the rest went to smaller parties and coalitions. Votes for the ARENA and FMLN parties declined compared to previous legislative elections. Turnout was roughly 46 percent.

A European Union (EU) observation mission declared the elections well organized, transparent, and the calmest since the 1992 peace accords that ended the country's 1980–92 civil war. However, observers also noted a lack of voter education, particularly regarding the issue of cross-voting, a procedure that allows voters to vote for candidates from more than one party list.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The country's electoral framework has undergone a number of changes in recent years, at times contributing to inefficiencies and confusion surrounding electoral processes. Implementation of a 2015 reform by which citizens, as opposed to partisan representatives, are called on to oversee vote counting was delayed ahead of the 2018 polls, resulting in inadequate training for the citizens drafted. Additionally, there were reports that the Supreme Electoral Tribunal (TSE) dismissed nonpartisans in favor of partisans.

In 2018, a list of political donors who gave between 2006 and 2017 was published for the first time, marking an improvement in campaign transparency.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Salvadorans are free to organize in different political parties or organizations. While two parties, FMLN and ARENA, have dominated politics since the end of the civil war, new parties have emerged and are able to participate and compete in political processes. In 2018, the first independent candidate was elected to the legislature, and the two major parties saw their share of the vote decline.

Campaign donation records released in 2018 showed that between 2006 and 2017, ARENA received more donations than any other party, and that most of its donations had come from companies. The FMLN collected the second-most donations, with most of those funds coming from individuals.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties have the ability to increase support and gain power through elections. Historically, executive elections were closely contested between the two main parties, while smaller parties performed better in the legislature. President Bukele's 2019 election marked a break in the two main parties' dominance over the executive branch; while they commanded a combined 88 percent of the vote in the first round of the 2014 presidential election, they received 46 percent in 2019.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Criminal groups hold significant influence over Salvadoran political life. Political candidates face threats from such groups, though there are also persistent reports of negotiations and transactions between political parties and criminal organizations. For example, party leaders negotiate with criminal leaders in order to secure permission to hold rallies or otherwise operate in gang-controlled areas; police have asserted that all major political parties engage in such negotiations, and some politicians upon questioning have openly admitted to it, describing the deals as a reality that accompanies political operations in parts the country. Parties have paid gangs to coerce or intimidate voters into casting ballots for particular parties or candidates. Parties also hire gangs to provide security for their events. Transactions between parties and gangs also involve deals in which gang leaders receive special access to politicians, or a party's investment in social services for the families of gang members.

Since the transition to democracy, the military has largely been an apolitical institution—though it has not always cooperated with civilian authorities. The military retains a significant role in public security operations, even though the 1992 peace accord originally prohibited their involvement.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ethnic, religious, and gender groups, and LGBT+ people have full political and electoral opportunities, but are underrepresented in the legislature and in high-level government positions. In 2018, the first openly transgender candidate ran for election, for a seat on the San Salvador Municipal Council. A 2013 statute requires that 30 percent of legislative and municipal candidates must be women, and just over 30 percent of seats in the Legislative Assembly were held by women following the 2018 elections. However, only 10 percent of women held mayoral seats after that year's municipal elections, and the interests of women are poorly represented in practice. President Bukele's cabinet represented a recent improvement for female representation in politics, however; his inaugural cabinet achieved gender parity, with eight women holding ministerial posts in 2019.

C. FUNCTIONING OF GOVERNMENT: 8 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4**

The freely elected government is generally able to determine policies. However, the government lacks authority over some areas that are controlled by criminal groups, and public officials are known to collaborate with criminal organizations. Several mayors have been accused of facilitating extortion rackets, assassinations, and buying campaign support from gangs and criminal networks. The United States also wields significant influence on the

government's ability to execute policy; El Salvador currently relies on a bilateral agreement, which it signed in August 2019, to bolster its own asylum and internal security capacity.

Salvadorans continue to express concern that multinational corporations exert influence over local and national government officials. The Chinese government has also made recent efforts to influence Salvadoran policy. In 2018, former president Sánchez Cerén sent the legislature a bill that would create a special economic zone in El Salvador, with observers believing it was largely dictated by the Chinese. Subsequent measures to create this zone in the Isla Perico region stalled in 2019 under US pressure.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption is a serious problem in El Salvador, and remained endemic and widespread in 2019 despite efforts to combat it. In March, the Supreme Court used a narrow reading of the Constitution to limit investigations by its Probity Section, which examines illicit enrichment, to public officials who have left office within the past ten years. Their decision effectively closed pending cases against officials whose terms of service ended before 2009.

In September 2019, President Bukele announced the creation of the International Commission against Impunity in El Salvador (CICIES), a new anticorruption agency that would be supported by the OAS. The OAS named a temporary spokesperson later that month, who was charged with collaborating with the judiciary and the attorney general's office ahead of a final agreement, due at an unspecified date. In the interim, CICIES opened two cases, but it does not have the constitutional power to launch prosecutions.

El Salvador's justice system continued to grapple with corruption cases involving three former presidents in 2019. One case dated back to 2003, when over \$15 million donated from Taiwan to support survivors of a 2001 earthquake were allegedly embezzled by ARENA. Investigators claimed that \$10 million was routed to the party, while the remaining \$5 million went to late former president Francisco Flores (1999–2004). In March 2019, prosecutors charged ARENA officials for diverting these funds to party accounts, including former president Elías Antonio Saca (2004–09) and two businesspeople. The defendants were acquitted in July, when a San Salvador court ruled that the allegation exceeded the statute of limitations.

In May 2019, Saca offered to plead guilty on a separate charge that he bribed a member of the judiciary to help him recover ill-gotten monetary gains, and informally received a two-year sentence. Saca confessed to that crime in open court that September, leaving the judge to decide if he would serve another two years, or if the added prison time would be counted concurrently with a 10-year sentence he received in 2018 on separate charges of corruption. While Saca offered to confess to one crime, he maintained his innocence on the original corruption charges; the Supreme Court upheld his sentence in December 2019 and ordered him to return \$260 million to the government.

In March 2019, the Supreme Court issued an extradition order for former president Mauricio Funes (2009–14). Funes, who fled to Nicaragua in 2016 as a corruption investigation gained speed, was accused of embezzling as much as \$351 million by the attorney general's office. In July 2019, Nicaragua gave Funes citizenship, preventing his extradition.

The aftermath of the case against former president Funes and businessman Enrique Rais, an alleged conspirator, impacted the attorney general's office in 2019. That May, 12 prosecutors involved in the Funes investigation and one staff member were placed under investigation by prosecutors, and four prosecutors were transferred to other units. Attorney General Raúl Melara claimed they were accused of coercion while investigating Funes, but online newsmagazine *Revista Factum* noted that one of Melara's deputies was himself implicated because of his connection to Rais.

C3. Does the government operate with openness and transparency? 3 / 4

There have been advances in the implementation of the Access to Public Information Law, but challenges remain, including delays in responding to information requests and the denial of requests on dubious grounds, or for reasons not sufficiently explained. In 2017, the Constitutional Chamber added additional limits to the law's reach when ruling on a case involving the travel expenses of former president Funes. According to the ruling, the current government did not have to disclose information related to incidents that took place during previous administrations, because it would not have sufficient information regarding those events.

El Salvador's government has also elected to provide less transparency in its efforts to fight crime; in July 2019, the government announced that it would stop including deaths resulting from encounters with security forces in official homicide data, which potentially obscures both extrajudicial killings and the homicide rate.

CIVIL LIBERTIES: 34 / 60 (-1)**D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16 (-1)****D1. Are there free and independent media? 2 / 4**

The Constitution provides for freedom of the press. In practice, the media scene is robust, but reporters face significant challenges. Harassment and acts of violence following coverage of corruption and gang violence have led reporters to engage in self-censorship. Most of the country depends on privately-owned television and radio networks for news, and ownership in the broadcast sector is highly concentrated. Access to the internet is unrestricted. Online outlets like El Faro and Revista Factum are critical sources of independent reporting.

Police officers and government officials sought to prevent press coverage of controversial or sensitive matters in 2019. Human Rights Watch (HRW) noted that police officers stopped members of the press from covering a protest led by veterans, restricted journalists from visiting homicide scenes, and kept some journalists from attending President Bukele's inauguration. In September 2019, journalists from El Faro and Revista Factum were banned from a press conference announcing the formation of CICIÉS, and were singled out for attacks by the president on Twitter afterwards.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3/ 4 (-1)

Religious freedom is generally respected by the government. However, congregants and religious leaders have been increasingly subject to gang violence and extortion in recent years. Congregants in some communities have been unable to access their churches due to territorial disputes between gangs. Additionally, religious leaders working with former gang members have faced harassment and the threat of murder.

Friar Cecilio Perez Cruz was shot to death in May 2019, and extortion was considered a motive in his killing. However, members of the clergy cast doubt on this explanation, pointing to his calls to halt deforestation near the western town of Juayua as a possible motive instead. The Catholic Church also called for the continued investigation of the 2018 murder against another priest, which remained unsolved in 2019. In June, another clergyman was charged with the friar's murder, though local parishioners maintained his innocence.

Score Change: The score declined from 4 to 3 because religious congregants and leaders have been subjected to extortion and violence by gangs.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is respected and the educational system is generally free from extensive political indoctrination. However, intimidation and violence by gang members against teachers and students continues to present a challenge to the education system. Female students with children often leave school, sometimes under pressure from their principals. The United Nations reported that 60 percent of Salvadoran girls who became pregnant dropped out of school, most of them within two years of their children's births.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

While private discussion is generally free, the prevalence of gang activity requires many Salvadorans to curtail discussion of gang-related and other sensitive topics outside of their homes.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is generally upheld, and public protests and gatherings are permitted. However, due to the prevalence of violence in El Salvador, the safety of participants is impossible to guarantee.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Nongovernmental organizations (NGOs) operate freely and play an important role in society and policymaking. However, groups involved with human rights- and governance-related topics sometimes face threats and extortion attempts from criminal groups. Impunity for such attacks, as well as occasional pressure on NGOs by police, has prompted some observers to question the government's commitment to the protection of freedom of association and human rights.

Several NGOs and associations have reported discovering microphones or other listening devices on their premises in recent years, including the National Association of Private Companies (ANEP), the Salvadoran Foundation for Economic and Social Development (FUSADES), and the National Development Foundation (FUNDE).

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Labor unions have long faced obstacles in a legal environment that has traditionally favored business interests, including by mandating only light penalties for employers who interfere with strikes. The law prohibits strikes in sectors deemed essential, but is vague about the type of work falling within this designation.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 2 / 4

Judicial independence is not consistently respected by the government, and the judicial system is hampered by corruption. The legislature does not always observe Supreme Court rulings. Powerful individuals can evade justice by exerting pressure on the judiciary.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process rights are guaranteed by the constitution, but are upheld inconsistently. Interpreters are not always provided for defendants who do not speak Spanish. Rights

advocates report that police have carried out arbitrary arrests and detentions as part of the country's crackdown on gangs.

Progress on addressing crimes committed during the country's civil war was inconsistent in 2019. In May, El Salvador's legislators were forced to suspend efforts to introduce a controversial amnesty bill that would have kept civil war fighters from prison; the bill was heavily criticized by civil war victims' families, human rights groups, the Office of the UN High Commissioner for Human Rights (OHCHR) and the US State Department. Had it been passed, it would have been the country's second postwar amnesty bill; in 2016, the Supreme Court called a 1993 law preventing the investigation and prosecution of war crimes unconstitutional. The legislature was unable to finalize their draft by year's end, and the Supreme Court allowed an extension of the drafting process into February 2020.

A trial against 17 high-ranking military officers, who stand accused of massacring nearly 1,000 people in the northeastern town of El Mozote in 1981, continued in 2019. The military previously denied their involvement, saying instead that the residents of El Mozote died during a clash between the military and guerrillas. As the trial continued, the Bukele administration resisted calls to cooperate. In October, a judge ordered Bukele to open defense archives on El Mozote and other military operations. Bukele indicated that he would comply, but had not done so by year's end. The Defense Ministry repeatedly evaded requests to preserve its archives and make them available.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Violence, much of which is linked to criminal gangs, remains a grave problem. The official homicide rate declined in 2019; police estimated 2,383 homicides during the year, compared to 3,346 in 2018. President Bukele claimed that the month of December had the lowest homicide rate since the end of the civil war. However, 2019 also marked the first year where deaths resulting from security force operations were not included in official homicide figures.

People in El Salvador are also vulnerable to forced disappearances. In 2018, the national police reported 2,457 disappearances, the highest number in 12 years; that figure rose to 2,993 in the first 11 months of 2019. Relatives of the disappeared often fear reprisal, and either refrain from discussing their concerns publicly or insist on anonymity.

Police have been implicated in hundreds of extrajudicial killings as part of an ongoing militarized response to the country's criminal gangs. In August 2019, the Human Rights Ombudsman (PDDH) released a report documenting evidence of extrajudicial executions by police during its 2014–18 reporting period. The same report noted that most of the victims were unarmed. Witnesses who spoke to the PDDH reported that officers commonly hid evidence, moved bodies, and engaged in acts of torture and sexual assault against their victims. Gangs, in turn, continue to target members of security forces and their families.

Prisons remain extremely overcrowded, and conditions within can be lethal due to disease, lack of adequate medical care, and the risk of attack by other inmates. In August 2018, the legislature voted to make permanent the "extraordinary measures" implemented in 2016 to increase security in prisons. Human rights groups and the OHCHR criticized the decision, with the latter saying that "these are implemented for the primary purpose of dehumanizing the detainees." President Bukele expanded these measures to all Salvadoran prisons between June and September 2019, and ordered 24-hour block confinement. The president also allowed gang members to return to the general prison population, overturning a policy instituted in 2004 that kept warring gangs apart.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Women are granted equal rights under the law, but are often subject to discrimination. Indigenous people face poverty, unemployment, and labor discrimination. Discrimination on the basis of sexual orientation is prevalent, and LGBT+ people are often the targets of hate crimes and violence, including by state security agents. In February 2019, a transgender woman deported from the United States died from a violent assault committed in January. In July, three police officers were accused of a hate crime and charged in her death. The subsequent murders of three LGBT+ people in El Salvador in late October and early November, along with the disappearance of a fourth victim during this period, caused continued consternation within the LGBT+ community as the year progressed.

Underrepresented populations, particularly internally displaced persons and LGBT+ people, have limited access to the justice system. However, in a development reflecting increasing attention to discrimination against LGBT+ people, the government approved an Institutional Policy for the Care of the LGBT Population in 2018. Officials signaled the government's commitment to its tenets in public statements and events, but its practical effect remains unclear.

El Salvador also restricted the rights of asylum seekers by signing an agreement with the United States in September 2019. Under its terms, El Salvador agreed to accept asylum seekers trying to reach the US and stop them from traveling north. Human rights groups objected, warning that El Salvador was not a safe third country for asylum seekers to reside in due to pervasive violence.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4**

Freedom of travel within El Salvador is complicated by gang activity. The MS-13 and Barrio 18 gangs control certain neighborhoods of Salvadoran cities, making it dangerous for residents to travel, work, and attend school. The Internal Displacement Monitoring Center (IDMC) has estimated that hundreds of thousands of people have been displaced by violence in recent years.

In July 2018, the Supreme Court ruled that the government had failed to protect victims forcibly displaced by violence, and gave the government six months to develop policies and legislation to protect and assist victims of displacement. The government did not meet this deadline, and work on this legislation was still underway at year's end.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Businesses and private citizens are regularly subject to extortion. This activity affects 90 percent of small businesses, according to a 2018 report from the National Council of Small Businesses in El Salvador (CONAPES). According to a May 2019 report from two NGOs, InSight Crime and the Global Initiative against Transnational Organized Crime, businesses and individuals pay extortion fees worth 1.7 percent of the country's GDP.

Indigenous people also face difficulties securing land rights and accessing credit.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Abortion is punishable by imprisonment, including in cases where a woman's life is at risk due to her pregnancy, and the Constitutional Chamber affirmed in 2013 that the "rights of

the mother cannot be privileged over the fetus.” Some women have been jailed despite credible claims that their pregnancies ended due to miscarriage. A small number of women found their sentences commuted or received acquittals in 2019, though this remain rare. In March, a court commuted the sentences of three women, calling their sentences disproportionate. In August 2019, a woman previously convicted of murder for her stillbirth and sentenced to 30 years in prison was acquitted. Weeks later, prosecutors announced they would seek a third trial.

Adolescent pregnancy is a serious problem in El Salvador. Adolescent pregnancies account for one out of every three pregnancies in El Salvador, and many are the result of sexual assault.

Domestic and sexual violence remains high. In April 2019, a report by the Organization of Salvadoran Women for Peace (ORMUSA) indicated that sexual violence against women increased by a third in 2018. The majority of victims were girls between the ages of 12 and 17. ORMUSA also reported 560 cases of missing women and 383 cases of femicide in 2018, down from 468 in 2017.

There were reports of several incidents of femicide-suicide, where women and girls die by suicide as a result of abuse, during the year. El Salvador remains one of the only countries in the world where this is considered a crime, and saw its first conviction in March 2019.

LGBT+ marriage remains illegal in El Salvador, though at least one politician has recently voiced support for the idea. In October 2019, Ernesto Muyschondt, the ARENA mayor of San Salvador, openly called on his party to consider its legalization. Transgender rights were slightly expanded in January 2019, when a judge in the southern city of Zacatecoluca ruled in favor of a transgender woman who sought to update her name and gender on government-issued identification.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

El Salvador remains a source, transit, and destination country for the trafficking of women, children, and LGBT+ people. There are instances of forced labor in the construction and informal sectors.

The US State Department’s Trafficking in Persons 2019 report noted that El Salvador investigated one public official for their involvement in trafficking, and convicted seven traffickers in 2018. The department went on to highlight the country’s services for girls who survived trafficking, but called services for boys, adults, and LGBT+ survivors critically insufficient.

Children are vulnerable to economic exploitation, and child labor is a serious problem. Children perform dangerous jobs in agriculture, and are recruited by gangs and other criminal elements to carry out illegal activities. While the government made improvements in collecting and publishing data on this activity, and continued a National Action Plan for the Protection of Children and Adolescents in 2019, progress in combating child exploitation was slow.

Equatorial Guinea

Population: 1,400,000

Capital: Malabo

Freedom Status: Not Free

Electoral Democracy: No

Overview: Equatorial Guinea holds regular elections, but the voting is neither free nor fair. The current president, who took power in a military coup that deposed his uncle, has led a highly repressive authoritarian regime since 1979. Oil wealth and political power are concentrated in the hands of the president's family. The government frequently detains the few opposition politicians in the country, cracks down on civil society groups, and censors journalists. The judiciary is under presidential control, and security forces engage in torture and other violence with impunity.

KEY DEVELOPMENTS IN 2019

- In May, 112 people, including exiled opposition leaders, were convicted of involvement in an alleged 2017 coup attempt. The trial was marred by irregularities, and defendants were reportedly tortured by the authorities in an effort to coerce their confessions.
- Throughout the year, the government continued targeting opposition members and civil society leaders who are still active in the country. In March, human rights advocate Alfredo Okenve Ndoho was placed under house arrest to prevent him from attending an award ceremony, and his nongovernmental organization (NGO) was later shuttered. In April, opposition leader Andrés Esono Ondo was detained while visiting Chad, after Equatorial Guinea claimed he was plotting a coup d'état.
- In late December, the government agreed to bolster its anticorruption efforts in return for a \$283 million loan from the International Monetary Fund (IMF).

POLITICAL RIGHTS: 0 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

President Teodoro Obiang Nguema Mbasogo, Africa's longest-serving head of state, has held power since 1979. He was awarded a new seven-year term in the 2016 presidential election, reportedly winning 93.5 percent of the vote. The main opposition party at the time, Convergence for Social Democracy (CPDS), boycotted the election, and other factions faced police violence, detentions, and torture. One opposition figure who had been barred from running for president, Gabriel Nsé Obiang Obono, was put under house arrest during the election, and police used live ammunition against supporters gathered at his home.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The bicameral parliament consists of a 70-seat Senate and a 100-seat Chamber of Deputies, with members of both chambers serving five-year terms. Fifteen senators are appointed by the president, 55 are directly elected, and there can be several additional ex officio members. The Chamber of Deputies is directly elected.

In the 2017 legislative election, the ruling Democratic Party of Equatorial Guinea (PDGE) and its subordinate allied parties won 99 seats in the lower house, all 55 of the elected seats in the Senate, and control of all municipal councils. The opposition Citizens for Innovation (CI), led by Nsé Obiang, took a single seat in the Chamber of Deputies and a seat on the capital's city council. The preelection media environment was tightly controlled, and a wave of arrests of CI supporters began when police dispersed an opposition rally ahead of the vote. Among other irregularities on election day, a ban on private vehicles prevented many voters from reaching distant polling stations, and polls closed one hour earlier than scheduled.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Equatorial Guinea does not have an independent electoral body; the head of the National Election Commission is also the country's interior minister and a member of the PDGE. Elections are not fairly managed in practice.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The PDGE is the dominant party, operating in conjunction with a number of subordinate parties in its coalition. The opposition CI was officially banned as a political party in 2018, and its members face imprisonment and regular threats of imprisonment by the state.

Other opposition leaders and members are also subject to arrest, detention, and trial. Two members of the Coalition for the Restoration of Democracy (CORED), who were seized in Togo, and dissident members of the ruling PDGE were among a group of 130 defendants tried in March 2019 for their alleged involvement in a 2017 coup attempt. Opposition leaders living in exile, including Party of Progress (PP) leader Severo Moto Nsá and CORED leader Salomón Abeso Ndong, were tried in absentia. The court ultimately convicted 112 people and imposed harsh prison terms in May.

In April 2019, CPDS leader Andrés Esono Ondo was arrested in Chad while attending a conference. The government accused him of plotting a coup, but Chadian authorities released him later that month, and he returned to Equatorial Guinea. In July, CPDS member Luis Mba Esono was detained without charge and remained in custody at year's end.

In November, the Movement for National Liberation of Equatorial Guinea 3rd Republic (MLGE3R) claimed that four members were abducted in South Sudan. According to Spanish newspaper *El País*, they were detained in a prison in the Equatoguinean city of Bata; two of them had received prison sentences in May as part of the mass trial of alleged coup plotters.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Equatorial Guinea has never had a peaceful transfer of power through elections. President Obiang appointed his son, Teodoro "Teodorín" Nguema Obiang Mangué, as vice president in 2016, paving the way for a dynastic succession.

Nsé Obiang, the CI leader, was disqualified from running in the 2016 presidential vote on the grounds that he did not meet residency requirements. In the wake of the 2017 legislative election, the authorities intensified their crackdown on the CI, effectively removing it as a potential threat to the PDGE's supremacy.

There was no opposition representative in the legislature as of 2019. Jesús Mitogo Oyono, the CI's only lower house member, was not allowed to return to his seat after he was imprisoned on charges of sedition in 2018, even though he was pardoned and released later that year. Also in 2018, the CPDS rejected a Senate seat allocated by presidential appointment, saying the offer was made in bad faith.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The regime routinely uses the security forces to attack and intimidate opposition supporters, and political loyalty to the ruling party is treated as a condition for obtaining and keeping public-sector employment.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The ethnic Fang majority dominates political life in Equatorial Guinea, leaving minority ethnic groups with little influence; power is concentrated in the hands of the president's family and regional group in particular. Women formally enjoy equal political rights, holding a number of positions in government, 21 percent of the seats in the Chamber of Deputies, and 17 percent of the seats in the Senate. However, they have little opportunity to independently advocate for their interests or organize politically. While no law prevents LGBT+ people from exercising their political rights, societal discrimination discourages them from participating openly and advocating for their community.

C. FUNCTIONING OF GOVERNMENT: 0 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

The executive branch—headed by the president, who is not freely elected—sets and implements government policy, leaving the legislature with no meaningful role in the policymaking process.

C2. Are safeguards against official corruption strong and effective? 0 / 4

There are no independent anticorruption mechanisms, and the government is marred by nepotism and graft. Hiring and promotions within the government, army, and civil service favor those with ties to the president and his family. One of the president's sons, Gabriel Mbega Obiang Lima, is the minister of mines and hydrocarbons, granting him sweeping control over the country's natural resources. Teodorin, the vice president, has been the focus of money-laundering investigations in other countries for several years. In 2017, a French court convicted him of money-laundering charges in absentia, handing him a suspended sentence and a suspended \$34 million fine. The court also seized his assets in the country. In 2018, Brazilian authorities confiscated \$1.5 million in cash from Teodorin during a visit with his entourage, along with watches worth an estimated \$15 million. In February 2019, Teodorin surrendered cars worth \$25 million and paid \$1.5 million to Swiss authorities at the conclusion of a corruption probe.

The government has recently taken some steps to address corruption. In 2018, it signed the United Nations Convention against Corruption, though the agreement has not yet been ratified. In June 2019, the country did ratify the African Union's Convention on Preventing and Combating Corruption. In November, a government commission was formed to draft legislation that would bring the country into compliance with both conventions. The government also committed to strengthening its anticorruption efforts in order to receive a \$283 million loan from the IMF in December.

C3. Does the government operate with openness and transparency? 0 / 4

The government's budget process and procurement system are opaque, as are the finances of state-owned companies. A significant percentage of revenue from the country's oil reserves are funneled to Obiang's allies through noncompetitive, nontransparent construction contracts, often for projects of questionable value. International financial organizations and human rights groups have criticized the government for pouring resources into wasteful infrastructure initiatives while neglecting health and social spending. A 2017 World Bank report noted that the country spent 2.3 percent of its gross domestic product on education during its 2015 budget year, far below the continental average of 4.8 percent.

In 2010, Equatorial Guinea failed in a bid to join the Extractive Industries Transparency Initiative (EITI), which found that it did not meet the group's standards. The country's 2019 bid, which was a prerequisite for receiving financial support from the IMF, was successful.

The government's personnel decisions also lack transparency. In April 2019, finance minister Lucas Abaga Nchama was dismissed over unspecified irregularities, but he returned to the government in September as a special economic adviser to the president.

CIVIL LIBERTIES: 6 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

Press freedom is severely limited, despite constitutional protections. Journalists consistently exercise self-censorship, and those who do criticize the regime face dismissal and other reprisals. The handful of private newspapers and magazines in operation face intense financial and political pressure and are unable to publish regularly. The government has sought to block access to the websites of opposition parties and exile groups since 2013, and online versions of Spanish newspapers are regularly blocked. The government has obstructed access to the internet in times of political tension.

The country's only private television and radio broadcaster, RTV-Asonga, is controlled by Teodorín. Two Asonga TV journalists were arrested in late August 2019 after interviewing a judge who was suspended while investigating an embezzlement case. A police officer later told the head of Asonga TV's information service that the two were arrested for doing "a job they should not do." They were released without charge in September.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The constitution protects religious freedom, though in practice it is sometimes affected by the country's broader political repression and endemic corruption. The Roman Catholic Church is the dominant faith and is exempt from registration and permit requirements that apply to other groups. Government officials have reportedly been required to attend Catholic masses on ceremonial occasions, such as the president's birthday.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is politically constrained, and self-censorship among faculty is common. University professors and teachers have reportedly been hired or dismissed due to their political affiliations.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

Freedom of private discussion is limited. The government uses informants and electronic surveillance to monitor members of the opposition, NGOs, and journalists, including the few members of the foreign press in the country. Critics of the government are subject to arbitrary arrest, physical abuse, and trumped-up charges.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is severely restricted. Opposition gatherings are typically blocked or dispersed, and citizens are sometimes pressured to attend progovernment events.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

All associations must register with the government through an onerous process, and independent NGOs face state persecution. In March 2019, Alfredo Okenve Ndoho, a leader of the Center for Studies and Initiatives for the Development of Equatorial Guinea (CEID-GE), was prevented from traveling to Malabo to receive a human rights award at a ceremony hosted by the country's French and German embassies. Instead, Okenve was placed under house arrest, and his passport and phone were seized. The NGO itself was dissolved in July by government decree.

Joaquín Eló Ayeto, a human rights activist and CPDS member, was arrested in February 2019 and tortured before he was tried for defamation in November. Eló remained imprisoned at year's end, with no announced verdict. Activist Luis Nzó was arrested in December and remained in custody without charge at year's end. Nzó was detained over text messages commenting on President Obiang's travel plans and on a rumor that the president personally witnessed incidents of torture after the 2017 coup attempt.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

The constitution provides for the right to organize unions, but there are many legal and practical barriers to union formation, collective bargaining, and strikes. The government has refused to register a number of trade unions; a farmers' organization is the only legal union.

F. RULE OF LAW: 0 / 16**F1. Is there an independent judiciary? 0 / 4**

The judiciary is not independent, and judges in sensitive cases often consult with the office of the president before issuing a ruling. Under the constitution, the president is the nation's first magistrate. He also oversees the body that appoints judges. The court system's impartiality is further undermined by corruption.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Security forces routinely detain people without charge. Those who are tried can be subjected to proceedings that lack due process. In April 2019, as the trial against alleged participants in the 2017 coup attempt was underway, President Obiang unilaterally appointed new magistrates and prosecutors by decree. The American Bar Association (ABA), which observed the trial, noted a dearth of evidence against the accused and reported that a military officer in the audience was seen relaying messages to prosecutors and judges. The court convicted 112 of the defendants in May despite these failings, with some receiving 97-year prison sentences.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Beatings and torture by security forces are reportedly common. Defendants who were tried in 2019 for alleged involvement in the 2017 coup attempt claimed they were tortured in an effort to extract confessions. The ABA reported that two defendants died in custody. Prisons are overcrowded and feature harsh conditions, including physical abuse, poor sanitation, and denial of medical care.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Women face discrimination in employment and other matters, particularly in rural areas. The ethnic Bubi minority suffers persistent societal discrimination. Immigrants, including irregular migrants, are subject to raids, physical abuse, and extortion by police. Same-sex sexual activity is not illegal, but LGBT+ people face social stigma and discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement is protected by law but restricted in practice through measures such as police checkpoints, which often require the payment of bribes. Authorities have denied opposition members and other dissidents reentry from abroad or restricted their movements within the country.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Pervasive corruption and onerous bureaucratic procedures serve as major impediments to private business activity. In 2018 the government demanded that oil companies increase drilling in 2019 or risk losing their permits to work in the country.

Property rights are inconsistently respected by the government, which is known to seize land and offer little recourse for those affected. Members of the Bubi minority have reported cases of land grabs by elites and the government in recent years.

Most women face disadvantages regarding inheritance and property rights under both the civil code and customary practices, though women enjoy greater customary rights among the Bubi.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

The civil code and customary law put women at a disadvantage with respect to personal status matters like marriage and child custody, with some exceptions among the Bubi. Laws against rape and domestic violence are not enforced effectively. The government does little to collect data, raise awareness, or support civil society efforts to combat such problems. Child marriage is also common, with the UN Children's Fund reporting that 30 percent of Equatoguinean women between the ages of 20 and 24 as of 2018 had been married before age 18.

The education ministry requires female students to take pregnancy tests and bars pregnant girls from attending school.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

The country's oil wealth is concentrated among the ruling elite, leaving much of the population without access to basic services. Despite national economic growth driven by natural resource exploitation, Equatorial Guinea continues to score poorly on social and economic development indicators.

Foreign workers in the oil and construction industries are subject to passport confiscation and forced labor. Equatoguineans are also vulnerable to forced labor, including in the sex trade. Corrupt officials are often complicit in human trafficking, according to the US State Department.

Eritrea

Population: 3,500,000

Capital: Asmara

Freedom Status: Not Free

Electoral Democracy: No

Overview: Eritrea is a militarized authoritarian state that has not held a national election since independence from Ethiopia in 1993. The People's Front for Democracy and Justice (PFDJ), headed by President Isaias Afwerki, is the sole political party. Arbitrary detention is commonplace, and citizens are required to perform national service, often for their entire working lives. The government shut down all independent media in 2001.

KEY DEVELOPMENTS IN 2019

- Eritrean authorities closed the border's country with Ethiopia in April. Eritreans crossed the border, which was previously opened in 2018, to seek asylum or refuge elsewhere, and continued to do so after the government's decision.
- The government continued to interfere in the activities of religious groups during the year. In June, it closed health facilities operated by the Roman Catholic Church, after bishops called for the creation of a truth and reconciliation commission; that same month, the government reportedly arrested five Orthodox Christian priests for criticizing government interference in their church.
- The authorities also continued moves to restrict academic freedom. Seven secondary schools operated by religious organizations were seized by security forces in September.

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Following Eritrea's formal independence from Ethiopia in 1993, an unelected Transitional National Assembly chose Isaias to serve as president until elections could be held under a new constitution. He has remained in office since then, without ever obtaining a mandate from voters.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

A constitution ratified in 1997 but never instituted calls for an elected 150-seat National Assembly, which would choose the president from among its members by a majority vote. National elections have been postponed indefinitely, and the transitional assembly has not met since 2002. Local and regional assembly elections have been held periodically, but they are carefully orchestrated by the PFDJ and offer no meaningful choice to voters.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The 1997 constitution calls for an electoral commission whose head is appointed by the president and confirmed by the National Assembly, but it has never been established.

Electoral laws have not been finalized. National elections have never been conducted; sub-national elections are controlled by the ruling party.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The PFDJ is the only legally recognized political party in Eritrea. Alternative groups must operate from abroad among the diaspora community. Many groups were hosted by Ethiopia, but that government ordered many of them to cease operations after the two countries sought rapprochement in 2018.

The Eritrean government has also held prominent dissidents and family members in detention; a group of 11 have been held incommunicado since 2001. Reports in 2018 suggested that one of these individuals, former foreign minister Haile “Durue” Woldensae, died in detention. In late 2012, the government captured and held Ciham Ali Abdu, daughter of former information minister Ali Abdu Ahmed, while she tried to flee to Sudan; she was still detained incommunicado at the end of 2019. Authorities detained former finance minister Berhane Abrehe in 2018, and he also remained in custody at year’s end; his wife, Almaz Habtemariam, was arrested in 2018, and was released in August 2019.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

President Isaias and the PFDJ have been in power without interruption since independence, and since multiparty elections have never been allowed, opposition groups have had no opportunity to compete or enter government.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Eritrean society is dominated by the military, with most citizens required to perform open-ended military or other national service. The authorities’ intolerance of dissent and the absence of elections or opposition parties leaves individuals with no political options other than loyalty to the PFDJ, imprisonment, or illegal emigration.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Women and various ethnic groups are nominally represented within the PFDJ, but they have no practical ability to organize independently or advocate for their interests through the political system.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Power is concentrated in the hands of the unelected president, who reportedly determines policy with the help of an informal circle of advisers, leaving the cabinet and security officials to merely carry out his decisions. In 2016, the UN Human Rights Council (UNHRC) noted that military personnel are overrepresented among the president’s closest associates.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Petty bribery and influence peddling are thought to be endemic, and larger-scale corruption is a problem among some party officials and military leaders. The government's control over foreign exchange effectively gives it sole authority over imports, and those in favor with the regime are allowed to profit from the smuggling and sale of scarce goods such as food, building materials, and alcohol. Senior military officials have allegedly profited from smuggling Eritreans out of the country. There are no independent agencies or mechanisms in place to prevent or punish corruption. Special anticorruption courts overseen by the military nominally exist, but are mostly inactive.

C3. Does the government operate with openness and transparency? 0 / 4

The government operates without public scrutiny. Basic data about the state budget and its appropriations are not publicly disclosed, and officials are not required to disclose their assets.

CIVIL LIBERTIES: 1 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 0 / 16

D1. Are there free and independent media? 0 / 4

The government shut down all independent media outlets in 2001. Several organizations provide coverage to Eritreans from outside the country, including the British Broadcasting Corporation (BBC), which provides internet news services in local languages. Radio Erena operates in France with the support of Reporters Without Borders (RSF), while satellite station Assenna TV (ATV) is based in the UK. Internet access is available to one percent of the population.

According to the Committee to Protect Journalists (CPJ), 16 journalists were imprisoned for their work in Eritrea; almost all had been imprisoned since 2001.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The government places strict limits on the exercise of religion. Eritrea officially recognizes only four faiths: Sunni Islam, Orthodox Christianity, Roman Catholicism, and Evangelical Lutheranism. Followers of other denominations are subject to arrest. In May 2019, over 140 Christian worshippers were arrested by security forces; while approximately 50 were later released, the remainder were still detained by that June according to the UN.

The government also interferes in the practice of faiths it recognizes. The Eritrean Orthodox Church's patriarch, Abune Antonios, was deposed and placed under house arrest in 2006. In June 2019, the government reportedly arrested five Orthodox priests for criticizing government interference in their church. In July, church bishops expelled Antonios for "heresy."

In June 2019, the government seized health facilities managed by the local Roman Catholic Church, after Catholic bishops publicly called for the formation of a truth and reconciliation commission.

Jehovah's Witnesses face severe persecution, including denial of citizenship and travel papers. Religious practice is prohibited among members of the military.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Academic freedom is greatly constrained. Students in their last year of secondary school must perform military service at the Sawa military training center. In August 2019,

Human Rights Watch (HRW) reported that widespread physical and sexual abuse took place at the facility. Former students say they were given insufficient food and were forced to perform manual labor.

Government attempts to nationalize an Islamic school in Asmara as part of a broader policy to assert state control of the education system led to rare demonstrations in 2017. Musa Mohammed Nur, the former school board chairman, was arrested that same year for opposing the government's policy, and died in custody in 2018. In January 2019, another board member, Hajji Ibrahim Younus, died in custody. The government took control of another seven schools operated by religious organizations in September.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

Freedoms of expression and private discussion are severely inhibited by fear of government informants and the likelihood of arrest and arbitrary detention for any airing of dissent. The authorities regularly block access to social media platforms and shutter internet cafes.

Members of the Eritrean diaspora who live abroad are, by comparison, better able to express dissent on social media platforms. Activists have used those platforms and protests to oppose the government as part of the *Yakl* (Enough) campaign through much of 2019. However, members of the diaspora are also subject to government surveillance and harassment; in June, Amnesty International reported that activists living abroad faced harassment from government employees and the ruling PJDF.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is not recognized by the authorities. Those who take to the streets to protest face the threat of deadly force at the hands of the state security forces, or arbitrary detention. In 2017 and 2018, reports emerged indicating that public protests were met with such repression. By one account, over 24 people were killed by security forces during 2017 demonstrations in support of Musa Mohammed Nur. His 2018 funeral prompted mass protests that erupted into clashes between protesters and police; news sources reported that protesters were arrested, with numbers ranging from a handful to nearly a thousand.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

The law requires all nongovernmental organizations (NGOs) to undergo an onerous and arbitrary annual registration process, and limits their activities to providing humanitarian relief. In reality, there are no independent civil society organizations based in Eritrea. The government continues to deny permission for external human rights organizations to enter the country.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

There are no independent trade unions in Eritrea. The only union umbrella group, the National Confederation of Eritrean Workers, is affiliated with the ruling party. Relatively autonomous student and teachers' unions operated during the early years of independence but were gradually shut down in the late 1990s and early 2000s. According to reports to the UNHRC, the government has prevented new unions from being formed.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary has no independence from the executive branch. The Supreme Court called for in the constitution has never been established, nor has a Judicial Commission tasked with appointing judges. The president controls the appointment and dismissal of all judges; even nominally elected judges in local community courts are controlled by the Justice Ministry, according to UN investigators. Many judges are military officers.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Basic principles of due process are systematically violated. Arbitrary arrests and detentions are common; targets include those who evade military service, try to flee the country, or are suspected of practicing an unauthorized religion. Eritreans who offend high-ranking government or party officials are also reportedly subject to arbitrary arrest.

Prisoners, including children, former members of the government, and their family members, are routinely held incommunicado for indefinite periods without charge or trial, with the authorities refusing even to inform family members whether they are still alive. There is no operational system of public defense lawyers. Thousands of political prisoners and prisoners of conscience remain imprisoned.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

UN investigators have described the routine and systematic use of physical and psychological torture in both civilian and military detention centers. Deaths in custody or in military service due to torture and other harsh conditions have been reported. Security forces employ lethal violence arbitrarily and with impunity. Individuals attempting to escape military service or flee the country have been fired on by soldiers.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

There are allegations that two of Eritrea's nine recognized ethnic groups, the Kunama and Afar, face severe discrimination, including exclusion from the government's poverty alleviation programs.

Eritrea has also been accused of violating the rights of prisoners of war. In September 2019, UK-based NGO Human Rights Concern–Eritrea (HRCE) warned that the government was likely holding 13 Djiboutian prisoners of war, who were captured during a 2008 border conflict between the two countries, incommunicado.

Laws mandate equal educational opportunity for women and equal pay for equal work. However, traditional societal discrimination against women persists in the countryside, and the deeply flawed legal system does not effectively uphold their formal rights.

Same-sex sexual relations are criminalized, and LGBT+ people enjoy no legal protections from societal discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 1 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Freedom of movement is heavily restricted. Eritreans young enough for national service are rarely given permission to go abroad, and those who try to travel outside the country without obtaining an exit visa face imprisonment. Individuals also require permits to travel

within the country. Eritrean refugees and asylum seekers who are repatriated from other countries are subject to detention under harsh conditions.

The opening of the border with Ethiopia in 2018 prompted tens of thousands of Eritreans to flee the country, risking their lives to seek asylum in neighboring countries and in Europe. The Eritrean government closed the border in April 2019, but Eritreans have continued in their attempts to leave the country since.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 0 / 4

The national conscription system denies much of the working-age population the opportunity to establish and run their own businesses. Both the authorities and private actors with regime support are able to confiscate property and evict occupants without due process. Hundreds of small businesses were forced to close in 2017 after the authorities accused them of breaking foreign currency transfer laws. The businesses were permitted to reopen in early 2018 after paying large fines.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Men and women have equal rights under laws governing marriage, nationality, and other personal status matters. However, girls in rural areas remain vulnerable to early or forced marriage. Rape of women and sexualized forms of violence against men are common in detention and in military service. Sexual assault of female conscripts is endemic and has not been thoroughly investigated by the authorities. The government has banned the practice of female genital mutilation (FGM), but it remains widespread in rural areas.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Eritrea's conscription system ties most able-bodied men and women—including those under 18 who are completing secondary school—to obligatory military service, which can also entail compulsory, unpaid labor for enterprises controlled by the political elite. National service is supposed to last 18 months but is open-ended in practice. UN human rights experts have described this system as enslavement. Following the peace deal with Ethiopia, the government announced a review of the national service system with a view to reducing the number of citizens in military uniform and boosting those engaged in development activities. However, no changes were announced by year's end.

Estonia

Population: 1,300,000

Capital: Tallinn

Freedom Status: Free

Electoral Democracy: Yes

Overview: Democratic institutions are strong, and political and civil rights are widely respected in Estonia. However, about 6 percent of the population remains stateless, and thus may not participate in national elections. Corruption remains a challenge, as does discrimination against ethnic Russians, Roma, LGBT+ people, and others. Right-wing and Eurosceptic populist forces are becoming increasingly vocal.

KEY DEVELOPMENTS IN 2019

- In March, five parties gained seats in the parliamentary elections, with the Reform Party gaining a plurality. However, failed efforts to form a government by the Reform Party left space for the Center Party to create a coalition with the Conservative People's Party of Estonia (EKRE) and Isamaa, enabling Prime Minister Jüri Ratas to reenter his post.
- In August, EKRE ministers attempted to illegally dismiss the police and border guard chief but were overruled by the prime minister. Controversies involving EKRE leaders, including verbal attacks against the media, minorities, and the presidency, along with their anti-European Union stance, have undermined political stability.

POLITICAL RIGHTS: 38 / 40**A. ELECTORAL PROCESS: 12 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

The prime minister is head of government and is nominated by the president and approved by the parliament. Prime Minister Jüri Ratas of the Center Party was reappointed in 2019 following parliamentary elections and the formation of a coalition between the centrist-populist Center Party, far-right and Eurosceptic EKRE, and the conservative Isamaa party (formerly "Pro Patria and Res Publica Party"). This coalition broke Ratas's preelection promise to not to make a coalition with EKRE.

The president is elected by parliamentary ballot to a five-year term, filling a largely ceremonial role. Current president Kersti Kaljulaid was elected as a nonpartisan consensus candidate in a sixth round of voting in 2016. Although the overall election process was free and fair, it was criticized as lengthy and not entirely transparent.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The constitution establishes a 101-seat, unicameral parliament, called the Riigikogu, whose members are elected for four-year terms.

Parliamentary elections, held in March 2019, were free and fair. Like in previous elections in 2015, the voter turnout was around 64 percent. Five parties gained seats in the elections, with the main opposition center-right Reform Party grabbing a plurality (34 seats). Electoral support for the far-right EKRE party more than doubled, which translated into 19 deputies. Meanwhile, the incumbent Center Party headed by Prime Minister Jüri Ratas won 26 seats, down one. The number seats won by the conservative Isamaa and the left-wing Social Democratic Party (SDE) dropped to 12 and 10, respectively.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The legal framework for conducting elections is clear and detailed. Online voting is widespread and is increasingly popular. The last parliamentary elections in 2019 witnessed record turnout online, with around 44 percent of participating voters using this method, thus demonstrating strong public confidence in the online voting (e-voting) system. In reaction to various complaints regarding transparency of e-voting, the Supreme Court, however, recommended the government clarify its regulations.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Estonia's political parties organize and operate freely, and the system is open to the rise and fall of various parties. Five parties, all of which were represented in the 2015 parliament, gained seats in the 2019 elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The system is open to the rotation of power. In the 2019 elections, the Center Party did not win the largest percentage of the vote yet was still able to form a coalition with the antiestablishment EKRE and the Isamaa party.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally not influenced by undemocratic forces. However, there were increasing concerns about the influence of online disinformation ahead of and after the 2019 elections.

While the governing Center Party has not fully renounced its cooperation agreement with United Russia, the main political party in Russia, this has not led to foreign interference with Estonians' political rights.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

About 6 percent of the country's population—mostly ethnic Russians—remain stateless and thus may not participate in national elections. Resident noncitizens are permitted to vote in local and European elections but may not run as candidates or join political parties. The authorities have adopted policies to assist those seeking naturalization. President Kersti Kaljulaid is the first woman in the country's history to hold her office. While a total of 29 women were elected to the 101-seat Riigikogu in 2019, which is the most since 1992, representation of women in government remains an issue.

The EKRE's entry into a coalition government raised concerns from domestic and international observers about the party's history of racist, sexist, anti-LGBT+, and white nationalist sentiments. During their swearing-in ceremony in May 2019, newly appointed interior minister Mart Helme and his son, newly appointed finance minister, celebrated their appointments by simultaneously flashing a white nationalist symbol with their hands. Also in May, Helme called President Kaljulaid an "emotionally heated woman," after Kaljulaid had walked out of the swearing-in ceremony of a cabinet official who was accused of domestic violence. In December, Helme referred to the newly elected Finnish president Sanna Marin as a "shop girl." Several EKRE ministers have expressed a variety of extremist views—including an admiration for "Nazi economics" and the belief that Estonia should be "a white country"—and have peddled conspiracy theories, discriminatory falsehoods about immigration and refugees, antisemitic sentiments, and anti-LGBT+ policy goals.

C. FUNCTIONING OF GOVERNMENT 11 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

Both the government and the parliament are freely elected and function without interference from external or nonstate actors.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Recent years have seen heavily publicized allegations of corruption within the main political parties, as well as in the public sector. The trial of Edgar Savisaar, former leader of the Center Party and Tallinn city mayor, on charges of bribery, money laundering, and embezzlement, had been ongoing since 2017. While Savisaar himself was freed from trial due to bad health in December 2018, several government officials and businessmen were still awaiting their verdicts throughout 2019. The Center Party itself and other defendants were sanctioned with various fines. Other trials concerning recent corruption scandals in Tallinn and Tartu municipalities and Tallinn seaport were still ongoing in 2019. In most cases, defendants were acquitted or released due to bad health.

While the government has taken some steps to curb private-sector corruption, little progress has been observed. In 2018, it was revealed that up to €200 billion (US\$230 billion) had been laundered through Danske Banks' Estonian branch between 2007 and 2015. Later, it emerged that Swedbank's Estonian branch was also allegedly involved in illicit transactions. While questions about the performance of Estonia's regulatory and supervisory bodies arose, the Estonian authorities took steps to remediate the situation.

The government also announced further measures to strengthen its fight against money laundering such as raising penalties and boosting funding for police and legal structures, and enhancing coordination at state and international levels. While serious concerns were raised that the laundered money, which is thought to have originated in Russia, could have been used to influence elections elsewhere in Europe, no clear connections with Estonian politicians were detected.

C3. Does the government operate with openness and transparency? 4 / 4

Estonia is well-known for its transparency and well-developed e-governance services. Recently, however, several security flaws in these systems were revealed. While the government announced a plan to remedy the situation, additional resources to support the maintenance and further expansion of the e-governance program are needed.

Public access to government information and asset declarations of officials is provided for both in law and in practice. According to the latest European Union (EU) reports, Estonia stands out as one of best performers in the EU in ensuring a transparent and effective public procurement system.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The government generally respects freedom of the press, although the EKRE has verbally attacked journalists, which has increased concerns of self-censorship. In May 2019, prominent political commentator Vilja Kiisler resigned from her post at the newspaper *Postimees*, after the editor in chief had told her to tone down what he had deemed was aggressive rhetoric criticizing the EKRE. Kiisler said that EKRE media portals verbally attacked her, and she received threats of violence through email and Facebook. This was the first instance in over two decades of political commentary where she had been told to censor her writing. Another prominent state radio journalist also left his position for similar reasons.

Public and private television and radio stations operate in Estonia, and there are a number of independent newspapers. However, observers have noticed a trend towards media concentration and commercialization in recent years.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is respected in law and in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected. However, by law, public Russian-language high schools must teach 60 percent of their curriculum in the Estonian language. The opposition Reform Party advocates introduction of Estonian-only language education at all school levels.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are free to express political views without fear of surveillance or retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution guarantees freedom of assembly, and the government upholds this right in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

The government honors the civic rights of associations and does not restrict or control the activities of nongovernmental organizations (NGOs).

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers may organize freely, strike, and bargain collectively, although public servants at the municipal and state levels may not strike.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent and generally free from government or other interference.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Legal processes in civil and criminal matters are generally free and fair. Laws prohibiting arbitrary arrest and detention and ensuring the right to a fair trial are largely observed.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While Estonia is generally safe and peaceful, it has still one of the highest intentional homicide rates in the EU. There have been reports of law enforcement officials using excessive force when arresting suspects. Some inmates reportedly have inadequate access to health care. Estonia has a relatively high incarceration rate, with the latest Organisation for Economic Co-operation and Development (OECD) data showing that 187 per 100,000 residents are in Estonian prisons.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Russian-speakers continue to face societal discrimination, which is reinforced by laws such as the Equal Treatment Act, which does not consider Estonian linguistic requirements for public officials discriminatory. Women in Estonia earn on average 26 percent less than men according to 2017 Eurostat data. Roma face employment discrimination and drop out of school at high rates, suggesting that Estonian schools fail to meet their needs.

Achieving gender equality remains a challenge in Estonia, despite improvements in recent years according to the European Union's Institute for Gender Equality index. Women do not earn the same amount as men for equivalent work and are in positions of power far less often.

Discrimination based on sexual orientation is legally prohibited, though harassment of LGBT+ people is reportedly common. While the social acceptance of LGBT+ people is slowly increasing, only a little more than half of Estonia's population think that they should have the same rights as heterosexual people, according to a 2019 European Commission Eurobarometer survey. The government coalition's far-right EKRE and the conservative Isamaa continue to block implementation of same-sex partnership legislation and attempt further suppression of LGBT+ organizations. However, in June 2019, the Supreme Court declared unconstitutional provisions of the Aliens Act preventing registered same-sex partners of Estonian citizens from obtaining residence permits.

The language and ideological beliefs of many active members of the EKRE has raised concerns about the prominence and encouragement of many extremist views toward Jewish communities, LGBTQ+ people, and Muslims, as well as other marginalized groups.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Citizens and residents enjoy free movement inside Estonia and freedom to leave the country.

In July 2018, Estonia introduced the free use of public buses across the country. Transit in Tallinn on public buses, trains, trams, and trollies has been free since 2013.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Estonian residents enjoy strong property rights and can freely establish private businesses.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Gender-based violence, including domestic violence, remains a serious problem in all parts of society. Reports of domestic violence to police increase dramatically in winter months around the holidays. Mechanisms and services to support and provide counsel to survivors receive support and are administered by the government and NGOs. However, in 2019, while police were notified of domestic violence nearly 16,000 times, they investigated only a third of these cases. Approximately 65 percent of people committing abuse were visibly inebriated. In May, Marti Kuusik, an EKRE minister of the newly formed coalition government, was controversially accused of domestic violence and resigned from his post, days after being sworn in. In November, the minister of population Riina Solman was

widely criticized for comments she made that suggested physical abuse in the home was not necessarily domestic violence.

At the end of 2019, the parliament had yet to adopt necessary amendments for the implementation of a 2014 law permitting same-sex civil unions. Moreover, the ruling right-wing parties aim to repeal the legislation.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Estonia is a source, transit point, and destination for human trafficking. Although the government makes serious and sustained efforts to prosecute traffickers and provide services to victims, in recent years the number of victims has increased, and the number of investigations and prosecutions of people involved in human trafficking has decreased.

Estonia's unemployment rate was relatively low in 2019. However, according to Eurostat, almost a quarter of the population was at risk of poverty or social exclusion in 2018. Lawmakers raised the monthly minimum wage again in December 2019 to combat this issue.

Eswatini

Population: 1,100,000

Capital: Mbabane (administrative), Lobamba (legislative, royal)

Freedom Status: Not Free

Electoral Democracy: No

Overview: Eswatini (known internationally as Swaziland until 2018) is a monarchy currently ruled by King Mswati III. The king exercises ultimate authority over all branches of the national government and effectively controls local governance through his influence over traditional chiefs. Political dissent and civic and labor activism are subject to harsh punishment under sedition and other laws. Additional human rights problems include impunity for security forces and discrimination against women and LGBT+ people.

KEY DEVELOPMENTS IN 2019:

- A series of protests organized by trade unions and prodemocracy groups took place in August and September, as civil servants demanded salary increases and they and other participants denounced the monarchy. Police responded violently to one protest event in September, firing tear gas and water cannons at demonstrators.
- The police raided the homes of a number of prominent opposition leaders in December, arresting and briefly detaining them. Although the police denied the raids and arrests targeted prodemocracy activists, those arrested were known for political-rights advocacy.
- The High Court in August set aside the common law doctrine on property in marital affairs, ruling in favor of gender equality with regard to property rights and inheritance. The ruling was seen as a victory for women's rights, and as reflecting improvements in judicial independence.
- The finance minister in February promised to institute wide-ranging economic reforms under which state-owned monopolies—considered key to the monarchy's control of the country's finances—would be less directly involved in the economy.

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The king is the chief executive authority, and is empowered to appoint and dismiss the prime minister and members of the cabinet. The prime minister is ostensibly the head of government, but has little power in practice. Ambrose Dlamini was appointed prime minister by King Mswati III in October 2018.

Traditional chiefs govern their respective localities and typically report directly to the king. While some chiefs inherit their positions according to custom, others are appointed through royal interventions, as allowed by the constitution.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The 69-member House of Assembly, the lower chamber of the bicameral Parliament, has 59 members elected by popular vote within the *tinkhundla* system, which allows local chiefs to vet candidates and influence outcomes in practice; the king appoints the other 10 members. The king appoints 20 members of the 30-seat Senate, the upper chamber, with the remainder selected by the House of Assembly. All members of Parliament serve five-year terms. After the parliamentary elections in September 2018, the king appointed six members of the royal family to the House of Assembly, and eight to the Senate. The elections, which were tightly controlled and featured a slate of candidates almost entirely loyal to the king, did not offer voters a genuine choice.

In August 2018, a senior official at the Elections and Boundaries Commission (EBC) reported that members of the House of Assembly were accepting bribes in exchange for their votes in Senate elections, but no apparent consequences followed.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The EBC is not considered impartial. It is financially and administratively dependent on the executive, and its members are appointed by the king on the advice of the Judicial Service Commission, whose members are also royal appointees. Details of the results of September 2018 parliamentary elections were only made public in March 2019.

Traditional chiefs also play an important role in elections, as candidates effectively need their approval to run for office.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Election to public office is based on “individual merit,” according to the constitution. There is no legal avenue for parties to register and participate in elections, though some political associations exist without legal recognition. Over the years, political parties seeking legal recognition have suffered court defeats, including a Supreme Court ruling in September 2018 rejecting a challenge by the Swazi Democratic Party (SWADEPA) to the ban on political parties competing in elections.

A number of prodemocracy organizations and trade unions have continued to lobby for political reforms and have publicly challenged King Mswati’s grip on power, even given the serious risks involved. A series of protests led by civil servants took place in August

and September 2019, with one event in September drawing a violent police response. In December, the police raided the homes of a number of prominent opposition leaders, arresting and briefly detaining them. Although the police denied the raids and arrests targeted prodemocracy activists, those arrested were prominent political rights activists, indicating Eswatini's continued intolerance of political reforms.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The king has tight control over the political system in law and in practice, leaving no room for the emergence of an organized opposition with the potential to enter government. The vast majority of candidates who contested the 2018 general elections were supporters of the king.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Traditional chiefs, as the king's representatives, wield enormous influence over their subjects. In addition to vetting prospective candidates for office, they have been accused of ordering residents to vote or not vote for certain candidates.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

There are virtually no members of minority groups in the government, as most officials have some connection to the royal family or its broader clan. Women are politically marginalized, and the authorities have not met a goal of having 30 percent of representatives in Parliament be women. The passage of the Election of Women Members to the House of Assembly Bill ahead of the 2018 elections requires the House of Assembly to elect four women if the quota is not met. In 2018, only two women were directly elected to the House of Assembly, and with the addition of the women appointed by the king and elected to the Senate by the House of Assembly, as well as the election of four more women resulting from the new legislation, Eswatini still falls short of the quota.

Customary restrictions on widows in mourning—a period that can last from one to three years—effectively bar women from participating in public affairs during that time. LGBT+ people and people with disabilities also remain politically marginalized.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The king and his government determine policy and legislation; members of Parliament hold no real power and effectively act as a rubber stamp in approving the king's legislative priorities. Parliament cannot initiate legislation and has little oversight or influence on budgetary matters. The king is also constitutionally empowered to veto any legislation. The absolute authority of the king was demonstrated by his decision to rename the country in April 2018 without any constitutional process or parliamentary approval.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is a major problem, and implicated officials generally enjoy impunity. The Anti-Corruption Commission (ACC) is perceived to be ineffective, with civil society groups accusing it of pursuing politically motivated cases and serving the interests of the prime minister. The commission, which reports to the Justice Ministry, lacks adequate financial and human resources, and must consult with the minister on hiring.

In November 2018, a cabinet committee was established to develop a zero-tolerance policy on corruption in government, but it remains to be seen whether the committee can produce an effective anticorruption framework. In his annual budget report, delivered in February 2019, the minister of finance acknowledged that the government was not doing enough to fight corruption and promised to focus on “preventive initiatives” to deal with corruption and the “recovery of illicit assets.”

C3. Does the government operate with openness and transparency? 0 / 4

Eswatini lacks access-to-information laws, and there is no culture of proactive disclosure of government information. Public requests for information are largely ignored in practice, and the budgeting process lacks transparency. The authorities tightly restrict access to data on spending by the royal family and the security forces. Transparency was further reduced by Parliament’s passage of the Public Service Act in June 2018, which broadly prevents officials from providing public information to the media unless given express permission by the secretary of the cabinet.

CIVIL LIBERTIES: 18 / 60 (+3)

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16

D1. Are there free and independent media? 1 / 4

A variety of laws, including the Sedition and Subversive Activities Act (SSAA) and defamation laws, can be used to restrict media coverage by criminalizing publications that are alleged to be seditious, as well as the use of words that are alleged to be seditious, for example, those that “may excite disaffection” against the king.

The state broadcaster is tightly controlled by the government, and the *Swazi Observer*, a major newspaper, is effectively owned by the king. Journalists often face harassment, assault, and intimidation, and self-censorship is reportedly common. In January 2018, Zweli Dlamini, the editor of the independent business publication *Swaziland Shopping*, fled to South Africa after receiving death threats over a 2017 article alleging the king’s manipulation of the telecommunications industry to benefit a company he owns. *Swaziland Shopping* was later shut down by the government. Dlamini returned to Swaziland in late 2018, and is now the managing editor of the privately owned opposition online newspaper the *Swaziland News*, which is based in South Africa.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The constitution guarantees religious freedom and bars discrimination based on religion. Rules requiring registration of religious organizations are not strictly enforced. However, members of the Muslim minority allege discrimination by officials and Christian residents, and police reportedly monitor mosques. Non-Christian groups are also denied airtime on state broadcasters. Construction of religious buildings must be approved by the government or local chiefs. Christian education is compulsory in public schools, and in 2017, the government banned the teaching of other religions in the public school curriculum.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is limited by restrictive laws such as the Suppression of Terrorism Act (STA) and the SSAA. Student activists face potential violence, arrest, and suspension. In January 2018, police arrested 11 students protesting the administration at Swaziland Christian University and used excessive force to break up the demonstration. In August

2019, police detained seven students who had been part of a demonstration organized by the Swaziland National Union of Students (SNUS) to call for scholarships for higher education students; the government-aligned *Swazi Observer* said the students had engaged in property damage, while the protesters said they were mistreated in custody. In addition, students at a number of colleges and universities boycotted classes in November 2019 after the government failed to make payment of allowances, but the action did not appear to be met with interference.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Constitutional rights to free expression are severely restricted in practice. Security agencies reportedly monitor personal communications, social media, and public gatherings, and criticism of the king or other elements of the regime can be punished under laws such as the SSAA, the STA, and the Public Order Act. Under revisions to the Public Order Act passed in 2017, any criticism of Swazi culture and traditions or defacement of national symbols—including the king’s image—can draw fines and up to two years in prison.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12 (+1)

E1. Is there freedom of assembly? 1 / 4 (+1)

Freedom of assembly remained restricted in 2019. Surveillance of protests is common, and the information collected is reportedly used to deny protesters access to government jobs and services. Demonstrations, notably by public workers demanding higher wages, are often violently dispersed by police, and protesters risk arrest and detention. Nevertheless, labor and prodemocracy protests continue to take place in spite of these risks. In September 2019, police responded with tear gas and water cannons to trade unions and prodemocracy groups who marched to demand salary increases for government employees, and in favor of political rights.

Demonstrations that are not perceived as a direct challenge to the king have been allowed to go forward. LGBT+ parades took place without incident in 2018 and 2019, for example.

Score Change: The score improved from 0 to 1 because significant labor protests have continued despite the risk of violent crackdowns, and because the government has tolerated some demonstrations that it does not perceive as threatening to it.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

The operation of nongovernmental organizations has been inhibited by broadly written sedition and terrorism laws as well as police monitoring and interference. Organizations that advocate for democracy remain banned.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Eswatini has active, vocal labor unions, but workers’ rights are poorly upheld in practice. Although workers in most sectors, with the exception of essential services defined by the labor minister, can join unions, strikes and other labor activism routinely trigger crackdowns and arrests by the police. A number of prodemocracy activists and former trade unions are exiled in South Africa, where they have been accommodated by South Africa’s Congress of South African Trade Unions (COSATU)—whose members periodically picket against the Eswatini government on South Africa’s border with the country.

F. RULE OF LAW: 4 / 16 (+1)

F1. Is there an independent judiciary? 2 / 4 (+1)

Although the judiciary displays a degree of independence in some cases, the king holds ultimate authority over the appointment and removal of judges, acting on advice from the Judicial Service Commission made up of royal appointees.

In a rare instance of judicial review that sought to change gender power relations in the traditional structure of Eswatini society, the High Court of Eswatini in August 2019 ruled in favor of gender equality in civil marriages, regarding property rights in the event of divorce. The court held that sections of the Marriage Act, in existence since 1964, were discriminatory toward women and violated the constitutional right to equality because women could not inherit property. Of critical importance in the advancement of judicial independence is that the full bench (three judges) were unanimous in their decision. While the applicant on whose behalf the case was filed withdrew from it, the NGO she was working with, Women and Law Southern Africa-Swaziland, was allowed by the judges to proceed with the application on its own.

Score Change: The score improved from 1 to 2 because a decision by the High Court of Swaziland to hand down a judgement mandating gender equality in divorce settlements reflected a degree of judicial autonomy.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Safeguards against arbitrary arrest and detention, such as time limits on detention without charge, are not always respected in practice. Detainees are generally granted access to lawyers, though only those facing life imprisonment or capital punishment can obtain counsel at public expense. Lengthy pretrial detention is common.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Despite the June 2018 passage of the Police Service Act, which prescribes disciplinary measures for police officers who use illegitimate force, physical abuse of suspects and inmates by law enforcement officials is an ongoing problem, and investigations into such abuse lack independence and transparency. Some prisons also suffer from overcrowding and other harsh conditions.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women's rights remain restricted in law and in practice. Both civil and customary law treat women as dependents of their fathers or husbands, and societal discrimination further impairs their access to education and employment. Residents who are not ethnic Swazis also face de facto discrimination. People with disabilities experience social stigma as well as discrimination in education and employment. In June 2018, King Mswati signed the Persons with Disabilities Act, intended to address many of the inequities experienced by disabled residents.

Discrimination against LGBT+ people is not prohibited by law and is widespread in practice. A criminal ban on same-sex sexual activity is not regularly enforced.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16 (+1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4 (+1)

The constitution guarantees freedom of movement. However, minority ethnic groups and political activists have faced delays in obtaining passports and other citizenship documents. Traditional chiefs regulate movement and residence within their communities and generally deny access to groups advocating for human rights or democracy. Individuals who violate customary rules can face eviction from their localities. Widows in mourning are barred from approaching chiefs or the king and excluded from certain public places and activities. While free movement is restricted in these cases, no broad-based policies or practices prevent or punish internal movement generally.

Score Change: The score improved from 1 to 2 because while movement remains restricted by laws and traditional practices, particularly for women and minorities, the country is generally free of severe obstructions to internal travel.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The constitution provides legal protections for property rights, but women generally face limitations under customary rules that subordinate them to male relatives. Widows in particular face expropriation by the deceased husband's family. Chiefs have broad authority to allocate and withdraw rights to communal land.

However, some progress was posted in 2019, when the High Court ruled in favor of gender equality in civil marriages, granting women property rights in the event of divorce.

Individuals can face expropriation due to land claims by state-owned companies and powerful private interests, and constitutional guarantees of fair compensation are not upheld. In April 2018, Amnesty International reported that 61 people were forcibly evicted from their homes on land owned by a private agriculture company in the town of Malkerns; the residents were not given adequate notice of the eviction, nor were they provided with substantial compensation.

The finance minister in February 2019 promised to institute wide-ranging economic reforms that would see state-owned monopolies—considered key to the monarchy's control of the country's finances—loosen their grip on the economy.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Women's social freedoms are restricted by both civil and customary law, which puts them at a disadvantage regarding marriage, divorce, and child custody. Customary law allowed girls as young as 13 to marry. Sexual and domestic violence remains extremely common, and any penalties for perpetrators are often lenient. The Eswatini government made some progress during 2019 toward protecting and promoting women's rights by amending the 1964 Marriage Act to prohibit marriages of persons under the age of 18, and passing the Sexual Offences and Domestic Violence Act, which criminalizes nonconsensual sex between spouses.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Residents have some access to formal employment and economic opportunity, but the majority of the population lives in poverty. Forced labor remains a problem, with some chiefs compelling Swazis, including children, to work in their communities or the king's fields. Among other forms of child labor, girls are particularly vulnerable to domestic servitude and commercial sexual exploitation.

Ethiopia

Population: 112,100,000

Capital: Addis Ababa

Freedom Status: Not Free

Electoral Democracy: No

Overview: Ethiopia is undergoing a transition set off by the 2018 appointment of Prime Minister Abiy Ahmed, who came to power after Prime Minister Hailemariam Desalegn resigned in the face of mass protests at which demonstrators demanded greater political rights. Abiy has pledged to reform Ethiopia's authoritarian state, ruled by the Ethiopian People's Revolutionary Democratic Front (EPRDF) since 1991, and is in the process of rewriting the country's repressive electoral, terrorism, media, and other laws. However, Ethiopia remains beset by political factionalism and intercommunal violence, abuses by security forces and violations of due process are still common, and many restrictive laws remain in force. A major reorganization of the ruling party, growing conflict between ethnic communities, and new claims for self-determination have created a fluid political situation as the country prepares for elections in 2020.

KEY DEVELOPMENTS IN 2019

- In February, the government passed a new law on nongovernmental organizations (NGOs) that dispensed with many restrictions imposed by the previous, draconian law, which had been in effect since 2009. The new law retained some restrictive provisions, but Ethiopia nevertheless saw a notable increase in activity by rights groups after it was enacted.
- In June, several high-profile assassinations, including of the chief of staff of the defense forces as well as the Amhara regional president, resulted in lockdowns of Bahir Dar and Addis Ababa, as well as several nationwide internet blackouts.
- Communal violence continued to cause massive displacement, particularly in border areas between regional states. According to the Internal Displacement Monitoring Center, 522,000 people were displaced due to violent conflict in the first half of 2019, bringing the number of displaced people in the last two years to well over 3 million.
- In November, a major reorganization of the ruling-party coalition, the Ethiopian People's Revolutionary Democratic Front (EPRDF), saw three of its four main members (as well as several affiliates) approve a merger into a new unitary platform, the Prosperity Party. The Tigrayan People's Revolutionary Liberation Front (TPLF), the original core of the EPRDF coalition, was the only member organization to oppose the merger. This development, officially recognized by the electoral board in December, marked a major shift away from an ethnic-based to a pan-Ethiopian political organization.

POLITICAL RIGHTS: 10 / 40 (+3)

A. ELECTORAL PROCESS: 2 / 12 (+1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is the head of state and is indirectly elected to a six-year term by both chambers of Parliament. The prime minister is head of government, and is selected by the largest party in Parliament after elections, or in the case of a resignation.

Prime Minister Abiy Ahmed—a former military officer from Ethiopia’s largest ethnic group, the Oromo, and a longstanding member of the ruling Ethiopian People’s Revolutionary Democratic Front (EPRDF)—was sworn in as prime minister in April 2018, succeeding Hailemariam Desalegn, who had resigned in February 2018 amid growing protests at which demonstrators demanded greater political rights. Abiy was reconfirmed at the EPRDF party congress in October 2018 and is expected to lead the EPRDF’s successor organization, the Prosperity Party, into the 2020 election.

The last parliamentary elections, which led to the selection of Desalegn as prime minister in 2015, were not held in accordance with democratic standards.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The bicameral Parliament includes the 153-seat House of Federation, whose members are elected by state assemblies to five-year terms, and the House of People’s Representatives, with 547 members directly elected to five-year terms.

The 2015 parliamentary and regional elections were tightly controlled by the EPRDF, with reports of voter coercion, intimidation, and registration barriers. The opposition lost its sole parliamentary seat, as the EPRDF and its allies took all 547 seats in the House of People’s Representatives. The next parliamentary elections are slated for 2020.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4 (+1)

The 2015 elections were held on time and official results were released within a month. However, opposition parties repeatedly questioned the independence of the National Electoral Board of Ethiopia (NEBE), and the Unity for Democracy and Justice (UDJ) party alleged that it blocked its leaders from registering as candidates.

A number of reforms to the electoral system and its oversight have taken shape under Prime Minister Abiy. In November 2018, parliament confirmed Birtukan Mideksa, a prominent, previously exiled former opposition leader, to serve as head of the NEBE. In August 2019, Parliament unanimously passed the Ethiopian Election, Political Parties Registration, and Election Ethics law. Some opposition parties claimed that consultations processes ahead of the bill’s approval were inadequate. Some also expressed frustration over a provision requiring civil servants to resign their positions before running for office, and another that requires a national political party to register 10,000 members to participate in an election (up from 1,500 previously) and a regional party to secure at least 4,000 members (up from 750 previously). However, the law provides an updated and more complete framework for the 2020 elections than had been mandated previously, and represents a step toward multiparty democracy.

Separately, in June 2019, the parliament postponed a planned census due to a spike in unrest associated with various ethnic conflicts. The census is a key step toward demarcating constituencies.

Score Change: The score improved from 1 to 2 because the approval of a new electoral law, despite some criticism from opposition parties, represents a step toward multiparty democracy.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16 (+2)**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4 (+1)**

During the premierships of Abiy's predecessors, opponents of the EPRDF found it nearly impossible to operate inside Ethiopia and were subject to prosecution under restrictive antiterrorism and other legislation. However, political reforms starting in 2018, as well as that year's approval of a widespread amnesty, have permitted increasing political plurality and mobilization. In June 2018, Parliament removed Ginbot 7 and two other groups—Oromo Liberation Front (OLF), and the Ogaden National Liberation Front (ONLF)—from its list of terrorist organizations as a first step toward fostering peaceful and constructive political dialogue. Prisoners like Merera Gudina and Bekele Gerba, both from the Oromo Federalist Congress (OFC) were released, and former leaders such as Andargachew Tsige and Berhanu Nega, both of Ginbot 7, were able to return to Ethiopia.

Ethiopia's political party landscape underwent major changes in 2019, as groups prepared for the next year's elections. In November, a major reorganization of the ruling party coalition, the EPRDF, saw three of its member parties (as well as several affiliates) approve a merger into a new unitary platform, the Prosperity Party. The TPLF—the key member of the EPRDF coalition—was the only member organization to oppose the merger. The merger, officially recognized by the electoral board in December, marks a major shift away from an ethnic-based to a pan-Ethiopian political organization. The TPLF, for its part, became a new opposition force in the north of the country.

Earlier, in July, the ONLF officially opened its office in Addis Ababa. And in Oromia, Jawar Mohammed, a key activist in the region's anti-EPRDF protests, in December announced his intention to compete in the upcoming election on the list of the OFC.

Abiy's administration has pledged reforms that will ease the legal and practical requirements for parties to operate, though substantial changes are necessary before political parties can carry out activities freely. In October 2019, a planned protest by the Balderas Council, a political movement started by journalist Eskinder Nega, was cancelled after the Addis Ababa government banned the rally; a number of related arrests took place, some before the date of the planned protest.

Score Change: The score improved from 1 to 2 because a number of political groups were removed from lists that designated them as terrorist organizations, and they were permitted to operate during the year.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

The EPRDF still maintains numerous formal and informal advantages over opposition parties, and there are no opposition parties represented in Parliament. However, the changes Prime Minister Abiy's government began to implement in 2018 improved conditions for opposition groupings, which may now prepare more openly for the 2020 parliamentary elections. Abiy in August 2018 expressed a commitment to democratic polls, and pledged that he would not allow his reforms to delay the vote. The government's willingness to facilitate a November 2019 referendum on the future status of the Sidama zone and accept its outcome can be seen as initial evidence of a new tolerance of opposition activity. (The zone saw an overwhelming majority voting in favor of statehood for their region, and at least 10 other zones have made similar requests.)

The new electoral law passed in August 2019 also exemplifies the government’s rhetorical commitment towards inclusive multiparty elections. Since several regions—Tigray, Oromia, and Somali in particular—now have well-organized opposition parties with a history of popular support, the opposition camp stands a better chance than in previous elections to curb the ruling party’s complete hold on power.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4 (+1)

The authoritarian one-party system in Ethiopia has largely excluded the public from genuine political participation, though nascent attempts by Abiy to include more diverse voices in the political system are starting to yield positive results. Moreover, Abiy has taken steps to curtail the role of Ethiopia’s powerful military in the country’s politics.

Patronage networks, often based on ethnicity, continue to drive political decision-making, especially in rural regions.

Score Change: The score improved from 0 to 1 because Abiy’s reforms to the previous authoritarian one-party system have allowed a greater degree of freedom to express political choices.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Women hold nearly 39 percent of seats in the lower house and 32 percent in the upper house, but in practice, the interests of women are not well represented in politics. Prime Minister Abiy has made some effort, however, to include women in high-level decision-making processes. In 2018, women were appointed to a number of prominent positions including the presidency, head of the NEBE, president of the Supreme Court, and to half of all cabinet posts.

Since 1991, political parties in Ethiopia have primarily been based on ethnicity. The country’s major ethnic parties have been allied with the EPRDF, but have historically had little room to effectively advocate for their constituents. However, this is starting to change with the transformation in 2019 of the EPRDF—a coalition of ethnic-based regional parties—into the Prosperity Party, a national platform under the leadership of Prime Minister Abiy. This development has raised the profile of ruling-party structures in Ethiopia’s peripheral regions, where local ruling parties had previously been denied full membership in the EPRDF. (Populations in Afar, Somali, Gambella, and Benishangul Gumuz—officially termed “emerging regions”—are notably underrepresented in national politics since their local ruling parties were affiliates rather than full members of the EPRDF coalition.) At the same time, the merger has rekindled longstanding fears of smaller regions of being dominated by the more populous ethnic groups.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

None of Ethiopia’s nominally elected officials were chosen through credible elections. The country’s governance institutions have long been dominated by the EPRDF. At the end of 2019, however, three of the coalition’s four main ethnic-based parties reorganized to form the Prosperity Party, leaving a fluid political situation at the end of 2019.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption and unequal resource distribution are significant problems that have contributed to the unrest that has plagued Ethiopia in recent years. The government has taken some steps to address the issue, which remains a priority for Prime Minister Abiy's administration.

Numerous high-profile military and government officials were arrested and charged with corruption in 2018 and 2019, with most proceedings still ongoing at year's end. Notable arrests include more than two dozen high-level employees of the military-run Metals and Engineering Corporation (MeTEC), including its chief executive, who were arrested in 2018. In December 2019, the former chief executive of the Ethiopian Electric Corporation was charged with corruption involving land-clearing projects for the Grand Ethiopian Renaissance Dam (GERD), along with 49 other individuals including former senior officials of MeTEC.

Earlier, in January 2019, Bereket Simon, a former communications minister and an EPRDF founding member, was arrested on corruption charges. A number of other government figures were charged with corruption in 2019, including 59 officials who were arrested in one sweep in April on charges of corruption and economic sabotage. However, their summary arrest was perceived by some as selective and politically motivated.

C3. Does the government operate with openness and transparency? 1 / 4

Although EPRDF operations and decision-making processes have generally been opaque, the government has attempted to increase transparency in recent years, and in 2018 consulted with community organizations and journalists to advance reform efforts. The Legal and Justice Affairs Advisory Council was established in June 2018, and has a three-year term to study the country's restrictive terrorism, media, and NGO laws and recommend reforms to them. The council includes a number of legal professionals with various areas of expertise.

After the June 2019 assassinations of the Amhara region president and two of his aides, the government blocked internet and mobile networks for more than a week, during which communication and access to information was highly restricted. No official reasons for the shutdown were communicated to the public. Similarly, authorities did not provide adequate information about decisions to postpone the 2019 Sidama referendum, which was scheduled for July but delayed before being held in late November.

Government procurement processes remain largely opaque. Major real estate projects in Addis Ababa and the renovation of the imperial palace were recently awarded to Chinese and Middle Eastern companies without full transparency of the tender and decision-making processes.

CIVIL LIBERTIES: 14 / 60 (+2)

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 1 / 4

After years of severe restrictions on press freedom, the government took initial steps to increase freedoms for independent media in 2018, when a number of prominent journalists were released from prison. Addis Ababa then hosted the World Press Freedom Day in May 2019, but enthusiasm surrounding the event was soon dampened by the arrests of two journalists—Berihun Adane and Getachew Ambachew of the privately owned Satellite Radio and Television (ASRAT)—under terrorism laws in June. In October, a group of five journalists working for Sagalee Qeerroo Bilisummaa, a media affiliate for an opposition Oromo youth movement, were charged with “incitement to terrorism” under the same law.

Berihun was released in September, while the other six remained in prison at the end of 2019. Several other journalists were detained for shorter amounts of time in connection with their reporting during the year.

Ethiopia's media landscape is dominated by state-owned broadcasters and government-oriented newspapers. Since Abiy took office in 2018, the government has eased restrictions on independent media, permitting both greater freedom for journalists and a more diverse range of news for consumers. That year, the government lifted bans on 264 websites (including news sites and blogs) and television networks. Among the outlets allowed to reopen were the diaspora satellite television stations Ethiopian Satellite Television (ESAT) and the Oromo Media Network (OMN), which had been charged with inciting terrorism and banned in 2017. They each opened offices in Ethiopia after the bans were lifted, and the charges against both networks were dropped.

The government has promised to revise its controversial 2008 mass media law, which gives broad powers to the government to prosecute defamation, but at the end of 2019 legislation had not yet been approved.

Ethiopia's state-owned telecommunications monopoly, Ethio Telecom, suspended internet service for more than a week in early June 2019, and again following the assassination of the defense forces chief of staff later that month, preventing the free flow of information. Social media and communications platforms such as Facebook, Twitter, and WhatsApp have also been blocked intermittently.

Hate speech and the deliberate spreading of misinformation on social media have been blamed for fanning the flames of violent conflict in several regions of Ethiopia. In April 2019, the government circulated the draft of a hate speech law which makes the intentional publication, distribution, and possession of false information illegal. However, Amnesty International and other observers have criticized the proposed law for being overly vague, potentially opening the door for misuse by public authorities to curb freedom of expression. The law was before Parliament as of December.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4 (-1)

The Ethiopian constitution guarantees religious freedom, and different faith groups have coexisted in the country for centuries. Prime Minister Abiy has promoted reconciliation between Ethiopia's main faith groups, including through the 2018 release of Muslim activists who had been arrested in 2015 for protesting the government's treatment of Muslims.

However, religion has increasingly become a divisive factor in Ethiopian politics, and local conflicts have featured violence along religious lines. Attacks on some 30 churches, most belonging to the Ethiopian Orthodox Church in the Somali Region, between July 2018 and September 2019 left approximately 100 people dead, including a number of priests. Several churches belonging to Protestant denominations were destroyed in violence between ethnic groups in southern Ethiopia in February 2019; the same month, three mosques were reportedly attacked in Amhara State. In December, there were reports of attacks on four more mosques as well as one church in the same region. Orthodox leaders called off mass demonstrations planned for September 2019 to protest attacks on religious establishments in favor of renewed dialogue with the Ethiopian government, but their concerns have not been assuaged.

Score Change: The score declined from 2 to 1 because attacks on places of worship and religious establishments have accompanied increasingly politicized conflicts between ethnic groups.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4 (+1)

Academic freedom remains restricted in Ethiopia, though academics have become markedly more vocal on political and economic matters since the lifting of the state of emergency in 2018. Conferences and lectures at state universities have addressed controversial topics and featured a number of speakers who criticized the EPRDF government. Current academics such as Addis Ababa University (AAU) economics professor Alemayehu Geda have been vocal in their opposition to government policies, while former AAU academics Berhanu Nega and Merera Gudina have been among the most prominent opposition politicians since their return from exile and release from prison, respectively, in 2018. Direct political indoctrination of university students—through mandatory trainings on government policy or pressure to join the ruling party—also seems to have abated under Abiy, although partly as a consequence of the weakening of EPRDF party structures in general.

With few exceptions, institutions of higher education are funded and administered by the federal government, which also sets admission standards and student quotas. The Ministry of Education still monitors and regulates official curricula.

Score Change: The score improved from 0 to 1 because academics have become more involved in public discourse, and because political indoctrination and forced party membership for students have eased.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Wide-reaching surveillance programs and the presence of the EPRDF at all levels of society have inhibited private discussion. However, broad political changes starting in 2018, including the release of political prisoners and lifting of bans against prominent government critics in the media and other sectors, has fostered a more open atmosphere for free expression among ordinary people.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12 (+2)

E1. Is there freedom of assembly? 1 / 4

The ruling EPRDF government has repeatedly restricted freedom of assembly, including through the use of deadly force to break up demonstrations. The government is also known to shut down internet access and impose highly restrictive states of emergency in response to unrest, curtailing people's ability to organize. Since 2016, the government has twice imposed a state of emergency under which public meetings of any kind were subject to political approval. Restrictions have eased somewhat since the most recent state of emergency ended in June 2018; once-banned political movements such as Ginbot 7 and the Oromo Liberation Front held mass rallies later that year to mark the return of their leadership from exile. In October 2019, hundreds of thousands of people including vocal opposition leaders attended an Irreecha celebration (the Oromo thanksgiving) in Addis Ababa; it was the first time city authorities allowed the festivities in the country's capital.

However, freedom of assembly is still regularly restricted. In March 2019, a planned press conference by the Balderas Council was disrupted by local police after being prohibited by the government. In October, a planned demonstration by the same group was cancelled after being prohibited, and several organizers were arrested. Clashes between protestors and local security forces also took place in 2019, including in Bahir Dar, Gondar, and Hawassa.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4 (+1)

The passage of a new civil society law in February 2019 dispensed with many restrictions that had been placed on NGOs by the draconian 2009 Charities and Societies Proclamation, which prohibited work on political and human rights issues and had forced international NGOs working on human rights and democratic governance to leave the country. However, a number of questionable provisions remain, such as a ceiling on administrative expenses. The federal Civil Society Organizations Agency also retains broad powers.

While the new law had not yet been fully implemented at year's end, restrictions on NGOs working on human rights and governance eased noticeably after it was enacted. International funding for local advocacy organizations has resumed, too, resulting in a much more active and visible human rights community. In the first half of 2019, Human Rights Watch and the US-based National Endowment for Democracy both held official events in Addis Ababa for the first time in nearly a decade, convening a growing number of local rights and advocacy organizations. Several international NGOs have reopened offices in Addis Ababa or are in the process of doing so.

Score Change: The score improved from 1 to 2 because a new law dispenses with many of the constraints NGOs had faced previously, allowing for more NGO activity during the year.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4 (+1)

The Ethiopian Constitution recognizes the right of workers to join trade unions, and more than 500,000 of them are organized under the umbrella of the Confederation of Ethiopian Trade Unions (CETU). However, CETU has refrained from openly challenging the government, and independent unions have faced harassment in the past. There has not been a legal strike in Ethiopia since 1993. Workers at Ethiopia's Hawassa industrial park, many of whom earn wages below the national poverty line, were prevented from unionizing and staged an unsanctioned strike in March 2019.

Despite this, a large number of chambers of commerce and business associations exist for different industries and locations. The largest and oldest among them, the Addis Ababa Chamber of Commerce, is a regular critic of government policy, while the federally-organized Ethiopian Chamber of Commerce, of which the Addis Chamber is a member, has been more aligned with official policy.

Score Change: The score improved from 0 to 1 because some labor unions, professional organizations, and workers' groups have demonstrated autonomy from the government.

F. RULE OF LAW: 2 / 16**F1. Is there an independent judiciary? 1 / 4**

The judiciary is officially independent, but in practice it is subject to political interference, and judgments rarely deviate from government policy. The November 2018 appointment of lawyer and civil society leader Meaza Ashenafi as president of the Supreme Court raised hopes for judicial reform, though no major improvements were registered in 2019.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Due process rights are generally not respected. While more than 10,000 people who had been arbitrarily detained were released after the change of political leadership in 2018,

hundreds of new arrests have taken place since. Several hundred supporters of a regional opposition movement were arrested in the days following the assassination of the president of Amhara state in June 2019.

The right to a fair trial is often not respected, particularly for opponents of the government charged under the antiterrorism law. A draft for a revised, less draconian antiterrorism law was circulated for public discussion in February 2019, but remained pending at year's end. Prohibitive new regulations, such as a ban on motorbikes in the capital, are regularly introduced on short notice and with no legal recourse.

In civil matters, due process is hampered by the limited capacity of the Ethiopian courts system, especially in the peripheral regions where access to government services is weak. As a result, routine matters regularly take years to be resolved.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Ethnic violence and unrest continued in numerous regions of Ethiopia in 2019, as infighting between the constituent parties of the EPRDF coalition and the emergence of new ethnonationalist challengers in several regions accentuated conflicts over Ethiopia's federal system. In the south, clashes over plans for a separate regional state for the Sidama claimed dozens of lives, as did territorial disputes between Amhara and Tigray regional states in northern Ethiopia. Ethnic rivalries along the border of Amhara and Benishangul Gumuz as well as Afar and Somali regional states also resulted in bloodshed. At times, unrest was apparently exacerbated by hate speech on social media. In June, amid mounting political uncertainty and communal violence, Parliament voted to postpone the national census, which is a key milestone on the road to the elections scheduled for 2020. According to the Internal Displacement Monitoring Center, close to 2.9 million Ethiopians were displaced by violent conflict in 2018 alone, with an additional 522,000 in the first half of 2019.

Security forces frequently commit human rights violations including torture and extrajudicial killings, often with impunity.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

There are major regional discrepancies between Ethiopia's "highland" regional states—Oromia, Amhara, Tigray, and Southern Nations, Nationalities and Peoples' Region (SNNPR)—and the "lowland" states of Afar, Somali, Gambella, and Benishangul Gumuz. Populations in the latter four states have had less access to government services. Plans to replace EPRDF with a single national party prior to the 2020 elections could change this situation, but have not been confirmed.

Same-sex sexual activity is prohibited by law and punishable by up to 15 years' imprisonment. Women face discrimination in education. A gender gap persists in many aspects of economic life including land ownership, level of pay, and access to finance.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

While the constitution establishes freedom of movement, local conflicts impede people's ability to travel freely. In 2019, blockades and temporary road closures were reported from the border of Amhara and Tigray, several parts of Oromia, as well as SNNPR and

Somali regional states. In October, roads were also blocked in and out of Addis Ababa due to growing tensions between youth groups aligned with activist Jawar Mohammed and those supporting Prime Minister Abiy.

In April 2019, officials in Eritrea closed the border with Ethiopia, after the peace process between the two began to stall; it had been opened for the first time in 20 years the previous September. Nevertheless, in October, Prime Minister Abiy Ahmed was announced as winner of the Nobel Peace Prize for his efforts in reducing tensions with neighboring Eritrea.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Private business opportunities are limited by heavy government regulation of key industries and the dominance of state-owned enterprises in many sectors. State monopolies persist in the telecommunication, shipping, and aviation industries, while the financial sector is closed to foreign competition and effectively controlled by state-owned banks. The Abiy government has announced plans for significant economic reforms including the partial privatization of state monopolies, the licensing of private telecoms, the creation of bond and stock markets, and the promotion of private entrepreneurship. Initial steps realized in 2019 include the licensing of private capital goods leasing firms, and the opening of the banking sector to the Ethiopian diaspora.

All land must be leased from the state. The government has evicted indigenous groups from various areas to make way for infrastructure projects, such as the Gibe III dam in the Lower Omo Valley. Urban development projects in Addis Ababa and other cities have also repeatedly led to the forced resettlement of local tenants.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Legislation protects women's rights, but these rights are routinely violated in practice. Enforcement of laws against rape and domestic abuse is inconsistent, and cases routinely stall in the courts. In 2018, a joint research project conducted by academics at Debre Markos University in Ethiopia and the University of Queensland in Australia concluded that almost half of Ethiopian women become victims of gender-based violence in their lifetimes.

Forced child marriage is illegal but common in Ethiopia, and prosecutions for the crime are rare. According to UN International Children's Emergency Fund (UNICEF) statistics for 2018, 40 percent of women are married before the age of 18. Female genital mutilation (FGM) is also illegal, but the law is inconsistently enforced, and the 2016 Ethiopian Demographic Health Survey found that 65 percent of women between the ages of 15 and 49 had undergone the practice. However, reports suggest that FGM rates have reduced in recent years due to efforts by both NGOs and the government to combat the practice.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Despite near-universal primary school enrollment, access to quality education and other social services varies widely across regions and is particularly weak in the "emerging" low-land states. Child labor is prevalent in many agricultural households. Trafficking convictions have increased in recent years, though the US government continues to urge its Ethiopian counterparts to more aggressively pursue trafficking cases.

Fiji

Population: 900,000

Capital: Suva

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: The repressive climate that followed a 2006 coup has eased since democratic elections were held in 2014 and 2018. However, the ruling party frequently interferes with opposition activities, the judiciary is subject to political influence, and military and police brutality is a significant problem.

KEY DEVELOPMENTS IN 2019

- In August, video footage emerged of Prime Minister Frank Bainimarama assaulting the opposition National Federation Party's Pio Tikoduadua after a verbal altercation on the floor of parliament. Bainimarama received no punishment, while Tikoduadua was suspended from parliament for six months for refusing to apologize.
- Military officers arrested a 16-year-old boy in October for posting an image on Facebook depicting graffiti insulting to the prime minister.

POLITICAL RIGHTS: 24 / 40

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The prime minister is the head of government and serves four-year terms. The party that wins the most seats in parliamentary elections selects the prime minister, who is then appointed by the president. In the 2018 parliamentary elections, Prime Minister Bainimarama's FijiFirst Party won 50 percent of the total vote and 27 seats in the 51-member parliament. The Multinational Observer Group reported that the polling "was transparent and credible overall and the outcome broadly represented the will of Fijian voters."

The president is elected by parliament, which chooses between two candidates: one named by the prime minister and one by the leader of the opposition. As head of state, the president—who is elected to a three-year term and is eligible for reelection—holds a largely ceremonial role. President George Konrote was sworn in to a second term in November 2018.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Parliament is Fiji's unicameral legislative body, with 51 members elected to serve four-year terms. International observers of the 2018 parliamentary elections found polling largely credible, although civil society participation was limited.

Municipal councils continue to be run by government-appointed administrators, having been dissolved in 2009 in the wake of the abrogation of the 1997 constitution. As a result, municipal elections have not been held since 2005.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The legal framework for Fijian elections is considered fair. However, the structure of the electoral system has raised concerns about potential political interference. FijiFirst's secretary general, Aiyaz Sayed-Khaiyum, serves as minister of elections, as well as attorney general. Opposition parties claim that this creates a bias in the Electoral Commission, which administers elections, and affects the independence of the body.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The right to form political parties is constitutionally guaranteed, but the government has eligibility requirements that discourage the formation of smaller parties: prospective parties must submit 5,000 signatures to become registered. The 5 percent nationwide threshold for representation in parliament further disincentivizes the formation of smaller parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

The dominance of FijiFirst in parliament and its popularity with the public has left little space for opposition forces to assert themselves politically. However, the major opposition party, the Social Democratic Liberal Party (SODELPA), won 21 seats in 2018, up from 15 in 2014. FijiFirst has used state resources to advance its political campaigns. The Multi-national Observer Group noted that during the 2018 parliamentary campaign, government ministers and high-level officials engaged in a number of high-profile activities, such as opening buildings, signing commercial contracts, and disbursing government grants and funds, which could have provided an electoral advantage to FijiFirst.

Opposition figures have been targeted by corruption charges they claim are politically motivated. Before the 2018 election, the Fiji Independent Commission Against Corruption (FICAC) charged Sitiveni Rabuka with making a false declaration of assets. He was acquitted, but FICAC appealed the decision, and the case was ultimately dismissed two days before the elections in November. Had he been convicted, Rabuka would have been barred from the contest.

In August 2019, video footage emerged of FijiFirst Prime Minister Bainimarama assaulting the National Federation Party's Pio Tikoduadua outside parliament after a quarrel within the parliamentary chamber. The Speaker of the House referred the matter to the privileges committee, which required that both apologize. Tikoduadua refused to do so and was consequently suspended from parliament for six months. In October, the public prosecutor declared that no charges would be brought against the prime minister.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Despite constitutional guarantees that it remains apolitical, the military has a history of interference in Fijian politics. The leaders of the two major political parties are former military officials, which contributes to the perception that the military has undue political influence.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The law does not restrict the participation of minorities and women in politics. However, both indigenous and Indo-Fijian women are underrepresented by political parties. Only 10 out of the 51 members of Parliament are women.

Small minority groups, including Banabans, Chinese, and people from other Polynesian islands, lack significant political representation.

Historically, political affiliations have been associated with ethnicity. The Bainimarama government pushed for national unity and a national identity transcending ethnicity, race, and religion.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The executive branch under Prime Minister Bainimarama determines the policies of government. With FijiFirst holding a strong parliamentary majority, the government has frequently pushed through bills and budgets with minimal scrutiny from the opposition.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Safeguards against corruption are limited in their effectiveness. The FICAC has had limited success combatting institutional corruption. Corruption remains a serious problem. FICAC has also allegedly pursued politically motivated corruption cases. Anticorruption lessons were introduced into the school curriculum in July 2019.

C3. Does the government operate with openness and transparency? 2 / 4

Since the restoration of elective democracy in 2014, government transparency and openness has improved. The government now organizes an annual briefing for civil society organizations on the budget. Parliamentary sessions are broadcast live, and the Hansard (an official report of parliamentary proceedings) is updated regularly. Although candidates for election are required to declare their assets, there is no law requiring public asset disclosures by members of parliament. Fiji lacks an access to information law, and requests for information from the media and the public are sometimes denied. In recent years, FijiFirst has used its parliamentary majority to rewrite parliamentary standing orders in a manner that limits debate on legislation and scrutiny of official statements.

CIVIL LIBERTIES: 36 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

Fiji has an active media sector, with several private television stations, radio stations, and newspapers. The political opposition and other critics of the FijiFirst government have accused the state of using its power to silence critics. For example, the vaguely worded Media Industry Development Decree bans reporting that is critical of the government or harmful to “national interest public order.” Restrictive press laws are sometimes enforced by the government, which leads to self-censorship.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is generally respected, though in the past there have been many cases of vandalism of Hindu temples.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is not overtly constrained, but government control over funding has been used to exert influence over tertiary institutions. The University of the South Pacific

prohibits the majority of its employees from taking on an official position with a political party or running for office.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

There were few confirmed reports of the government restricting private discussion on political matters or other sensitive topics during 2019. However, the government places constraints on free speech, such as a law banning the burning of the national flag. In October, military officers arrested a 16-year-old boy for posting to Facebook an image of graffiti insulting the prime minister. Police Commissioner Sitiveni Qiliho, a former military officer, defended the arrest, citing the 2013 Fijian Constitution's provision that "it shall be the overall responsibility of the Republic of Fiji Military Forces to ensure at all times the security, defense and well-being of Fiji and all Fijians." This provision has been widely used to defend military intervention in civilian affairs.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12 (-1)

E1. Is there freedom of assembly? 2 / 4 (-1)

Respect for assembly rights worsened in 2019. The constitution gives the government wide latitude to prohibit protests, including on the basis of public safety and morality. The opposition National Federation Party was denied a permit for a march in October. Fiji has refused entry into the country for the United Nations Special Rapporteur on the rights to freedom of assembly since 2014.

Score Change: The score declined from 3 to 2 because the authorities repeatedly rejected attempts by an opposition party to obtain permits for demonstrations during the year.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Fiji has an extensive nongovernmental organization (NGO) network, which largely operates without government interference. Strict sedition laws, which criminalize criticism of the government, place constraints on the range of initiatives that NGOs can undertake. NGOs have been critical of the proposed Parliamentary Powers and Privileges Bill, which they claim further penalizes criticism of parliament and could further erode civic space.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Restrictions on trade union protests remain. Around 30 trade unionists were taken into custody in April 2019 after a protest concerning a lockout of around 2,000 workers by the water authority. In May and August, union protests, the first of which was planned to coincide with the annual meeting of the Asian Development Bank (ADB), were prohibited, allegedly because they would interfere with traffic. Amnesty International reported a rise in harassment of trade unionists in the leadup to these protests and other important union meetings.

The law restricts political activities by union members, prohibiting union members from becoming members of parliament and impeding their ability to join political parties.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 2 / 4

While the constitution guarantees an independent judiciary, there have been credible allegations of political interference. The prime minister has substantial appointment powers, with the authority to both appoint and dismiss judges on the Supreme Court and other high

courts. These powers leave the judiciary vulnerable to interference and abuse by the executive. Fiji has refused entry into the country for the United Nations Special Rapporteur on the independence of judges since 2014.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are often not respected in practice. Corruption is a major problem in the police force. Due to resource shortages, lengthy pretrial detentions are common. The law allows suspects to be arrested without a warrant for violating the Crimes Decree. Politically motivated criminal charges are not uncommon.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Torture and beatings by police remain a serious issue. In March 2019, Amnesty International protested the lack of human rights in Fiji. Police officers and military officials who commit abuses are rarely brought to justice, and those who are convicted of crimes are frequently pardoned or have their convictions overturned on appeal. Prisons are often overcrowded, lack sanitation, and provide inadequate health services. Fiji refuses entry into the country for the United Nations Special Rapporteur on torture.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Lesbian, gay, bisexual, transgender, and related communities face discrimination in employment and access to healthcare. Women experience discrimination in employment as well, and a gender pay gap persists.

Relations between indigenous Fijians and Indo-Fijians remain strained. Indigenous Fijians previously enjoyed legal advantages in education and political representation. However, the interim government, after the 2006 coup, removed many of these privileges in a bid to foster a sense of national unity.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Citizens enjoy the freedom to travel, live, work, and seek education inside and outside the country. However, the law gives the government broad powers to restrict both internal and foreign travel. The government did not utilize the law to impose any new restrictions on travel in 2019.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights are generally respected. However, it is difficult to obtain land titles. The government amended the Land Sales Act in 2014 to require foreign nationals who fail to build a dwelling on their land within two years of acquisition to pay a fine equivalent to 10 percent of the land value every six months. Under the law, urban residential freehold land cannot be sold to foreigners.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence remains a problem in Fiji, and perpetrators who are convicted of the crime often receive light sentences. The Fiji Women's Crisis Center estimates that 64

percent of women who have been in a relationship have been victims of violence committed by their partner. Sexual violence and assault rose in 2019 and rape is a serious issue in Fiji.

LGBT+ people continue to face discrimination within Fijian society, although there is a growing movement in support of marriage equality. However, Prime Minister Bainimarama has been criticized for making prejudiced remarks in the past, and declared in August 2019 that, so long as FijiFirst remained in power, same-sex marriage would remain outlawed.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Sex trafficking of children remained a problem in 2019, and the government was ineffective in addressing it. The first and only sex-trafficking conviction in Fiji's history occurred in December, despite the most recent US *Trafficking in Persons* report citing it as a major issue that has persisted over the course of many years. Safety standards at workplaces are not always adequately enforced. Long work hours are common in some jobs, including transportation and shipping.

Finland

Population: 5,500,000

Capital: Helsinki

Freedom Status: Free

Electoral Democracy: Yes

Overview: Finland's parliamentary system features free and fair elections and robust multi-party competition. Corruption is not a significant problem, and freedoms of speech, religion, and association are respected. The judiciary is independent under the constitution and in practice. Women and ethnic minority groups enjoy equal rights, though harassment and hate speech aimed at minority groups does occur.

KEY DEVELOPMENTS IN 2019

- In March, the right-leaning coalition government, headed by Juha Sipilä of the Center Party, resigned after failing to push through a reform of the health care system.
- A general election was held in April, with the Social Democratic Party receiving the largest share of the vote. A new left-leaning coalition government was formed in June, comprising the Social Democratic Party, Center party, Green League, Left Alliance, and Swedish People's Party of Finland.
- Following criticism within the coalition about Prime Minister Antti Rinne's handling of a strike by postal workers in November, he resigned in December. The Social Democratic Party chose Sanna Marin to replace him.
- The parliament in March completed passage of a package of bills that empowered the intelligence service and defense forces to conduct communications surveillance on national security matters.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, whose role is mainly ceremonial, is directly elected for up to two six-year terms. In 2018, former finance minister and incumbent president Sauli Niinistö, originally of the center-right National Coalition Party (KOK), won a second presidential term with 62.6 percent of the vote, defeating several challengers. The election was considered broadly free and fair.

The prime minister, the head of government, is selected by Finland's freely elected parliament. Following parliamentary elections in April 2019, Antti Rinne of the Social Democratic Party became prime minister in June. However, he resigned due to criticism within the governing coalition over his handling of a postal workers' strike in November, and Sanna Marin was chosen by the party to replace him in December.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Representatives in the 200-seat, unicameral parliament, the Eduskunta, are elected to serve four-year terms. After a preliminary needs-assessment mission to Finland before the April 2019 parliamentary elections, the Organization for Security and Co-operation in Europe (OSCE) expressed "a high level of confidence in all the aspects of the electoral process" and concluded that it was not necessary to send an election observation mission.

The Social Democratic Party won the largest share of the vote, taking 40 seats. The right-wing Finns Party placed second with 39 seats. The new government formed in June comprised the Social Democratic Party, the Center Party (31 seats), the Green League (20 seats), the Left Alliance (16 seats), and the Swedish People's Party of Finland (9 seats). The remainder of seats went to KOK (38), the Christian Democrats (5), the new Movement Now (1), and the Åland Coalition (1).

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Finland's electoral laws are robust and generally well implemented by the relevant authorities. The OSCE in 2019 found no new electoral problems to address since its previous review.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no significant constraints on political parties' ability to organize and operate, and they compete freely in practice.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Finland regularly experiences peaceful transfers of power between rival political parties through elections, with governments typically consisting of multiparty coalitions. The 2019 elections produced the country's first Social Democratic prime minister since 2003.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from undue interference by forces that are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Citizens from the Finnish majority and all ethnic minorities enjoy full political rights. The Åland Islands—an autonomous region located off the southwestern coast whose inhabitants speak Swedish—have their own 30-seat parliament, as well as one seat in the national legislature. The Sámi of northern Finland, an Indigenous people who number about 10,000, have a legislature with limited powers, but they do not have guaranteed representation in the parliament. Members of the Sámi community continue to call for greater inclusion in political decision-making processes.

Women and women's interests are reasonably well represented in politics, as are LGBT+ people and their respective interests. Prime Minister Marin was the third woman to serve as Finland's head of government. Her installation also marked the first time that all parties in a Finnish governing coalition were headed by women.

C. FUNCTIONING OF GOVERNMENT: 12 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

Finland's freely elected government and lawmakers are generally able to develop and implement policy without undue interference from unelected entities. In March 2019, the coalition government headed by Prime Minister Sipilä of the Center Party, which had been in power since 2015, resigned after failing to secure parliamentary support for a reform of the health care system, one of its key priorities. The move triggered the elections held in April.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Corruption is not a significant problem in Finland and is generally punished under relevant laws when discovered. However, in 2018 the Council of Europe's anticorruption body urged Finland to bolster corruption prevention and detection policies within government and law enforcement agencies, including by increasing whistleblower protection. It further warned of possible conflicts of interest between the public and private sectors in the Sipilä government's planned health care and social service reforms.

C3. Does the government operate with openness and transparency? 4 / 4

Laws permitting access to public information are generally well enforced, though there are some limits on the disclosure of information related to national security, foreign affairs, trade secrets, and criminal investigations. All citizens, including government officials, are required by law to make public asset declarations, though there are no penalties for noncompliance. While companies perceive corruption risks and favoritism within public procurement as low, informal networks and personal associations, notably at the local level, are still believed to hold influence over procurement decisions.

CIVIL LIBERTIES: 60 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16****D1. Are there free and independent media? 4 / 4**

Freedom of expression is protected by Article 12 of the constitution and the 2003 Act on the Exercise of Freedom of Expression in Mass Media. Media outlets in Finland are typically independent and free from political pressure or censorship.

However, journalists sometimes face harassment for their work, notably those who cover topics related to immigrants and immigration. Journalists also face the risk of defamation

charges. In April 2019, investigative reporter Johanna Vehkoo was convicted of defaming a far-right politician and order to pay more than \$7,000 in fines and compensation.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is guaranteed in the constitution and generally respected in practice. However, far-right hate speech and incidents of vandalism directed at the Jewish and Muslim communities are ongoing concerns.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are few impediments to personal expression, and the authorities are not known to engage in improper surveillance of personal communications. However, in March 2019 the parliament gave final approval to two bills that strengthen the authority of the intelligence service and defense forces to access private communications involving national security threats. Work on the measures had begun after what was considered the country's first-ever terrorist attack in 2017.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by law and upheld in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations operate without restriction.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers have the right to organize and bargain collectively, though public-sector workers who provide services deemed essential may not strike. Approximately 70 percent of workers belong to trade unions, which actively advocate for members' interests. In November 2019, postal workers mounted a two-week strike over wages and contracts that prompted solidarity strikes by other unions. A government-appointed mediator helped arrange a settlement.

F. RULE OF LAW: 16 / 16

F1. Is there an independent judiciary? 4 / 4

The constitution provides for an independent judiciary, and the courts operate without political interference in practice.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Due process is generally respected in Finland. Authorities largely uphold safeguards against arbitrary arrest and detention, and provide the conditions for fair trials.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

There are few significant threats to physical security, and violent crime is uncommon. However, in October 2019 a student killed one person and injured nine others in a knife attack at a college in eastern Finland. It was the third fatal school attack in the country in a 12-year period.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 4 / 4

The constitution guarantees the Sámi people cultural autonomy and the right to pursue their traditional livelihoods, which include fishing and reindeer herding. However, representatives of the community have said that they cannot fully exercise their rights in practice and face restrictions on land use. While Roma make up a very small percentage of Finland's population, they are significantly disadvantaged and marginalized.

Women enjoy equal legal rights, but despite a law stipulating equal pay for equal work, women earn only about 84 percent as much as men on average.

A 2018 European Union (EU) report on discrimination against people of African descent in 12 member states found that Finland had the highest rates of respondents who had experienced racist harassment or violence in the previous five years (63 percent and 14 percent, respectively). A June 2019 report by the European Commission against Racism and Intolerance (ECRI) noted an increase in racist and intolerant hate speech in Finland, especially toward Muslims and refugees. Hate speech on the internet was also a concern, with targets including immigrants, people of African descent, LGBT+ people, the Jewish community, and Roma.

The Nordic Resistance Movement, a neo-Nazi organization that the National Police Board has called "violent and openly racist," reportedly remained active in 2019 despite a legal ban, which has been contested in the courts.

In 2016, Finland amended its asylum law to limit the aid available to asylum seekers. The amendments prompted concern from the UN refugee agency, which suggested that Finland abandoned good practices and sought to align its policies with the minimum required by international treaties governing the treatment of refugees.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Individuals in Finland are free to travel abroad and domestically. The country has one of the most expansive "freedom to roam" policies in the world, allowing people to use any public or private land for recreational purposes as long as the privacy of a private residence is not violated and no environmental damage is incurred. There are no undue restrictions on people's ability to change their place of residence, education, or employment.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Intellectual and physical property rights are upheld. There are no major obstacles to establishing a business, and the country boasts a well-regulated, transparent, and open economy.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

People's choices on personal status matters are for the most part unrestricted. Same-sex marriage has been allowed since 2017. However, legislation requires that transgender

people be sterilized and have a mental health diagnosis in order to obtain legal recognition of their gender. In 2017, the UN Human Rights Council (UNHRC) called for Finland to eliminate these impediments to legal gender recognition. The ECRI echoed this call in 2019. The UNHRC has also recommended that Finland amend its criminal code to no longer define rape according to the degree of violence used by the perpetrator. The new coalition government in 2019 placed this matter on its agenda, but no change had been made by year's end. Domestic violence is an ongoing concern.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

The authorities generally uphold protections against exploitative working conditions. Asylum seekers and migrants are most vulnerable to sex and labor trafficking. According to the US State Department, the government actively prosecutes trafficking offenses, and survivors have access to protection and assistance, though alleged perpetrators often receive lighter charges and penalties due to lack of specialized training for investigators.

France

Population: 64,800,000

Capital: Paris

Freedom Status: Free

Electoral Democracy: Yes

Overview: The French political system features vibrant democratic processes and generally strong protections for civil liberties and political rights. However, due to a number of deadly terrorist attacks in recent years, successive governments have been willing to curtail constitutional protections and empower law enforcement to act in ways that impinge on personal freedoms. Anti-Muslim and anti-immigrant sentiment continue to be rife throughout the country.

KEY DEVELOPMENTS IN 2019

- The *Gilets Jaunes* (Yellow Vests) movement, which began in 2018 initially as an antitax protest focused on the price of petrol, continued to make headlines in the first half of 2019, expanding their demands and areas of frustrations, and drawing crowds of protesters from those generally alienated from the mainstream.
- Some of the protests, in Paris in particular, led to violent confrontations between the Yellow Vests and the police, throughout which the police were accused of using unnecessary force; many protesters, but also journalists and bystanders, were injured.
- Strikes and demonstrations took place throughout December in the longest-lasting union action since 1995. The strikes were particularly adhered to in the transport sector (rail and public transport) to protest pension reforms.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The French president is chief of state, and is elected to five-year terms by direct, universal suffrage in a two-round system. The prime minister is head of government and is appointed by the president. Emmanuel Macron, a centrist newcomer to politics, won the first round of the presidential election in April 2017. In the second round, Macron bested Marine Le Pen of the far-right National Front (FN), taking 66 percent of the vote. Le Pen had campaigned on pledges to suspend immigration and hold a referendum on France's European Union (EU) membership. The turnout in the first round was 77 percent, but lower in the second, dropping to under 75 percent.

The Organization for Security and Co-operation in Europe (OSCE), following a needs assessment mission, expressed confidence in the integrity of French elections and sent only a limited observer mission to assess campaign finance processes and media coverage surrounding the presidential poll. It expressed concern over legal provisions under which journalists could be compelled to reveal their sources if it were deemed in the public interest, but generally praised the media environment surrounding the election.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the lower house of Parliament, the 577-seat National Assembly, are elected to five-year terms in a two-round system. The upper house, the 348-seat Senate, is an indirectly elected body whose members serve six-year terms. In the June 2017 legislative elections, Macron's La République en Marche! (LREM) and its centrist ally won a comfortable majority in the National Assembly, with 350 out of 577 seats. The center-right Republicans (LR) and their allies finished second, and the center-left Socialist Party (PS) and its allies finished a distant third. Despite securing 13 percent of the vote nationally, only 8 FN candidates were elected to the National Assembly; remaining seats were split among a number of other parties. The legislative election saw record low turnout, with 49.7 percent in the first round and 42.6 percent in the second.

The OSCE declined to send a mission to observe the polls. Expressing general confidence in the elections, they saw no need for a second mission following its earlier evaluation of the presidential election.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

France's electoral laws and framework are fair and implemented impartially. While generally praising the electoral framework, the OSCE in its assessment of the 2017 presidential poll recommended that officials work to close loopholes that can allow actors to sidestep campaign finance regulations.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Parties are generally able to organize and operate freely. For the first time, France held live televised debates during the first round of the 2017 presidential race, providing a platform for the top five candidates to express their views, and expanding the national exposure of less dominant parties.

The vote for new representatives to the European Parliament took place in May 2019 and featured a broad array of parties. The election was competitive, with the Green Party gaining power, and LR losing over half of their seats.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The 2017 elections, which saw strong performances by the LREM, the FN, and the far-left France Insoumise (FI)—demonstrated that parties outside the political mainstream can gain power through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from domination. Police violence and repression were widely denounced during the Yellow Vest movement.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

No laws restrict the political participation of women, LGBT+, and ethnic, religious, and racial minorities. However, the rise of far-right parties and their prevalent nationalist ideology have become more mainstream minorities claim to feel more excluded from the political sphere, most notably Muslim communities, who are also overwhelmingly targeted by laws regulating religious symbols and clothing.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

In general, the elected head of government and national legislative representatives determine the policies of the government. However, under the administration of former president François Hollande, the government used Article 49.3 of the constitution to bypass parliament in the passage of legislation. Since becoming president, Macron has used the *ordonnance* process to similarly forego parliamentary debate in his overhaul of labor laws.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption remains an issue. A 2017 law on “moralization” sought to reduce conflicts of interest by banning lawmakers at national and local levels, as well as civil servants, from employing family members, among other provisions.

Corruption allegations have been lodged against a number of high-level government officials in recent years. In September 2019, Richard Ferrand, the leader of the National Assembly and one of Macron's closest allies, was put under formal investigation in a corruption case. The same month, another prominent corruption case made the headlines: a former member of parliament, Patrick Balkany, mayor of Levallois-Perret, was sentenced to four years in jail for severe tax evasion.

C3. Does the government operate with openness and transparency? 4 / 4

The government generally operates with openness and transparency, although the use in recent years of Article 49.3 and *ordonnances* demonstrates some desire by the executive to make policy without legislative or public scrutiny.

The Benalla Affair, which roiled French politics for much of 2018, raised questions about transparency in Macron's administration and remained prominent in early 2019. Another scandal erupted in September when Richard Ferrand, the leader of the National Assembly and one of Macron's closest allies, was put under formal investigation in a corruption case.

CIVIL LIBERTIES: 52 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16****D1. Are there free and independent media? 4 / 4**

The media operate freely and represent a wide range of political opinions. However, high concentration of media ownership remains a concern.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution protects freedom of religion. Antidefamation laws penalize religiously motivated abuse, and Holocaust denial is illegal. France maintains the policy of *laïcité* (secularism), whereby religion and state affairs are strictly separated, though the government maintains relationships with organizations representing the country's three major religions, Christianity, Islam, and Judaism.

Since 2015, France's already damaged relationship with its Muslim communities has grown increasingly fraught in the wake of terrorist attacks, some of which the Islamic State (IS) militant group claimed responsibility for. Islamophobic rhetoric from prominent politicians and public figures on both the left and right is not uncommon. Multiple attacks at mosques throughout the country occurred in 2019. In June in Brest, two people, including an imam, were shot and seriously injured in an attack on a mosque.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There are no formal restrictions on academic freedom in France.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion remains generally open and vibrant, despite new laws that permit government surveillance. In 2015, parliament approved a law granting the government expanded powers to conduct domestic surveillance, including bulk collection of communications data, and granted them wider authority to use hidden cameras and microphones. The law authorizes the use of sophisticated intelligence technology to intercept all telephone conversations, text messages, and emails in targeted areas. The law prescribes only limited judicial oversight of these activities.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12**E1. Is there freedom of assembly? 3 / 4**

Freedom of assembly is normally respected. However, human rights organizations expressed concern that an antiterrorism law passed in 2017 limits the right to demonstrate.

In November 2018, the Yellow Vest protests against anticipated fuel tax increases broke out across the country. The protests grew into a mass movement that reflected the working and middle classes' deep-seated discontent with French political elites. Some of the protests devolved into riots, with demonstrators blocking roads and damaging property, including the interior of the Arc de Triomphe. However, security forces responded to the demonstrations in a manner that Amnesty International described as "extremely heavy handed," injuring hundreds with tear gas, rubber bullets, and sting-ball grenades. Eleven protesters died during the Yellow Vest movement from late 2018 through May 2019. Demonstrations continued throughout the first half of the year.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations, including those that work with human rights and governance, generally operate freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Trade unions are free to operate without any undue restrictions.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

France has an independent judiciary, and the rule of law generally prevails in court proceedings.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process generally prevails in civil and criminal matters. However, antiterrorism legislation passed in 2017, which replaced a state of emergency instituted after the 2015 terror attacks in Paris, enshrined controversial administrative control measures into law. These measures give authorities the power, often based on secret information and outside the purview of the traditional legal system, to restrict people's movement, to require them to check in with the police (sometimes on a daily basis), and to forbid people's contact with certain individuals. Rights activists have criticized the measures for violating French residents' civil liberties.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The threat of terrorism remains significant in France in 2019. Attacks at mosques throughout the country injured many but claimed no lives.

The police sustained criticism for using excessive force during the Yellow Vest protests, in which many demonstrators were injured by rubber bullets and sting-ball grenades.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Migrants and refugees in France continue to suffer both from societal discrimination and abuse by government officials. Anti-Muslim sentiment, attacks against mosquegoers, reports of vandalism of mosques, verbal assaults, and xenophobic graffiti have increased amid the surging immigration and refugee flows from Muslim-majority countries in recent years. Antisemitism has also been on the rise. According to the Interior Ministry, the number of reported antisemitic acts increased by 27 percent in 2019. Xenophobic and racist acts more than doubled between 2018 and 2019. The far-right has become increasingly successful in shaping French public discourse, as witnessed in the "antiwhite racism" backlash faced by those denouncing racism against minorities.

Gender inequality and the gender pay gap persist in France. The efficacy of the Macron government's efforts to ameliorate the problem is unclear. In January 2019, Macron implemented new labor laws that sought to promote professional gender equality by introducing specific pay gap indicators, as well as fines should companies fail to address the issue. Despite these and other labor laws, women still earn 24 percent less than men in equivalent positions. There is a heavy imbalance in the number of male and female chief executives, and men receive the overwhelming majority of media representation.

Violence against and harassment of women is also a persistent issue. A 2018 law against sexual harassment on the street and in public transit enabled over 700 violations to be reported between 2018 and 2019, upon which the police took action (mainly fines). Critics of the law have noted that its impact is marginal—most infractions likely go unreported—the law is not preventative, and it does not address the origins of the problem.

French law forbids the categorization of people according to ethnic origin, and no official statistics are collected on ethnicity. Discrimination based on sexual orientation is prohibited by law.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are normally no restrictions on freedom of travel or choice of residence or employment in France. However, measures allowing authorities to institute restrictions on movement are permitted by the 2017 antiterrorism law.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Private businesses are free to operate. In 2016, major reforms to the labor code were enacted, further shifting power over hiring, firing, and working conditions to businesses and away from labor. These shifts were reinforced by Macron's 2017 changes to the labor code.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individuals generally enjoy personal social freedoms—including choice of marriage partner and size of family—protection from domestic violence, and control over appearance. However, a number of laws against religious clothing have forced Muslim women to dress against their will.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Employment discrimination against women, French Muslims, immigrants of North African descent, and others outside the traditional elite hinders equality of opportunity. While France's government takes action against human trafficking, the problem persists in the commercial sex trade; some victims are also forced into domestic labor.

Gabon

Population: 2,200,000

Capital: Libreville

Freedom Status: Not Free

Electoral Democracy: No

Overview: Although Gabon holds multiparty elections, President Ali Bongo Ondimba maintains political dominance through a combination of patronage and repression, having succeeded his father when he died in 2009 after more than 40 years in power. The executive branch effectively controls the judiciary. Other significant problems include discrimination

against immigrants, marginalization of minority groups, and legal and de facto inequality for women.

KEY DEVELOPMENTS IN 2019

- The government insisted throughout the year that President Bongo, who suffered a massive stroke in 2018, was in good health. Bongo made his first public appearance since the stroke in August, and in December, gave a very brief address at a summit of the Economic Community of Central African States (ECCAS).
- Civil society groups continued to press for information about President Bongo's cognitive health, even filing a lawsuit in to require him to undergo a medical exam to determine his fitness for office. In August, a Libreville appellate court agreed to hear the case. In response, the government suspended the presiding judge.

POLITICAL RIGHTS: 3 / 40 (-1)

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president, who wields executive authority, is elected by popular vote for seven-year terms. Presidential term limits were abolished in 2003. The president nominates and can dismiss the prime minister at will.

The August 2016 presidential election pitted incumbent Ali Bongo Ondimba against Jean Ping of the opposition Union of Forces for Change (UFC). The electoral commission declared Bongo the winner with 49.8 percent of the vote, compared with 48.2 percent for Ping. In Haut-Ogooué Province, a Bongo family stronghold, the commission claimed a turnout rate of 99.9 percent, with 95 percent for Bongo, even though turnout in the rest of the country was just 54 percent. Both Ping and observers from the European Union (EU) called for a recount.

Meanwhile, violent protests erupted, and security forces stormed Ping's headquarters. Although the government claimed the death toll from the unrest was under 10, journalists and opposition leaders estimated that more than 50 people had died, and hundreds were arrested.

The Constitutional Court, headed by a longtime Bongo family ally, rebuffed an observation mission from the African Union (AU) during the recount. Following the recount, the president was credited with 50.66 percent of the vote, leaving Ping with 47.24 percent. Ping rejected the results.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Gabon's Parliament consists of the National Assembly, whose members are elected by popular vote for five-year terms, and the Senate, which is indirectly elected by regional and municipal officials for six-year terms. Under the 2018 constitution, the size of the National Assembly increased from 120 to 143 seats, and the Senate was set to decrease in size from 102 to 52 members at its next elections in 2020. The most recent Senate elections were held in 2014, with Bongo's Gabonese Democratic Party (PDG) claiming 81 seats.

National Assembly elections were originally due in 2016 but were repeatedly postponed. The incumbent assembly was finally dissolved in April 2018, leaving the Senate as the only legislative body for most of the year. The PDG claimed 98 seats in the National Assembly elections that October, which were boycotted by several opposition parties due to the government's failure to create a genuinely independent electoral commission. PDG

allies won roughly 10 more seats, and no single party other than the PDG took more than 11. The elections were marked by credible allegations of fraud and repression. The president's eldest daughter was credited with more than 99 percent of the vote for the seat she won.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Gabon's electoral laws and framework do not ensure credible elections. The electoral commission, the Interior Ministry, and the Constitutional Court all play important roles in managing elections, and all are widely seen as loyal to the president.

In January 2018, Parliament gave its final approval to constitutional amendments that were developed in an opaque process without meaningful input from opposition parties or civil society. Among other changes, the amendments introduced a runoff system for presidential elections if no candidate wins a majority in the first round, and required ministers to pledge allegiance to the president. Lawmakers rejected opposition proposals including the imposition of presidential term limits.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The PDG dominates the nominally multiparty system. Opposition parties remain fragmented, and the government has disrupted their activities by denying them permits for public gatherings, arresting participants in their largely peaceful protests, and incarcerating their leaders.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The PDG has monopolized the executive branch since the 1960s, and there is no realistic opportunity for the opposition to gain power through elections. In 2017, Ping called for a civil disobedience campaign, arguing that he had exhausted all institutional remedies for the fraudulent 2016 election. He and some other opposition leaders boycotted the 2018 National Assembly elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The Bongo family and its associates have acquired enormous wealth and economic control after decades in power. These resources are allegedly used to sustain political patronage networks and fund vote-buying during elections. The leadership also relies on security forces to intimidate the opposition. Ahead of the 2018 National Assembly elections, there were some reports of opposition candidates and supporters being detained and threatened with violence.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

While women and ethnic minorities formally enjoy full political rights, in practice they have little ability to organize independently and gain political influence given the dominance of the PDG structure. Key government and military posts are held by loyalists from the major ethnic groups.

C. FUNCTIONING OF GOVERNMENT: 1 / 12 (-1)**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

Government policy is set by the president and his senior aides. President Bongo suffered a massive stroke in October 2018, and his cognitive fitness for office remains uncertain. In November 2018, the Constitutional Court unilaterally altered the constitution to allow the vice president to assume some of the president's functions if he is "temporarily unavailable." The constitution had only provided for the president's permanent incapacitation, in which case the Senate president would serve as interim president and an election would be called within 60 days.

Parliament is dominated by the ruling party and provides little oversight of the executive branch.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Both corruption and impunity remain major problems. Authorities have reportedly used anticorruption efforts to target regime opponents. In 2017, the government criticized an ongoing French corruption probe focused on Marie-Madeleine Mborantsuo, a Bongo family ally who serves as president of the Constitutional Court. A special criminal court for cases involving the theft of public funds was established in 2018, but critics said prosecutions remained selective.

C3. Does the government operate with openness and transparency? 0 / 4 (-1)

The government operates with minimal transparency. The presidency's budget is not subject to the same oversight as those for other institutions. High-level civil servants are required to disclose their assets, but the declarations are not made public. The government has refused to disclose any information about Bongo's health condition, despite sustained public demands.

Score Change: The score declined from 1 to 0 because the government has refused to disclose basic information about the president's serious health problems and his ability to perform his duties.

CIVIL LIBERTIES: 19 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16****D1. Are there free and independent media? 1 / 4**

Press freedom is guaranteed by law and the constitution but restricted in practice, and self-censorship to avoid legal repercussions for critical reporting is common. The 2017 communications code contains provisions that restricted media freedom, including an obligation for media to promote "the country's image and national cohesion."

A new state media regulator created in February 2018, the High Authority of Communication, imposed suspensions on three news outlets in August 2018 in response to reporting on government corruption, and another newspaper was suspended for three months in November for an article on Bongo's health. The government similarly suspended a correspondent with the French broadcaster RFI in August 2019 for questioning Bongo's health. Separately, Landry Amiang Washington, an activist blogger arrested in 2016, remained in prison at the end of 2019.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Although religious freedom is enshrined in the constitution and generally respected, some heterodox religious groups reportedly have difficulty obtaining registration from the government.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Omar Bongo University, Gabon's main center for tertiary education, is state run, and academic freedom there is tenuous. Professors are believed to self-censor to protect their positions and avoid conflicts with the authorities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Ordinary individuals' freedom to express criticism of the government is limited by restrictive laws and deterred by the authorities' surveillance and detention of opposition figures and activists.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is limited. In recent years the government has repeatedly denied permits for meetings and used tear gas and arrests to disperse unauthorized demonstrations. A 2017 law further limited the freedom to assemble, in part by making organizers responsible for offenses committed during a public gathering.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Relatively few nongovernmental organizations (NGOs) are able to operate in Gabon. Freedom of association is guaranteed by the constitution, but the process for formally registering NGOs is onerous and implemented inconsistently, leaving groups vulnerable to accusations that they are not in compliance with the law.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Workers are legally permitted to join unions, engage in collective bargaining, and strike, but the government has disrupted sit-ins and other labor activism in recent years, and has arrested participants.

F. RULE OF LAW: 3 / 16

F1. Is there an independent judiciary? 0 / 4

The courts are subordinate to the president. The judiciary is accountable to the Ministry of Justice, through which the president has the power to appoint and dismiss judges. Under the amended constitution, the country's highest judicial body, the Constitutional Court, is composed of three members appointed by the president, two by the National Assembly, one by the Senate, and three by the Superior Council of the Judiciary, which itself is headed by the president and justice minister. The 2018 constitution also created a new special court, the Court of Justice of the Republic, which alone has the authority to judge top executive and judicial officials. It consists of seven members appointed by the Superior Council of the Judiciary and six members of Parliament. The Constitutional Court is headed by a longtime Bongo family ally.

In August 2019, a Libreville appellate court agreed to hear a lawsuit filed by civil society groups that would have required President Bongo to undergo a medical exam to

determine his fitness for office. The government suspended the judge who made the ruling and blocked the proceedings.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Legal safeguards against arbitrary arrest and detention are not upheld by police, and detainees are often denied access to lawyers. Lengthy pretrial detention is common. Cases of arbitrary arrests linked to opposition activism have reportedly increased since the 2016 election crisis. Several detained opposition figures have been denied due process.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Prison conditions are harsh, and facilities are severely overcrowded, with limited access to proper medical care. Torture is outlawed by the constitution, but detainees and inmates continue to face physical abuse. Violent crime and ritual killings remain serious concerns in Gabon.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The country's large population of noncitizen African immigrants is subject to harassment and extortion, including by police. Members of some minority groups reportedly experience discrimination in the workplace and often live in extreme poverty.

Women have equal legal rights on some issues but face significant de facto discrimination in employment and other economic matters. Sexual harassment in the workplace, which is not prohibited by law, is reportedly common.

Gabon has no specific statute outlawing same-sex sexual activity, but bias against LGBT+ people remains a problem. Those who live openly risk housing and employment discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

There are no laws restricting internal travel, but police often monitor travelers at checkpoints and demand bribes. Married women seeking to obtain a passport or travel abroad must have permission from their husbands. The government has imposed travel bans on opposition leaders in recent years.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Bureaucratic and judicial delays can pose difficulties for businesses. Enforcement of contracts and property rights is weak, and the process for property registration is lengthy. Bongo and his associates play a dominant role in the economy, impairing fair competition and favoring those with connections to the leadership.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Personalized forms of violence are believed to be widespread, and perpetrators generally enjoy impunity. Rape and domestic abuse are rarely reported to authorities or prosecuted. Spousal rape is not specifically prohibited. Abortion is a punishable crime under most circumstances. The minimum age for marriage is 15 for women and 18 for men. The civil code states that a wife must obey her husband as the head of household.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Wage standards and laws against forced labor are poorly enforced, particularly in the informal sector and with respect to foreign workers. Both adults and children are exploited in a number of different occupations, and foreign women are trafficked to Gabon for prostitution or domestic servitude.

Georgia

Population: 4,000,000

Capital: Tbilisi

Freedom Status: Partly Free

Electoral Democracy: Yes

Note: The numerical scores and status listed here do not reflect conditions in the territories of South Ossetia and Abkhazia, which are examined in separate reports.

Overview: Georgia holds regular and competitive elections. Its democratic trajectory showed signs of improvement during the period surrounding a change in government in 2012–13, but recent years have featured backsliding. Oligarchic influence affects the country’s political affairs, policy decisions, and media environment, and the rule of law is undermined by politicization. Civil liberties are inconsistently protected.

KEY DEVELOPMENTS IN 2019

- In June, thousands of people gathered in Tbilisi to protest Russian influence in Georgia after an incident in which a Russian lawmaker appeared in the speaker’s chair at the Georgian Parliament to address an interparliamentary assembly of Orthodox Christian legislators. The government used excessive force to disperse the protesters, leading to further protests over the following months. Responding to opposition demands, the speaker of Parliament resigned after the initial protest, and the government that month pledged to hold parliamentary elections under a fully proportional system in 2020.
- Minister of Internal Affairs Giorgi Gakharia became prime minister after Mamuka Bakhtadze stepped down in September.
- In November, Parliament failed to pass the amendments necessary to enact the promised proportional electoral system, prompting renewed protests.
- A dispute over the ownership of one of the country’s largest television stations, Rustavi 2, was resolved when the European Court of Human Rights (ECHR) decided in July that the Georgian courts had acted fairly in their handling of the matter. As a result, progovernment owners took control of the station, and most of the staff left to join a new outlet, Mtavari Arkhi, in September.

POLITICAL RIGHTS: 24 / 40 (-1)

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

Georgia has a dual executive, with the prime minister serving as head of government and the president as head of state. Under constitutional changes approved in 2017,

the president elected in 2018 is to serve a six-year term, after which presidents will be chosen by a 300-member electoral college comprising national lawmakers and regional and local officials. The president formally appoints the prime minister, whom Parliament nominates.

In 2018, Salome Zourabichvili, an independent former foreign minister supported by the ruling Georgian Dream party, won about 60 percent of the vote in the second round of the presidential election, defeating Grigol Vashadze, a former foreign minister running for the opposition United National Movement (UNM). While the electoral environment was largely peaceful, significant problems in the preelection period and voter intimidation on election day marred the quality of the runoff. Abuse of administrative resources as well as limited instances of vote buying and ballot-box stuffing were reported. Outside many voting stations, the presence of Georgian Dream activists created an intimidating atmosphere. Just days before the runoff, a charitable foundation controlled by former prime minister Bidzina Ivanishvili, the chair of Georgian Dream, promised to write off the debts of over 600,000 Georgians—about one in six eligible voters.

Minister of Internal Affairs Giorgi Gakharia became prime minister in September 2019 after Mamuka Bakhtadze stepped down. Bakhtadze, formerly the finance minister, had replaced Giorgi Kvirikashvili as prime minister in June 2018 after the latter resigned over policy disagreements with Ivanishvili.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Georgia's unicameral Parliament is composed of 150 members, with 77 selected through nationwide proportional representation and 73 in single-member districts. Members serve four-year terms.

In the 2016 parliamentary elections, Georgian Dream won a total of 115 seats, including 71 of the majoritarian contests. The UNM garnered 27 seats, all through the proportional vote. Smaller parties and an independent took the remainder. An observer mission from the Organization for Security and Co-operation in Europe (OSCE) found the elections competitive and largely fair, but noted that administrative funds were used for campaign purposes and that changes to rules governing party registration were made too close to the elections. A small number of violent incidents were reported during the campaign period and the first round of polling.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The country's electoral laws are generally fair, and the bodies that implement them have typically done so impartially. However, after the 2018 presidential election, the OSCE monitoring mission highlighted important gaps in the electoral legislation, including the need for stronger safeguards against campaign finance violations, abuse of administrative resources, and voter intimidation.

Under 2017 constitutional amendments, Parliament was set to be elected entirely by proportional representation beginning in 2024. Under pressure from mass protests in June 2019, the government promised to accelerate the change so that it would take effect for the 2020 elections. However, the necessary constitutional amendments failed to pass in November, prompting renewed protests. Georgian Dream subsequently suggested several alternatives and a general opposition to fully proportional elections, casting doubt on whether even the 2024 balloting would be held under a fully proportional system.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16 (-1)**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4 (-1)**

Georgia hosts a dynamic multiparty system, and new political parties have often been able to form and operate without major obstacles. However, a pattern of single-party dominance since the 2000s has inhibited the development and stability of competing groups, and conditions appeared to grow worse in 2019. In July, Mamuka Khazaradze, the founder of one of Georgia's two largest banks, and his business partner were charged with money laundering. While the alleged crime dated to 2008, the charges came two weeks after Khazaradze stated his intention to form a new political party inspired by the June protests, prompting statements of concern about politicized prosecutions from the US embassy, human rights groups, and other observers. Khazaradze, who remained free on bail, formally announced the creation of the new movement, called Lelo, in September. His criminal case was ongoing at year's end.

Score Change: The score declined from 3 to 2 due to the filing of criminal charges against an opposition figure two weeks after he announced plans to establish a new political party.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Georgia last underwent a peaceful transfer of power between rival groups in 2012–13, when Georgian Dream defeated the UNM in parliamentary and presidential elections. The UNM splintered in 2017, leaving behind two smaller parties that were less capable of mounting a credible opposition. Georgian Dream won most mayoral and gubernatorial seats, including the Tbilisi mayoralty, in that year's subnational elections. However, in the 2018 presidential vote, the UNM's Grigol Vashadze won enough votes to force a runoff.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Ivanishvili, the wealthy businessman who founded Georgian Dream in 2011, resigned as prime minister and as the ruling party's chairman in 2013, but he remained its primary financial backer and continued to control it informally. His successors as prime minister and party chairman were close confidants and former employees of institutions he controlled, suggesting that he played a large role in determining the country's leadership. Ivanishvili was reelected as chairman of Georgian Dream at a party congress in 2018.

Recent elections have featured allegations of various forms of vote buying and intimidation, including pressure on public employees and recipients of social benefits to support the ruling party.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

No laws prevent women or members of minority groups from participating in political processes, but in practice these groups and their interests are underrepresented at all levels of government. Although a woman was elected president in 2018, women currently hold just 21 of 150 seats in Parliament. There are seven members of national minorities in Parliament, whereas such minorities make up an estimated 13 percent of the population.

C. FUNCTIONING OF GOVERNMENT: 7 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4**

The ability of elected officials to determine and implement government policy is impaired by the informal role of Ivanishvili, who holds no public office but exerts significant influence over executive and legislative decision-making. His de facto authority was demonstrated in 2018, when Prime Minister Kvirikashvili resigned due to disagreements with Ivanishvili over economic policy.

Ivanishvili's policy influence is also visible in the authorities' generally favorable treatment of his financial and business interests, and in particular the multibillion-dollar Georgian Co-Investment Fund (GCF), which was unveiled in 2013 and is active in large real-estate development projects in Tbilisi.

C2. Are safeguards against official corruption strong and effective? 2 / 4

While the country has made significant progress in combating petty corruption, corruption within the government remains a problem. In some cases it has allegedly taken the form of nepotism or cronyism in government hiring. Effective application of anticorruption laws and regulations is impaired by a lack of independence among law enforcement bodies and the judiciary, and successful cases against high-ranking officials who are on good terms with the Georgian Dream leadership remain rare.

C3. Does the government operate with openness and transparency? 3 / 4

Government operations are generally subject to scrutiny by auditing bodies, the media, civil society organizations, and the public. However, the Institute for the Development of Freedom of Information (IDFI), a Georgian advocacy group, reports that access to public information has been uneven since 2010. In 2018 the institute reiterated its calls for a stronger law on access to information and urged greater transparency regarding officials' income declarations. Civil society activists have also expressed concern about a lack of transparency regarding rezoning and land sales in Tbilisi.

CIVIL LIBERTIES: 37 / 60 (-1)**D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16****D1. Are there free and independent media? 2 / 4**

Georgia's media environment is pluralistic but frequently partisan. The public broadcaster has been accused of favoring the government in its coverage. In July 2019, a long-running legal dispute over the ownership of the opposition-aligned television station Rustavi 2 was decided at the ECHR. The panel found that the Georgian court cases surrounding Rustavi 2's ownership had been conducted fairly. As a result, control of the station was transferred to Kibar Khalvashi, a former owner who was more sympathetic to the ruling party. Khalvashi announced in August that he hoped to sell the station, but a subsequent auction yielded no buyers. Meanwhile, a new director appointed by Khalvashi dismissed some key employees, and a large share of the staff quit to join a new station, Mtavari Arkhi (Main Channel), which began broadcasting in September. In October, other previous owners of Rustavi 2 filed a suit claiming they were unfairly forced to sell, setting the stage for a new ownership battle in the courts.

Also during the year, several media outlets that are critical of the government complained of political pressure in the form of trumped-up charges and selective enforcement of tax laws.

In December 2019, the social media company Facebook announced that it had taken down hundreds of Georgian accounts and pages, many of which fraudulently posed as media outlets and news organizations and carried criticism of the opposition and local civil society organizations. The company traced the entities to a Georgian advertising agency and the Georgian Dream government.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The constitution guarantees freedom of religion but grants unique privileges to the Georgian Orthodox Church, including immunity for its patriarch. Georgia's religious minorities—among them Jehovah's Witnesses, Baptists, Pentecostals, and Muslims—have reported discrimination and hostility, including from Georgian Orthodox priests and adherents, and are insufficiently protected by the state. Some minority religious groups have faced difficulty gaining permits from local officials to construct houses of worship. In September 2019, a court ruled that the denial of a construction permit for a new mosque in Batumi was discriminatory, though it did not instruct the mayor's office to issue the permit.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected in Georgia. However, in August 2018, Georgian authorities froze the assets of the International Black Sea University and prevented it from accepting students for the new academic year, citing tax arrears that were allegedly owed by the private institution. The asset freeze was eventually lifted in October of that year after the debt was paid, though the university maintained that the tax claim was unlawful. The International Black Sea University is associated with the movement led by Turkish Islamic preacher Fethullah Gülen, which the Turkish government has declared a terrorist organization. In 2017, Georgian authorities had closed two schools associated with Gülen's movement, citing regulatory violations. The seemingly disproportionate and arbitrary nature of the enforcement actions raised suspicions that they were carried out under pressure from the Turkish government.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Georgians generally enjoy freedom of expression, including in their online communications. However, watchdog groups have expressed concerns in recent years that various security-related laws empower state agencies to conduct surveillance and data collection without adequate independent oversight. A 2017 law created a new electronic surveillance agency under the umbrella of the State Security Service that would have the authority to fine service providers for failure to cooperate with its work. Privacy advocates questioned whether the law complied with earlier Constitutional Court rulings on state surveillance practices.

In recent years, multiple public figures—including opposition and ruling party politicians—have been subjected to intimidation through the threatened or actual release of surreptitiously recorded sex videos, contributing to an atmosphere that deters free expression on political topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12 (-1)

E1. Is there freedom of assembly? 2 / 4 (-1)

Freedom of assembly is often respected, but police sometimes respond to demonstrations with excessive force.

In June 2019, protests erupted in Tbilisi after Russian lawmaker Sergey Gavrilov appeared in the speaker's chair of the Georgian Parliament to address a meeting of the Interparliamentary Assembly on Orthodoxy, which brings together Orthodox Christian legislators from different countries. Some of the protesters attempted to push their way inside the Parliament building, and police responded by shooting tear gas, rubber bullets, and water cannons into the crowd without a prior warning. Hundreds of people were injured, including more than 30 journalists, and at least two protesters were permanently blinded in one eye. Subsequent protests proceeded more peacefully, but police again used water cannons and tear gas to disperse protesters who gathered outside the Parliament building in November after lawmakers failed to pass promised electoral reforms.

Separately in June, the government declined to guarantee protection for a planned LGBT+ pride rally in Tbilisi. A smaller event was held the next month instead.

Score Change: The score declined from 3 to 2 because police used excessive force to disperse protesters outside Parliament in June, injuring hundreds of people.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

The civil society sector in Georgia is fairly robust. Some groups are included in policy discussions, though others report facing political pressure, largely in the form of public criticism by government officials and opposition figures. A report released in April 2019 by the Media Development Foundation, a group that tracks content manipulation, identified a group of fraudulent troll accounts on social media that were used to support the government and attack its perceived opponents, including civil society organizations.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers are legally allowed to organize, bargain collectively, and strike, though there are some restrictions on the right to strike, including a ban on strikes by certain categories of workers. Legal protections against antiunion discrimination by employers are weak and poorly enforced.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

Despite ongoing judicial reforms, executive and legislative interference in the courts remains a substantial problem, as does a lack of transparency and professionalism surrounding judicial proceedings.

Under the constitutional framework that took effect after the 2018 presidential election, the High Council of Justice nominates Supreme Court judges rather than the president; the judges are then approved by Parliament. A judicial self-governing body elects a majority of the council's members. In December 2018, the council presented a list of Supreme Court nominees, but a coalition of nongovernmental organizations (NGOs) argued that it had used an opaque process and selected judges with tainted reputations. Later that month, the head of the legal affairs committee in Parliament resigned to protest what she called the "hasty and unacceptable" nomination process. The dispute continued for much of 2019. Finally, in December, Parliament confirmed the appointment of 14 justices to the Supreme Court, with opposition members refusing to participate in the vote. Observers from the Council of Europe and other institutions criticized the appointments, concluding that the candidates had failed to demonstrate the requisite legal knowledge and impartiality for their lifetime appointments.

A so-called fourth wave of judicial reform legislation was passed by Parliament in December 2019. It introduced a number of specific improvements over previous legislation, for example regarding disciplinary procedures for judges, though NGO observers called for amendments to address various deficiencies.

F2. Does due process prevail in civil and criminal matters? 2 / 4

The law guarantees due process, but the related safeguards are not always respected. The office of the country's public defender, or ombudsperson, has reported problems including a failure to fully implement Constitutional Court rulings on due process matters, administrative delays in court proceedings, the violation of the accused's right to a presumption of innocence, failure to observe rules surrounding detention and interrogation, and the denial of access to a lawyer upon arrest. A number of perceived opponents of the government have faced prosecutions in recent years that were widely seen as selective or politically motivated.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Human rights watchdogs and the ombudsperson continue to express concern about the physical abuse of detainees during arrest and in police custody, and have noted the lack of an independent system for supervising police conduct and addressing claims of mistreatment. A 2018 law established a new state inspector's office tasked with investigating police abuses, but it would not be independent from the prosecutor's office, a shortcoming that drew criticism from human rights groups. The new office went into operation in November 2019. Violence and harsh conditions in prisons remain a problem.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

A 2014 antidiscrimination law provides protection against discrimination on the basis of various factors, including race, gender, age, sexual orientation, and gender identity, but it is enforced unevenly. Women and people with disabilities reportedly suffer from discrimination in employment, among other problems. LGBT+ people face societal discrimination and are occasionally the targets of serious violence.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are ongoing restrictions on travel to and from the separatist territories of Abkhazia and South Ossetia, and individuals who approach their de facto borders can face short-term detention. Nevertheless, Georgians are otherwise free to travel and can change their place of residence, employment, and education without undue interference.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal framework and government policies are generally supportive of private business activity. However, protection for property rights remains weak, and deficiencies in judicial independence and government transparency hamper economic freedom.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are generally respected. However, constitutional changes approved in 2017 define marriage as “a union between a man and a woman for the purpose of creating a family.” There is no law allowing civil unions for same-sex couples.

Domestic violence remains a problem in Georgia, and the response from police is often inadequate, though changing societal attitudes have contributed to more frequent reporting and some improvements in enforcement in recent years. Spousal rape is not specifically criminalized.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Unsafe conditions and inadequate legal protections for workers continue to contribute to a high rate of workplace deaths and injuries, notably in the country’s mines. The average number of workplace deaths each year rose from 24 in 2002–05 to 41 in 2007–17, according to Human Rights Watch, which cited weakened regulations. The number of deaths reached 59 in 2018 before slipping to 38 in 2019.

Georgia is a source, destination, and transit country for human trafficking linked to sexual exploitation and forced labor, and displaced people from Abkhazia and South Ossetia are among the populations most vulnerable to trafficking. However, according to the US State Department’s latest *Trafficking in Persons Report*, the government continued its enforcement efforts and improved its performance on victim identification.

Germany

Population: 83,100,000

Capital: Berlin

Freedom Status: Free

Electoral Democracy: Yes

Overview: Germany is a representative democracy with a vibrant political culture and civil society. Political rights and civil liberties are largely assured both in law and practice. The political system is influenced by the country’s totalitarian past, with constitutional safeguards designed to prevent authoritarian rule. Although Germany has generally been stable since the mid-20th century, political tensions have grown following an influx of asylum seekers into the country, and the growing popularity of a right-wing party.

KEY DEVELOPMENTS IN 2019

- Several cases of political violence shook Germany in 2019. In June, Walter Lübcke, a local CDU politician with a vocal proasylum stance, was shot by a right-wing extremist at his house in Hessen. In October, another right-wing extremist armed with explosives unsuccessfully attempted to attack a synagogue in Halle, and killed two bystanders in the process.
 - The right-wing populist Alternative für Deutschland (AfD) posted a strong performance in several state elections, notably in the former German Democratic Republic (GDR).
 - Following a ruling by the Federal Financial Court, several nongovernmental organizations (NGOs) lost their tax-exempt charitable status due to their political activism. While the verdict was seen as a threat to many NGOs, the Finance Ministry announced plans to reform relevant regulations so groups could keep their status.
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POLITICAL RIGHTS: 39 / 40**A. ELECTORAL PROCESS: 12 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

Germany's head of state is a largely ceremonial president, chosen by the Federal Convention, a body formed jointly by the Bundestag (Federal Parliament) and state representatives. The president can serve up to two five-year terms. Former foreign minister Frank-Walter Steinmeier of the Social Democratic Party (SPD) was elected president in early 2017.

The federal chancellor—the head of government—is elected by the Bundestag and usually serves for the duration of a legislative session. The chancellor's term can be cut short only if the Bundestag chooses a replacement in a so-called constructive vote of no confidence. Angela Merkel won a fourth term as chancellor following 2017 Bundestag elections, which were held in accordance with democratic standards. After negotiations of an unprecedented length, she formed a coalition government in 2018 between her center-right Christian Democratic Union (CDU), its Bavarian sister party, the Christian Social Union (CSU), and the center-left SPD. The current term is expected to be her last term in office.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The German constitution provides for a lower house of parliament, the Bundestag, as well as an upper house, the Bundesrat (Federal Council), which represents the country's 16 federal states. The Bundestag is elected at least every four years through a mixture of proportional representation and single-member districts, which can lead the number of seats to vary from the minimum of 598. The 2017 elections saw 709 representatives elected to the Bundestag. Election monitors from the Organization for Security and Co-operation in Europe (OSCE) deemed the elections transparent and free from manipulation.

Merkel's CDU-CSU won 246 seats. The SPD, the CDU-CSU's coalition partner in the last government, took 153 seats. Both parties posted their worst results since 1949. The liberal Free Democratic Party (FDP) reentered the Bundestag with 80 seats, and the Greens won 67. The far-left party the Left, widely viewed as a successor to the East German communists, took 69 seats. The right-wing populist Alternative for Germany (AfD) entered the Bundestag for the first time in its history, taking 94 seats, posting particularly strong results in the former German Democratic Republic (GDR).

In Germany's federal system, state governments have considerable authority over matters such as education, policing, taxation, and spending. State governments appoint Bundesrat members, and in this manner can influence national policies. Four state elections took place in 2019, in Bremen, Brandenburg, Saxony, and Thuringia. The three latter elections saw strong gains of the AfD, leading to difficult coalition negotiations. In Thuringia, the 24 percent received by the AfD rendered most coalition options impossible, and could result in a minority government.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Germany's electoral laws and framework are fair and impartial. A failure to reform the problem of so-called overhang seats led to an inflated number of Bundestag members following the 2017 elections: German voters cast two ballots—one for a candidate in their constituency and another for a party, with the latter vote determining the total number of seats a party will hold in the Bundestag. If a party wins more seats in the first vote than are

permitted by results of the second, it gets to keep these “overhang” seats. The extra seats are costly, and in the past have been deemed unconstitutional for allowing a party more seats than it is formally allotted. With 709 members, Germany now has the world’s second-largest national parliament, after China.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The dominant political parties have traditionally been the SPD and the CDU–CSU, although other parties have increased their support in recent years. Parties do not face undue restrictions on registration or operation, although under electoral laws that, for historical reasons, are intended to restrict the far left and far right, a party must receive either 5 percent of the national vote or win at least three directly elected seats to gain representation in the parliament. The constitution makes it possible to ban political parties, although a party must be judged to pose a threat to democracy for a ban to be legal, and no party has been successfully banned since 1956. More recently, in 2017 the Federal Constitutional Court found the extreme-right National Democratic Party (NPD) to be unconstitutional, but ruled that it did not pose a great enough threat to merit a ban.

Support for the AfD has risen in recent years, as the party has moved further to the right of the political spectrum. As of 2019, the party is represented in the Bundestag, as well as in all state parliaments. While the increase in popularity has shaken the German political system, most parties oppose the AfD and rule out coalitions that involve the party.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

While German government is very much consensus oriented, opposition parties have a realistic opportunity to increase their support and gain power through elections. Merkel, during her time as chancellor, has changed her coalition partners a number of times.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

The German government is democratically accountable to the voters, who are free to throw their support behind their preferred candidates and parties without undue influence on their political choices.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Germany’s constitution gives all citizens age 18 or older the right to vote, and this guarantee applies regardless of gender, ethnicity, religion, sexual orientation, or gender identity. However, some groups are underrepresented in politics. The 2017 federal elections saw a decrease in the representation of women in the Bundestag, down to 30.9 percent, the lowest number since 1998. In the Bundestag, 8 percent of members are from immigrant backgrounds, having at least one parent who was born without German citizenship.

Nearly eight million foreign-born residents were unable to vote in the 2017 federal elections, due in part to restrictive citizenship and voting laws. In order to gain German citizenship, residents must renounce the citizenship of their home countries, which contributes to low rates of naturalization and large numbers of long-term residents who cannot vote in federal elections.

C. FUNCTIONING OF GOVERNMENT: 12 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

Democratically elected representatives decide and implement policy without undue interference.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Germany generally has strong and effective safeguards against corruption. However, the regulatory framework on lobbying members of parliament is considered inadequate by Transparency International's German office. For example, there is no central lobbying register in Germany. The Council of Europe's Group of States against Corruption (GRECO) regularly criticizes Germany for a lack of transparency in the financing of political parties and also for a lack of lobbying regulations.

In the fall of 2019, Transparency International Germany criticized Infrastructure and Transport Minister Andreas Scheuer for dubious irregularities in his handling of a tolling program for German motorways. Separately, a 2019 parliamentary inquiry looked into allegations of corruption in the context of surcharges by external consultants at the Defense Ministry.

Whistleblower protection in Germany is likely to improve after the EU Whistleblower Protection Directive was passed in April 2019.

C3. Does the government operate with openness and transparency? 4 / 4

The government is held accountable for its performance through open parliamentary debates, which are covered widely in the media. In June 2018, the government introduced question time, in which the chancellor answers questions from the parliament three times per year.

In 2019, the government published its second National Action Plan, which detailed initiatives designed to improve transparency and encourage citizen involvement in government, although watchdogs criticized the plan for not being ambitious enough.

CIVIL LIBERTIES: 55 / 60**D. FREEDOM OF EXPRESSION AND BELIEF 14 / 16****D1. Are there free and independent media? 4 / 4**

Freedom of expression is enshrined in the constitution, and the media are largely free and independent. Hate speech, such as racist agitation or antisemitism, is punishable by law. It is also illegal to advocate for Nazism, deny the Holocaust, or glorify the ideology of Hitler.

Journalists face increasing harassment and abuse, especially via social media. According to the European Center for Press and Media Freedom (ECPMF), in 2018, 26 physical attacks on journalists took place in Germany, 22 of which were politically motivated. In May, Reporters Without Borders (RSF) issued a warning about a draft law published by the Interior Ministry, which could enable law enforcement and intelligence agencies to hack into web servers and computers used by newsrooms and journalists.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of belief is legally protected. However, eight states have passed laws prohibiting schoolteachers from wearing headscarves, while Berlin and the state of Hesse have adopted legislation banning headscarves for civil servants.

In October 2019, a man armed with explosives unsuccessfully attempted to enter a synagogue on Yom Kippur. While failing to enter the synagogue, the attacker killed two

bystanders. The attack was widely seen as an expression of growing antisemitism within Germany. Already earlier in 2019, the German Jewish Council noted growing antisemitism, and the federal commissioner against antisemitism warned Jews against wearing a kippa in some public places in order to avoid harassment or attack.

Islamophobia remains a concern. The results of a Bertelsmann Foundation survey released in late 2019 found that more than half of respondents saw Islam as a threat to German society. In 2018 there were more than 800 attacks on mosques or Muslim citizens, according to the Interior Ministry.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected, though legal prohibitions on extremist speech are enforceable in school and university settings. Instances in which student protesters have blocked professors and guests from lecturing have prompted debates about freedom of expression on campuses.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion and internet access are generally unrestricted, but recent developments have prompted concern about government surveillance of private communications. In 2017, the Bundestag passed a law allowing state security services to use spyware to conduct surveillance of encrypted online messaging services like WhatsApp when conducting criminal investigations. In January 2018, the controversial Network Enforcement Act came into full effect. The law compels social media companies to delete content deemed to clearly constitute illegal hate speech within 24 hours of being reported, and content that appears to be illegal hate speech within seven days. RSF claims that to comply with the law, social media platforms including Facebook, YouTube, and Twitter have removed thousands of posts that should not be considered hate speech.

Watchdogs continue to express concern about a controversial 2015 data retention law that requires telecommunications companies to store users' telephone and internet data for 10 weeks. Critics view the law as a threat not only to general privacy but also to whistleblowers, who could be punished under a section detailing illegal data handling. After the law was suspended and found to be incompatible with European Union (EU) law by several German courts, the case against it will now be heard at the European Court of Justice.

In recent surveys, a majority of Germans said they are careful when stating their opinion in public due to fear of repercussions. This fear is said to be especially linked to topics surrounding migration.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The right to peaceful assembly is enshrined in the German constitution and is generally respected in practice, except in the case of outlawed groups, such as those advocating Nazism or opposing democratic order.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Germany has a vibrant sphere of NGOs and associations, which operate freely. However, in 2019, several NGOs were stripped of their tax-exempt status as charitable organizations after the Federal Financial Court ruled that they took part in political partisanship.

The verdicts could endanger the status of thousands of charitable organizations, and finance minister Olaf Scholz has vowed to reform the respective laws to address the issue.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Trade unions, farmers' groups, and business confederations are generally free to organize, and play an important role in shaping Germany's economic model.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent, and generally enforces the rights provided by Germany's laws and constitution.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The rule of law prevails in Germany. Civil and criminal matters are treated according to legal provisions and with due process. However, courts can authorize "preventive detention" practices, by which a person who was convicted of certain violent crimes can be detained after serving their sentence in full if they are deemed to pose a danger to the public. The European Court of Justice in May 2019 ruled that German prosecutors are not allowed to issue European arrest warrants; the judges found German prosecutors to be too dependent on the justice minister of their respective states.

In 2019, the state governments of Hessen, Saxony, and Lower Saxony adopted laws that increased the surveillance powers of law enforcement. State parliaments in Bavaria and North Rhine-Westphalia already passed similar laws, but these went further than the 2019 laws and have been criticized for enabling police to take preemptive action if they believe there is an "impending danger," a vaguely defined term that critics assert could make the law vulnerable to abuse.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

In June, Walter Lübcke, a local politician and member of the CDU, was assassinated at his home in Hessen by a far-right extremist. The murder shocked the political establishment and prompted debate about whether the government is doing enough to fight right-wing extremism. Lübcke's name had appeared on a death list circulated online among right-wing extremists, and several other politicians received death threats following the murder. Some links were established between right-wing groups and members of the military and police force, in particularly in relation to threats.

Attacks on refugees and refugee housing continued to decline from a peak of 3,500 in 2016. In the first half of 2019, around 600 such attacks were reported. The threat posed by terrorist groups to national and regional security remained a significant concern in 2019, especially after the attempted attack on the synagogue in Halle.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution and other laws guarantee equality and prohibit discrimination on the basis of origin, gender, religion or belief, disability, age, or sexual orientation. However, a number of obstacles stand in the way of equal treatment of all segments of the population. Rhetoric against refugees remained prominent in the German public sphere in 2019.

In 2018, restrictive new asylum and migration policies were passed, which include building camps along Germany's international borders to hold asylum seekers, and

deporting any asylum seeker who had previously applied for asylum in another EU country. The implementation of these policies in practice thus far has been slow.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is legally protected and generally respected, although the refugee crisis and security concerns related to activity by the Islamic State (IS) militant group have led to some restrictions on travel. In 2015, the government introduced legislation allowing the confiscation of identity documents from German citizens suspected of terrorism as a way to prevent them from traveling abroad, particularly to Iraq and Syria.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The rights to own property and engage in commercial activity are respected. In 2019, in Berlin, several activists and political parties proposed the nationalization of parts of the housing stock. Following an intense debate, the Berlin State senate instituted a rent freeze October, rather than nationalization.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

The government generally does not restrict social freedoms. Women's rights are protected under antidiscrimination laws. However, a considerable gender wage gap persists, with women earning approximately 22 percent less in gross wages than men. A law requiring large German companies to reserve at least 30 percent of seats on their nonexecutive boards for women came into effect in 2016, but affects a limited number of companies. Adoption and tax legislation passed in 2014 gave equal rights to same-sex couples in these areas. The government legalized same-sex marriage in 2017.

In 2019, a Nazi-era law banning doctors from providing information on or advertising abortion services was reformed. Now, clinics and doctors may state that they offer abortions, but a ban on providing further information on the procedure was maintained. Human-rights campaigners criticized the reform for not going far enough.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

According to the US State Department's 2019 *Trafficking in Persons* report, migrants from Eastern Europe, Africa, and Asia are targeted for sex trafficking and forced labor. Asylum seekers, especially unaccompanied minors, are also particularly vulnerable to exploitation.

Ghana

Population: 30,300,000

Capital: Accra

Freedom Status: Free

Electoral Democracy: Yes

Overview: Since 1992, Ghana has held competitive multiparty elections and undergone peaceful transfers of power between the two main political parties. Although the country has a relatively strong record of upholding civil liberties, discrimination against women and LGBT+ people persists. There are some weaknesses in judicial independence and the rule of law, corruption presents challenges to government performance, and political violence is a growing concern.

KEY DEVELOPMENTS IN 2019

- In January, masked gunmen who were allegedly affiliated with the National Security Secretariat assaulted opposition supporters at a by-election polling station and opened fire at the nearby residence of an opposition candidate in Ayawaso West Wuogon constituency in the Greater Accra region. President Nana Akufo-Addo formed a commission of inquiry to investigate the incident.
- Separately in January, investigative journalist Ahmed Hussein-Suale was assassinated by attackers on a motorcycle months after a ruling party lawmaker publicly encouraged violence against him.
- In February, a vigilante group linked to the opposition National Democratic Congress (NDC) party was involved in a shooting incident in Kumasi in which one person was killed.
- In May, Akufo-Addo signed the Right to Information Act into law, granting citizens the right to obtain information from public as well as some private institutions.
- In September, in an attempt to address the problem of partisan and other militia groups, the president signed the Vigilantism and Related Offences Act, which assigned penalties of up to 15 years in prison for acts of vigilantism.

POLITICAL RIGHTS: 35 / 40 (-1)

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who serves as head of state and head of government, is directly elected for up to two four-year terms. International and domestic observers generally praised the 2016 presidential election, and all major political parties accepted the results. Akufo-Addo, the New Patriotic Party (NPP) candidate, won with 53.9 percent of the vote, while incumbent John Mahama of the NDC took 44.4 percent.

Although the election and its immediate aftermath were peaceful, the campaign period was contentious. There were several reports of clashes between NPP and NDC supporters, as well as attacks on Electoral Commission (EC) officials. Moreover, civil society representatives raised concerns about what they claimed were alarming levels of hate speech used by politicians and alleged abuse of state resources.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of Ghana's unicameral, 275-seat Parliament are elected directly in single-member constituencies to serve four-year terms. International and domestic observers generally praised the 2016 parliamentary elections, which were held at the same time as the presidential election. The NPP captured 169 seats, while the NDC, which held a majority going into the vote, took the remaining 106 seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Despite controversy surrounding preparations for the 2016 balloting, domestic and international observers generally commended the EC for its management of the process. The commission had disqualified 13 presidential candidates due to irregularities with their nomination papers or failure to pay the nomination fee. The Supreme Court rescinded the EC's decision, giving the disqualified candidates an opportunity to rectify the problems. In the end, three of the originally disqualified candidates were allowed to stand for election.

In 2018, President Akufo-Addo fired the EC chairperson and two senior members of the commission based on the recommendation of a judicial panel convened by the chief justice, which had found that the commissioners mismanaged contracts leading up to the 2016 elections. New appointees were sworn into office later that year; several civil society groups lauded the appointment of prominent lawyer and activist Jean Mensah as EC chairperson, though the NDC argued that the choice was influenced by partisan considerations.

In March 2019, the EC announced plans to compile a new voter register ahead of the 2020 elections. In December, Akufo-Addo canceled a constitutional referendum that would have sought to allow political parties to compete in local elections, which are currently non-partisan; the president said his government would work to attain broad national consensus before proceeding with the referendum.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16 (-1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The constitution guarantees the right to form political parties, and this right is generally respected. However, civil society groups have expressed concern about the rising involvement of partisan vigilante groups in inter- and intraparty disputes.

A significant increase in candidate nomination fees for the 2016 national elections, along with the difficulties in nomination procedures highlighted by the presidential candidate disqualifications, presented challenges to participation, especially for candidates from smaller parties. The Progressive People's Party (PPP) mounted an unsuccessful legal challenge against the nomination fees. Unlike national elections, the contests for district assemblies and other local government units are officially nonpartisan.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been multiple peaceful transfers of power between the two main political parties, the NPP and NDC, and parties in opposition have meaningful opportunities to increase their public support and win office. In February 2019, the NDC nominated former president Mahama to run against Akufo-Addo in the 2020 presidential election. Mahama's defeat in the 2016 presidential race marked the first time since the reintroduction of the multiparty system in 1992 that an incumbent president had stood for reelection and lost.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4 (-1)

Ghanaians are generally free from undue interference with their political choices by powerful groups that are not democratically accountable. However, concerns about the use of political violence and vigilantism to intimidate voters and candidates were renewed in January 2019, when masked gunmen alleged to be affiliated with the National Security Secretariat assaulted opposition supporters at a by-election polling station and opened fire at the nearby residence of an opposition candidate in Ayawaso West Wuogon constituency, in

the Greater Accra region. A member of Parliament was allegedly assaulted at the residence, and several people were injured. President Akufo-Addo formed a commission of inquiry to investigate the matter. In February, a shooting incident involving the Hawks, a vigilante group aligned with the NDC, left a member of the NDC Regional Task Force dead and another person critically injured. In September, Akufo-Addo signed the Vigilantism and Related Offences Act, which bans all political and other vigilante groups and assigns penalties of up to 15 years in prison for acts of vigilantism. The practical effects of the new law remained to be seen.

Score Change: The score declined from 4 to 3 due to the intimidation of voters and political figures by partisan vigilantes and other armed groups.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ghanaian laws provide for equal participation in political life by the country's various cultural, religious, and ethnic minorities. Women formally enjoy political equality, but they hold comparatively few leadership positions in practice. In the 2016 elections, women candidates received less media coverage than men and took just 37 of the 275 parliamentary seats, though this was the largest share since the reintroduction of multiparty rule in 1992. The National House of Chiefs, Ghana's highest body of customary authority, has been under pressure to include women as members.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are generally free to set and implement government policy without improper influence from unelected entities.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Political corruption remains a problem despite active media coverage, fairly robust laws and institutions, and government antigraft initiatives. Legislation adopted in 2017 established the Office of the Special Prosecutor (OSP) to investigate political corruption. President Akufo-Addo appointed former attorney general Martin Amidu, a member of the opposition NDC, as the special prosecutor in 2018. However, Amidu has complained publicly about the lack of government funding for the office's operations. Since its creation, the OSP has investigated a number of cases, but it has yet to establish a track record of prosecutions targeting public officials.

C3. Does the government operate with openness and transparency? 3 / 4

The government operates with relative transparency, though there are weaknesses in the legal framework. In May 2019, Akufo-Addo signed the Right to Information Act, which grants citizens the right to seek, access, and receive information from public as well as some private institutions. It was set to take effect in January 2020.

CIVIL LIBERTIES: 47 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Freedom of the press is constitutionally guaranteed and generally respected in practice. Ghana has a diverse and vibrant media landscape that includes state and privately owned

television and radio stations as well as a number of independent newspapers and magazines. Online news media operate without government restrictions.

Government agencies occasionally limit press freedom through harassment and arrests of journalists, especially those reporting on politically sensitive issues. In June 2019, personnel from the Ministry of National Security arrested two journalists from the news website ModernGhana.com in connection with an article on the minister; the reporters were allegedly tortured during interrogation and released within two days. Several other journalists were assaulted by authorities or political figures in the course of their work during the year. In a rare case of lethal violence against the media, Ahmed Hussein-Suale, an investigative journalist whose reporting had exposed high-level corruption in Ghana, was assassinated in January by two men on a motorcycle. Months earlier, an NPP member of Parliament, Kennedy Agyapong, had publicly encouraged violence against the journalist.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is constitutionally and legally protected, and the government largely upholds these protections in practice. However, public schools feature mandatory religious education courses drawing on Christianity and Islam, and Muslims students have allegedly been required to participate in Christian prayer sessions and church services in some publicly funded Christian schools.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is legally guaranteed and generally upheld in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is both free and vibrant. The government does not restrict individual expression on social media.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The right to peaceful assembly is constitutionally guaranteed and generally respected. Permits are not required for meetings or demonstrations.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations are generally able to operate freely and play an important role in ensuring government accountability and transparency.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Under the constitution and 2003 labor laws, workers have the right to form and join trade unions. However, the government forbids or restricts organized labor action in a number of sectors, including fuel distribution and utilities, public transportation, and ports and harbor services.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 2 / 4

Judicial independence is constitutionally and legally enshrined. While the judiciary has demonstrated greater levels of impartiality in recent years, corruption and bribery continue

to pose challenges. In 2018, President Akufo-Addo suspended four High Court judges based on allegations of bribe taking that dated back to 2015.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Constitutional protections for due process and defendants' rights are mostly upheld. However, police have been known to accept bribes, make arbitrary arrests, and hold people without charge for longer than the legally permitted limit of 48 hours. The government is not obliged to provide the accused with legal counsel, and many people unable to afford lawyers are forced to represent themselves in court.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Prisons are overcrowded, and conditions can be life threatening, though the prison service has attempted to reduce congestion and improve the treatment of inmates in recent years.

Communal and ethnic violence occasionally flare in some parts of the country. In April 2019, ongoing communal violence in North East Region between members of the Konkomba and Chokosi ethnic groups displaced over 1,860 residents. The conflict began in 2018 over a land dispute.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Despite equal rights under the law, women suffer societal discrimination, especially in rural areas, where their opportunities for education and employment are limited. However, women's enrollment in universities is increasing. People with disabilities and LGBT+ people also face societal discrimination. Same-sex sexual activity remains criminalized, encouraging police harassment and impunity for violence against LGBT+ people.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement is guaranteed by the constitution and respected by the government, and Ghanaians are free to change their place of residence. However, poorly developed road networks and banditry can make travel outside the capital and touristic areas difficult. Police have been known to set up illegal checkpoints to demand bribes from travelers. Bribery is also rife in the education sector.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Although the legal framework generally supports property ownership and private business activity, weaknesses in the rule of law, corruption, and an underregulated property rights system remain impediments. Bribery is a common practice when starting a business and registering property. The World Bank's 2019 Doing Business index noted improvements in the process for acquiring construction permits and the ease of international trade in Ghana.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

While personal social freedoms are upheld in many respects and among large segments of the population, domestic violence and rape are serious problems, and harmful traditional

practices including female genital mutilation or cutting and early or forced marriage persist in certain regions. The government has worked to combat gender-based violence over the past decade, including by expanding the police's domestic violence and victim support units and creating special courts for gender-based violence, though such services reportedly suffer from insufficient resources.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Most workers are employed in the informal sector, limiting the effectiveness legal and regulatory safeguards for working conditions. The exploitation of children in the agricultural and mining sectors remains a problem. Similar abuses in the fishing industry have also been reported, especially in the region surrounding Lake Volta. While the government has taken some positive steps to address human trafficking in recent years, it has not adequately funded enforcement efforts or addressed corruption and political interference in trafficking cases, according to the US State Department.

Greece

Population: 10,700,000

Capital: Athens

Freedom Status: Free

Electoral Democracy: Yes

Overview: Greece's parliamentary democracy features vigorous competition between political parties and a strong if imperfect record of upholding civil liberties. Ongoing concerns include corruption, discrimination against immigrants and minorities, and poor conditions for undocumented migrants and refugees.

KEY DEVELOPMENTS IN 2019

- In 2019, the Greek Ministry of Education decided that school records and diplomas will no longer include the religious affiliation or citizenship status of students.
- The government of Kyriakos Mitsotakis government passed legislation scrapping academic sanctuary, which protected academic freedom of ideas for faculty and students, but which the new government argues is primarily used as a cover for lawlessness. The main opposition party, the Coalition of the Radical Left (SYRIZA), accused the government of attacking democracy itself with this law.
- Following more riots in overcrowded refugee camps, the new prime minister vowed to expedite the asylum process and send back to Turkey those who do not qualify for asylum on the basis of the 2016 agreement designed to curb the westward flow of migrants and refugees.

POLITICAL RIGHTS: 37 / 40 (+1)

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The largely ceremonial president is elected by a parliamentary supermajority for a five-year term. The prime minister is chosen by the president and is usually the leader of

the largest party in the parliament. Current president Prokopis Pavlopoulos, a conservative former cabinet minister, was elected in February 2015. Prime Minister Mitsotakis, head of the center-right party New Democracy (ND), took office after the July 2019 elections, defeating incumbent Alexis Tsipras of SYRIZA.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 300 members of the unicameral Hellenic Parliament are elected to serve four-year terms through a mixture of 8 single-member constituencies, 48 multimember constituencies, and a national constituency with 12 seats. Under current electoral law, the party with the most votes receives a 50-seat bonus, make it easier to form a governing majority.

In the July 2019 elections, ND won 158 seats and became the majority party, the first time that a single party won a parliamentary majority since the financial crisis began in 2010. The left-wing SYRIZA lost its ruling majority, winning 86 seats; the center-left Movement for Change (KINAL) won 22; the Communist Party of Greece (KKE), 15; the Greek Solution, 10; and, finally, the European Realistic Disobedience Front (MeRA25), 9. The right-wing nationalist party Golden Dawn was left out of parliament.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The country has generally fair electoral laws, equal campaigning opportunities, and a weakly enforced system of compulsory voting. If passed with a two-thirds supermajority, changes to the electoral laws are implemented for the next elections. If passed with a simple majority, they go into effect in the following elections. A new electoral law passed by the SYRIZA–ANEL government with a simple majority in 2016, abolishing the 50-seat bonus awarded to the winning party, will go into effect in the next elections, unless the ND government manages to garner a two-thirds supermajority to change it. The voting age was also lowered from 18 to 17, implemented for the first time in the 2019 elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The political system features vigorous competition among a variety of parties. Six parties are represented in the parliament as of 2019. Many other parties participated in the last elections but did not reach the 3 percent vote threshold to secure representation.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Greece has established a strong pattern of democratic transfers of power between rival parties, with the Panhellenic Socialist Movement (PASOK) and ND alternating in government for most of the past four decades. SYRIZA entered government for the first time in 2015, and ND transitioned into power after the 2019 elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

No group or institution from outside the political system exerts undue influence over the choices of voters and candidates.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Greece's largest recognized minority population, the Muslim community of Thrace, has full political rights, and four members of the community won seats in the last parliamentary elections. The authorities have rejected some ethnic groups' attempts to secure official recognition or to register associations with names referring to their ethnic identity, affecting their ability to organize and advocate for their political interests, though such associations are generally able to operate without legal recognition. Since 2010, documented immigrants have been allowed to vote in municipal elections.

There are no significant legal or practical barriers to women's political participation. While the number of women in parliament increased from 18 percent to 20 percent in the last elections, the representation of women in the ministerial cabinet decreased, from four to two ministers. Sexism and patriarchal attitudes discourage women from playing a more active role in politics.

In December 2019, a bill passed detailing how members of the Greek diaspora can exercise their voting rights from their place of residence. Introduced in Article 51 of the Greek constitution 44 years ago, parliament was incapable of implementing the law until now. An overwhelming majority voted in favor of this legislation (288 out of the 296 ministers present). The only party that opposed the law, in principle, was the MeRA25. This bill has been severely criticized by many diaspora Greeks, however, for the arduous and exclusionary requirements to join the electoral register.

C. FUNCTIONING OF GOVERNMENT: 10/ 12 (+1)**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4 (+1)**

Greek elected officials generally set and implement government policies. However, their fiscal policy choices in particular had been limited in recent years by the main creditor institutions that guided the country through its public debt crisis—the European Commission (EC), the European Central Bank (ECB), the European Stability Mechanism (ESM), and the International Monetary Fund (IMF). In August 2018, Greece exited its third and final bailout program, which began in 2015, and has since regained much of its financial sovereignty.

Score Change: The score improved from 3 to 4 because elected officials freely set and implement government policies, and the influence of creditor institutions has receded.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption remains a problem in Greece, and institutions tasked with combating it have inadequate resources. Tax officials in past years have been implicated in tax evasion schemes, which seriously complicates the government's fiscal reform efforts. A new criminal code and a new code of criminal procedure that passed in early July 2019 include reforms in relation crimes committed against the interests of the Greek state. In particular, it allows prison time for bribery of politicians and it aligns the Greek code to relevant international conventions. However, the Organization for Economic Co-operation and Development's (OECD) Working Group on Bribery expressed serious concerns because the main active bribery offense was converted from a felony to a misdemeanor. This change could lead to "the closure of ongoing corruption-related investigations and prosecutions," and possibly hinder "international cooperation in future cases."

Nevertheless, there has been gradual improvement in enforcement of anticorruption laws. In early 2019, the Novartis probe—an investigation of the Novartis pharmaceutical company—found no initial evidence of any bribery of Greek officials, though the government’s investigation is still ongoing. In October, the parliament approved the creation of a committee to probe former alternate minister of justice Dimitris Papangelopoulos, who may have attempted to incriminate political rivals.

C3. Does the government operate with openness and transparency? 3 / 4

A number of laws and government programs are designed to ensure the transparency of official decisions and provide public access to information. In practice, officials do not operate with openness and transparency.

CIVIL LIBERTIES: 51 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

The constitution includes provisions for freedoms of speech and the press, and these rights are generally protected. Citizens enjoy access to a broad array of privately-owned print, broadcast, and online news outlets. There are some limits on hate speech and related content.

In April 2019, the anarchist group Rouvikonas attacked and destroyed furniture and equipment in the offices of the *Athens Voice* newspaper, protesting a comment in their on-line publication about the death of an Armenian woman who fatally injured herself while attempting to evade a possible inspection of her residence and work permit.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution guarantees freedom of religion, and this is generally respected in practice. However, the Orthodox Church of Greece—which has a special constitutional status as the “prevailing religion” of the country—receives government subsidies, and its clergy’s salaries and pensions are paid for by the state. The constitution prohibits proselytizing, but this restriction is rarely enforced. Members of some minority religions face discrimination and legal barriers, such as permit requirements to open houses of worship. Opposition to the construction of an official mosque in Athens for its 200,000 Muslim inhabitants remains substantial. The project proceeded in 2019 and the mosque opened its doors in July, though formal prayer services have yet to begin.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There are no significant constraints on academic freedom in Greece, and the educational system is free of political indoctrination. The Mitsotakis government passed legislation in 2019 scrapping academic sanctuary, a law which protected academic freedom for faculty and students, but which the new government sees as a cover for lawlessness. The main opposition party, SYRIZA, accused the government for attacking democracy itself with this law.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The government does not engage in improper monitoring of personal expression. Individuals are generally free to discuss their views in practice.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is guaranteed by the constitution, and the government generally protects this right. Austerity-related protests over the past decade have sometimes grown violent, and extremist groups like Golden Dawn have attempted to attack and intimidate assemblies in support of causes they oppose. However, such instances have become less frequent since a crackdown on Golden Dawn's leadership began in 2013, and police have improved their handling of security surrounding demonstrations.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) generally operate without interference from the authorities.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Most workers have the right to form and join unions, bargain collectively, and strike. The law provides protections against discrimination towards union-members, and the government generally upholds union rights. In 2019 the Mitsotakis government planned labor law changes which would impact the ability to strike, collective labor agreements as well as the framework within which labor unions function. The Greek Civil Servants Confederation (ADEDY), which represents workers in the public sector, protested the proposed changes as favoring employers and diminishing workers' rights.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 3 / 4

The judiciary is largely independent, though its autonomy is undermined somewhat by corruption. Judges are appointed by the president on the advice of the Supreme Judicial Council, which is mostly composed of other judges. They serve until retirement age and cannot be removed arbitrarily.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The law provides safeguards against arbitrary arrest and detention, ensures access to defense counsel, and provides for fair trial conditions. Persistent problems include court backlogs that lead to prolonged pretrial detention as well as improper detention of asylum seekers.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While overall rates of violent crime are low, there are occasional acts of politically motivated violence and vandalism by left- or right-wing extremist groups. For example, in recent years Rouvikonas has damaged the property or ransacked the premises of NGOs, corporations, universities, churches, government buildings, embassies, and consulates, among others. Two men were jailed after being charged with membership in the Revolutionary Self Defense, a terrorist organization that claimed responsibility for targeting the Embassies of Mexico and France, among other attacks.

Some prisons and detention centers suffer from substandard conditions and law enforcement personnel have at times been accused of physical abuse, particularly against vulnerable groups such as migrants and asylum seekers. Several incidents of police violence and excessive use of force against civilians were reported in 2019. Amnesty International,

Greek activists, and government opposition parties have protested what they see as an “extremely worrying” situation. In response to these claims Mitsotakis’s government set up an independent commission headed by law professor, Nikos Alivizatos.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Women generally enjoy equality before the law, though they continue to face workplace discrimination in practice.

In 2019, the Ministry of Education decided that school records and diplomas will no longer include the religious affiliation or citizenship status of students. Greece’s data protection authority (HDDPA) declared that records of the religious faith of students violates the Greek constitution and the European Convention on Human Rights.

Violence targeting immigrants, refugees, and LGBT+ people remains a problem. The Romany minority is also subject to discrimination despite legal protections. According to the Racist Violence Recording Network (RVRN) incidents of racist violence have become more frequent in recent years despite a law enforcement crackdown on Golden Dawn. A trial against dozens of the group’s members and leaders was ongoing during 2019 and has yet to conclude. The new penal code introduced in July lengthens sentences for racist crimes and allows for harsher punishment for rape. Moreover, those indicted for running a criminal organization can now receive up to 15 years in prison. This change is relevant for Golden Dawn members, who have been charged with running a criminal organization.

Since 2016, when the EU reached an agreement with Turkey to curb the westward flow of migrants and refugees, the number entering Greece has been significantly reduced. However, more than 74,000 new refugees arrived in the country during 2019, according to the Office of the UN High Commissioner for Refugees (UNHCR). Many of these refugees are in Reception and Identification Centers on the Aegean islands or in camps on the mainland. Some of these sites feature harsh living conditions, violence, the harassment of women, and endangerment of children. Under pressure from NGOs, officials have attempted to close the worst facilities and increase the use of urban accommodation. After a deadly fire and riots at Moria refugee camp in September 2019 in Lesbos, the government intensified its efforts to move refugees to the mainland, while promising to expedite asylum cases and send back to Turkey those who do not qualify. Observers have questioned whether individuals who are formally deported to Turkey under the EU agreement are being returned to a safe third country.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is generally unrestricted for most residents.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The government and legal framework are generally supportive of property rights and entrepreneurship, but bureaucratic obstacles can inhibit business activity. Those who have political connections or are willing to pay bribes can sometimes expedite official procedures. In an effort to put pressure on tax-evading property owners who misrepresent the size of their assets, in October 2019 the Independent Authority for Public Revenue announced significant fines for this offense. This form of tax evasion when the tax authorities’ interconnect their databases interconnected to the national land registry.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

There are no major constraints on personal social freedoms, though domestic violence remains a problem.

In January 2018, the parliament adopted legislation that curbed the jurisdiction of muftis applying Sharia (Islamic law) to family law disputes among Muslims in Thrace, replacing a system the European Court of Human Rights had labeled discriminatory. Official recognition of the Sharia system stemmed from treaties that followed World War I. The new law stipulated that civil courts have priority, and that Sharia courts could only adjudicate cases in which all parties agree to the arrangement.

A 2017 law allowed unmarried transgender people over age 15 to change their legal gender on identity documents without undergoing gender reassignment surgery or other such procedures, subject to validation by a judge. In 2018, parliament approved legislation that permitted same-sex couples to serve as foster parents.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Most residents enjoy legal protections against exploitative working conditions, but labor laws are not always adequately enforced. Migrants and asylum seekers are especially vulnerable to trafficking for forced labor or sexual exploitation, and government efforts to combat the problem, while increasing, remain insufficient, according to the US State Department. The Greek cabinet approved an increase in the minimum wage to 650 euros in January, up by 11 percent.

Grenada

Population: 100,000

Capital: St. George's

Freedom Status: Free

Electoral Democracy: Yes

Overview: Grenada is a parliamentary democracy that regularly holds credible elections. Ongoing concerns include corruption, discrimination against the LGBT+ people, and violence against women and children.

KEY DEVELOPMENTS IN 2019

- In November, Al Jazeera reported that politicians in Grenada had allegedly accepted campaign contributions or promises of future remuneration from wealthy foreign businesspeople in exchange for diplomatic passports. Although the prime minister and the governing New National Party (NNP) denied the report, the story raised further concerns over the Citizenship by Investment (CBI) program's susceptibility to corruption.
- In July, the National Democratic Congress (NDC) party accused the Grenada Broadcasting Network (GBN) of deliberately sabotaging coverage of the party's news conference by introducing technical problems during the broadcast. An executive member of the NDC held a silent protest for 30 minutes at the network's headquarters to demonstrate that GBN was not covering the party adequately.

POLITICAL RIGHTS: 37 / 40**A. ELECTORAL PROCESS: 11 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

The prime minister, usually the leader of the largest party in Parliament, is head of government. The prime minister is appointed by the governor general, who represents the British monarch as head of state.

Following the March 2018 elections, New National Party (NNP) leader Keith Mitchell was sworn in for a second consecutive term as prime minister. Cécile La Grenade was sworn in as Grenada's first woman to be governor general in 2013.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral parliament consists of the directly elected, 15-seat House of Representatives, whose members serve five-year terms, and the 13-seat Senate, which is appointed by the governor general. Ten Senate seats are appointed on the advice of the prime minister, and the remaining three on the advice of the opposition leader; senators also serve five-year terms.

The NNP won the elections held in March 2018 and captured all 15 seats in the House of Representatives with 59 percent of the vote. NDC received 41 percent of the vote. The electoral observation mission of the Organization of American States (OAS) expressed concern over a lack of campaign finance regulations and other issues but deemed the polls credible.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws are generally fair, and they are usually implemented impartially by the supervisor of elections, who heads the Parliamentary Elections Office.

In Grenada's 2016 constitutional referendum, all proposals failed to pass—including setting a three-term limit for the prime minister, establishing fixed dates for elections, and reforming the electoral authority and the body that sets constituency boundaries. Voter turnout was low, at just 32 percent.

The unbalanced size of constituencies has resulted in unequal voting power among citizens. For example, in a country of 100,000 people, the largest of Grenada's 15 constituencies has around 6,000 more registered voters than the smallest. This long-standing discrepancy has not been addressed.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Political parties can organize freely. While a number of small political parties have competed in elections, the first-past-the-post system encourages two-party politics, and since 1999 only the NNP and NDC have won seats in Parliament. Additionally, weak campaign finance laws potentially create an unfair advantage for certain parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There are realistic opportunities for opposition parties to increase their support or gain power through elections, and power has rotated on several occasions since the first election

in 1984, after democracy was restored to Grenada. However, the NNP has won a majority of the elections since then, and some analysts have raised concerns about the NDC's failure to win any seats in the House of Representatives in both the 2013 and 2018 elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People are generally able to express their political choices without encountering pressure from outside actors. However, the OAS has expressed concern about a lack of transparency and general regulation of campaign finance procedures, which could create avenues for undue influence over candidates and voters by business or other special interest groups.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Grenada's constitution guarantees universal suffrage for adult citizens. Women remain underrepresented in politics, though 7 out of 15 seats in the House of Representatives were won by women in 2018. Women's advocacy groups have influence in the general political sphere. The marginalization of the LGBT+ people impacts their ability to engage fully in political and electoral processes.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The appointed prime minister and cabinet and freely elected representatives are able to determine the policies of the government. However, because of concerns over the lack of an opposition in the House of Representatives, three NDC members were appointed to the Senate after the 2013 and 2018 elections.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption remains a prominent issue in Grenada, despite safeguards enshrined in the Prevention of Corruption Act and the Integrity in Public Life Act. In August 2018, the Integrity Commission began an investigation into allegations that the Marketing and National Importing Board (MNIB) had misappropriated public funds over a five-year period. The MNIB's former head, Ruel Edwards, in court questioned the right of the Commission to conduct its investigation. In June 2019, a judge on the High Court ruled that the Integrity Commission had acted in accordance with the law. Edwards filed an appeal in August. The Integrity Commission entered its inquiry stage in October, but a month later, a judge halted its work, and the case was sent to the Court of Appeal for consideration. No date had been set for the appeal by year's end.

A number of suggested amendments in the 2016 constitutional reform package would have strengthened anticorruption safeguards, but all were voted down by significant margins.

Grenada's Citizenship by Investment (CBI) Program, which allows foreigners to gain citizenship through an economic investment in the country, continued to trouble some analysts due to the potential for fraud and abuse, despite the tightening of rules governing it in 2017. In April 2019, the government passed reforms to ensure the completion of projects and protect investors. However, in November, Al Jazeera reported that politicians in Grenada had allegedly accepted campaign contributions or future kickbacks off of government contracts from wealthy foreign businesspeople in exchange for diplomatic passports or ambassadorships, all connected to the CBI program. Although the prime minister and the NNP denied the report, the story raised further concern over the CBI program's susceptibility

to corruption. In December, the NDC stated that the program had too many loopholes and called on the government to amend it.

C3. Does the government operate with openness and transparency? 3 / 4

The government of Grenada generally operates with transparency. A decree passed in 2013 under the authority of the Integrity in Public Life Act requires all public officials to declare their personal assets. An appointed commission monitors and verifies declarations but does not disclose them publicly except in court. In 2017, Parliament passed an amendment to the Mutual Exchange of Information on Tax Matters Bill, which allows Grenadian authorities to request financial information about its citizens residing abroad in an effort to prevent tax avoidance.

There is no law to ensure public access to information, even though the government pledged to introduce such an act in 2008.

CIVIL LIBERTIES: 52 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

In 2012, Grenada became the first Caribbean country to decriminalize defamation, but seditious libel remains a criminal offense. Politicians have initiated defamation lawsuits against the media, contributing to self-censorship among journalists who may not be able to afford legal costs or resulting fines. Press freedom advocates criticized censorship at the country's largest broadcaster, the Grenada Broadcasting Network (GBN), which is partly owned by the government; GBN reportedly prohibited the network's reporters from covering a protest held by GBN staff members against their general manager in September 2018.

In July 2019 the GBN was accused by the NDC of deliberately sabotaging coverage of the party by introducing technical problems during its reporting. After beginning the broadcast of an NDC news conference, the screen went blank, and coverage resumed at the conclusion of the party's remarks. GBN denied the accusations of sabotage, and stated that the disruption was due to an electrical outage, one of a series of outages that they had been having at the time.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is protected under the constitution and this right is generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government generally respects academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are free to express their personal views on political or other sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally guaranteed, and that right is generally respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights-and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) are generally free to operate.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The right of workers to form and join labor unions is constitutionally protected, though unions and labor activists face some obstacles. Workers have the right to strike, organize, and bargain collectively, though employers are not legally bound to recognize a union if a majority of workers do not join. Essential services workers may strike, but compulsory arbitration can be used to resolve disputes. The list of essential services is extensive and includes services that should not be considered as such according to International Labour Organization (ILO) standards.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

An independent judiciary is constitutionally guaranteed. Courts have demonstrated independence in recent years, as evidenced by a 2017 Supreme Court decision that prevented the government from expropriating property owned by the company Rex Resorts. There has not been tangible evidence of political interference in the judiciary in the last several years.

Grenada is a member of the Organization of Eastern Caribbean States court system, and is a charter member of the Caribbean Court of Justice. But the judiciary relies on the Judicial Committee of the Privy Council in London as its final court of appeal. In 2016, Parliament approved legislation to eliminate the Privy Council as the final court, but the measure was defeated in the year's constitutional referendum. A second referendum on the matter failed again in November 2018.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Detainees and defendants are guaranteed a range of legal rights, including the presumption of innocence and the right to trial without delay, which are mostly respected in practice. However, case backlogs have rendered trial delays common in practice. Additionally, staffing shortages prevent the state from providing legal counsel to some indigent defendants.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Grenada is free from war and insurgencies. Flogging remains a punishment for petty crimes, and the prison system is overcrowded. The 2018 occupancy rate was more than 230 percent. Although considered one of the safer Caribbean islands, there has been a rise in reports of sexual assault in recent years.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Same-sex sexual activity is a criminal offense in Grenada, and LGBT+ people face significant societal discrimination. The 2016 constitutional referendum included an amendment to protect the equal treatment of people in Grenada, but that amendment was overwhelmingly rejected due to concerns that language in the amendment might lead to the legalization of same-sex marriage.

The law does not forbid discrimination in employment or occupation regarding HIV-positive status, sexual orientation, or gender identity. Children are not explicitly prohibited from doing hazardous work.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

Freedom of movement is constitutionally guaranteed, and this right is generally respected in practice.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 3 / 4

The government of Grenada has actively encouraged both national and foreign investors to operate businesses in the country, but procedures involved in establishing a new business can be onerous. Following court rulings in 2017 that prevented the government from expropriating the Grenadian hotel from its owners, Rex Resorts, the government continued its attempts to acquire the property through the courts in 2018. The government then ended its claim late in 2018, but only after the hotel had been purchased by another company.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Violence against women and children is a widespread issue in Grenada. Domestic violence legislation came into effect in 2011, but enforcement has been limited. In 2017, the cabinet appointed a committee to address child sexual abuse. In September 2018, the Royal Grenada Police Force launched the Special Victims Unit to handle cases of sexual assault, domestic violence, and child abuse, as well as a new hotline for reporting sexual abuse.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Poverty and unemployment are pervasive and hamper the social mobility of many Grenadians. In November 2018, Grenada ratified the ILO's Domestic Workers Convention, to improve work conditions of domestic workers, who are mainly women. It came into effect in November 2019.

A 2015 law punishes human trafficking with up to 25 years in jail and large fines. However, reports of human trafficking are rare.

Guatemala

Population: 17,600,000

Capital: Guatemala City

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: While Guatemala holds regular elections that are generally free, organized crime and corruption severely impact the functioning of government. Violence and criminal extortion schemes are serious problems, and victims have little recourse to justice. Journalists, activists, and public officials who confront crime, corruption, and other sensitive issues risk attack.

KEY DEVELOPMENTS IN 2019

- Outgoing president Jimmy Morales attempted to unilaterally shut the UN-backed International Commission against Impunity in Guatemala (CICIG) in January, but

his effort was halted by the Constitutional Court. CICIG closed when its mandate expired in September.

- Alejandro Giammattei was elected president in August after defeating former first lady Sandra Torres in a runoff; he will take office in 2020. In September, Torres was arrested for underreporting contributions for her 2015 presidential bid; her case was continuing at year's end.
- In July, Guatemala signed an agreement with the United States that forces asylum seekers traveling through the country to apply there first. The first asylum seeker forced to travel to Guatemala under the agreement was sent from the United States in November.
- In September, the government declared of a state of siege in the northeast, after three soldiers died in a clash with drug traffickers. Freedom of movement and assembly were restricted, and authorities raided an indigenous radio station before the declaration expired in November.

POLITICAL RIGHTS: 21 / 40 (-1)

A. ELECTORAL PROCESS: 7/ 12 (-1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2/ 4 (-1)

The constitution stipulates a four-year presidential term, and prohibits reelection. In the August 2019 runoff, Alejandro Giammattei of the Vamos party won 58 percent of the vote, defeating former first lady Sandra Torres of the center-left National Unity for Hope party (UNE). Giammattei will replace outgoing president Morales, whose term ends in January 2020. While the results were judged as credible, Organization of American States (OAS) electoral observers noted irregularities including disturbances, ballot burning, voter intimidation, and acts of violence; monitors reported seven election-related murders.

The campaign was also marked by successful efforts to disqualify several presidential candidates and by threats of violence. National Change Union (UCN) candidate Mario Estrada was disqualified after he was arrested on charges of drug trafficking in the United States in April 2019; prosecutors alleged that Estrada sought the Sinaloa drug cartel's support and conspired to assassinate political rivals. Fuerza party candidate Mauricio Radford was barred over an ongoing corruption case that same month. Zury Ríos, the Valor party candidate and daughter of former dictator Efraín Ríos Montt, was barred in May because of a legal provision that bars members of his family from holding office.

Former attorney general Thelma Aldana, who pursued a high-profile corruption case against former president Otto Pérez Molina (2012–15), was barred in April and lost a Constitutional Court appeal in May. Aldana, who later fled to the United States after receiving threats, claimed she was targeted by those she investigated. Electoral crimes prosecutor Óscar Schaad fled Guatemala days before the first round in June 2019, after he and his family were threatened; Schaad resigned in November.

Score Change: The score declined from 3 to 2 because several presidential candidates were disqualified shortly before the first round of elections, including a candidate who accused of plotting acts of violence against political rivals; another candidate and a prosecutor were also threatened with violence during the campaign, resulting in a less fair contest.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Members of the unicameral Congress, which will expand from 158 seats to 160 when it sits in 2020, are elected to four-year terms. Legislators were elected in June 2019, concurrently with the first round of the presidential election and 340 mayoral races. The UNE won 53 seats while Vamos, whose presidential candidate won the runoff, won 16 seats. The UCN won 12. The remaining 79 seats were split between 16 parties; none of them won more than 10 seats.

The June 2019 election results were deemed credible, but observers noted irregularities, disturbances, and threats of violence. The electoral board of the town of San Jorge resigned after receiving death threats, and elections were not held in city according to OAS monitors. Results in four other locations were nullified by the Supreme Electoral Tribunal (TSE) because of violent incidents; races in these five locations were rerun in August. The TSE also declined to hold runoff contests in the municipality of San Mateo Ixtatán after 10 of its workers were assaulted.

Election monitors received complaints from female officeholders and candidates who consistently reported discrimination. No specific legislation exists to protect women from political violence.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Authorities and lawmakers in recent years have taken some steps to address the lack of transparency in party financing and to prevent illegal party financing—both of which were serious problems in the 2015 polls. In 2016, the legislature approved electoral reforms that included stronger oversight of parties’ financial disclosures, regulation of paid publicity of campaigns, and stronger oversight and sanctioning powers for the TSE. The 2019 elections were the first to be held under the new system, but the implementation of these reforms was incomplete.

Electoral reforms enacted in 2016 included a provision to restrict the practice of switching party affiliation, or *transfuguismo*, for legislators. However, OAS election monitors reported that this provision was inconsistently applied during the 2019 elections; some candidates who belonged to different parties than the one that nominated them were rejected before the TSE overruled those decisions.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political groups and organizations generally operate without encountering legal restrictions. However, new groups sometimes face bureaucratic delays from the TSE when attempting to register.

Elections take place within an inchoate multiparty system in which new parties are frequently created. New parties that lack resources and infrastructure face disadvantages in gaining broad support. A historic lack of party finance regulations has allowed some candidates and parties access to vast resources.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Elections at the national and local levels are competitive, and new parties routinely gain significant quotas of power. Guatemalan politics are unstable and power rotates between

parties frequently, which can discourage a traditional opposition from coalescing. Political candidates risk attack during campaign periods; Spanish news agency EFE reported that at least 10 candidates were killed in the run up to the June 2019 elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Verbal harassment and physical violence against voters are common during elections, and can deter political participation. Weak campaign finance regulations have historically permitted lopsided financing of candidates, as well as financing of candidates by special interests and organized criminal groups, distorting the political choices of citizens. Presidential candidate Estrada, who was arrested in the United States, was accused of promising cabinet positions to the Sinaloa drug cartel in return for their support. Observers reported that armed groups and criminal organizations attempted to sway the results of some local races.

Groups of military veterans also sought to influence the popular will during the 2019 campaign, threatening an election boycott and violence if their demands for pension payments were not met. In early June, the agricultural ministry relented by diverting \$5.5 million from a grant program to veterans.

Direct vote buying is also common.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Minorities struggle to fully exercise their political rights. While as much as 60 percent of the population is indigenous, only one indigenous presidential candidate ran in 2019.

Women are underrepresented in politics, though small women's rights groups, mainly those working on addressing violence against women, have some visibility in the political sphere. Outgoing president Morales had only one woman in his cabinet in 2019, while President-elect Giammattei named two female ministers by year's end. Only 19.38 percent of the incoming Congress is female.

The first openly gay man to enter Congress, Aldo Dávila, was elected in 2019, but political opportunities remain rare for the LGBT+ community.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The elected government and legislature determine government policies, but they are frequently subject to influence by outside interests. The outgoing president's party, the National Convergence Front (FCN), was established by former military officials, and Morales's association with them raised questions about military influence in his administration. President-elect Giammattei also maintains connections to former military officials.

Recent investigations of electoral and party finance corruption have shed light on the influence of nonelected and illicit groups over the government.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption, which is often related to organized crime, remains a serious problem. The CICIG and the attorney general have pressed forward with investigations of high-level officials in current and past administrations, but authorities and lawmakers have repeatedly attempted to undermine their work.

President Morales warned that he would not renew CICIG's mandate in 2018 after it petitioned to lift his immunity, and barred Commissioner Iván Velásquez from returning to Guatemala from a trip abroad that year. In January 2019, Morales tried to unilaterally end the agreement that governed CICIG and ordered its international staff to leave Guatemala. While the Constitutional Court overruled Morales later that month, Velásquez and 11 investigators were not allowed to return to the country. CICIG operations ended in September, after its mandate was left unrenewed. Since its departure, judges, prosecutors and civil society actors have been threatened with reprisal for their support of CICIG's work.

September 2019 also marked the indictment of presidential runner-up Sandra Torres; prosecutors and CICIG alleged that she did not report \$3.6 million in political donations during her 2015 run. Her case was still continuing at year's end.

C3. Does the government operate with openness and transparency? 1 / 4

Public information offices frequently fail to publish data about public expenditures as required. The Law on Access to Information is poorly enforced, and dedicated nongovernmental organizations (NGOs) continue to file grievances over its nonapplication and, together with the Office of the Human Rights Ombudsman (PDH), work to encourage the government to adhere to its provisions.

The government's contracting and budgeting processes are opaque and racked with corruption. CICIG continued to investigate violations and called for reforms until its mandate expired, but the political will to implement these recommendations is lacking.

CIVIL LIBERTIES: 31 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

While the constitution protects freedom of speech, journalists face threats and self-censor when covering sensitive topics including drug trafficking, corruption, organized crime, and human rights violations. Threats come from public officials, illicit actors, the police, and individuals aligned with companies operating on indigenous lands. Physical attacks against journalists occur regularly. Journalists have reiterated demands that the government implement a protection program that was agreed to in 2012, but no progress has been made.

Congress approved a state of siege declaration in six northeast departments in September 2019, after three soldiers were killed in a clash with drug traffickers. Authorities used the declaration to raid the office of indigenous radio station Xyaab' Tzuultaq'a in Izabal Department later that month. No reason was given for raiding the station, which stopped transmitting via radio when the siege was declared but continued operations online.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution guarantees religious freedom, and individuals are free to practice and express their religious faith or nonbelief in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Although the government does not interfere with academic freedom, scholars have received death threats for questioning past human rights abuses or continuing injustices.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Many Guatemalans take precautions when speaking about social and political issues outside of their homes due to a high level of insecurity in the country. Journalists and human rights defenders reported incidents of harassment and surveillance throughout 2019. This stepped-up surveillance, along with increased intimidation and harassment of perceived opponents of the government, has encouraged greater self-censorship among ordinary citizens.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees freedom of assembly, but this right is not always protected. Police frequently threaten force, and at times use violence against protesters. Protests related to environmental or indigenous rights issues have been met with harsh resistance from the police and other armed groups.

The September 2019 state of siege declaration suspended freedom of assembly, instituted a curfew, and granted broad powers for authorities to detain individuals in the northeastern reaches of Guatemala until it expired in November. Indigenous communities that were devastated by the 1960–96 civil war and land rights advocates in the region were especially affected.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

The constitution guarantees freedom of association, and a variety of NGOs operate. However, groups associated with human rights, indigenous rights, and environmental rights face violence and criminalization of their work. The Unit for the Protection of Human Rights Defenders in Guatemala (UDEFEUGUA), an NGO, registered 3 killings, 5 attempted murders, and 361 attacks against human rights defenders from January to July 2019; 28 criminal complaints against defenders were filed during this period.

In February 2019, legislators considered an amendment to the law governing NGOs that would narrow their legal scope, introduce a more difficult registration process, and restrict their ability to receive foreign funding. The bill was still pending at year's end.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Guatemala is home to a vigorous labor movement, but workers are frequently denied the right to organize and face mass firings and blacklisting. Trade-union members are also subject to intimidation, violence, and murder, particularly in rural areas. Labor laws obstruct union membership and impeded strikes.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary is hobbled by corruption, inefficiency, capacity shortages, and intimidation of judges, prosecutors, and witnesses, both by outside actors and influential figures within the judiciary. However, the Constitutional Court demonstrated independence in several rulings in 2019, including its January decision to stop President Morales from halting CICIG activity. However, Morales's continued public attacks against the court, and consistent refusal to comply with court rulings, raised concerns about attacks on the judiciary's independence.

In July 2019, several legislators filed a legal motion against three Constitutional Court magistrates after they temporarily suspended deliberation of the National Reconciliation

Law amendment; the proposal would have offered amnesty for crimes committed during the civil war. This was the third attempt to lift their immunity ahead of possible impeachment proceedings.

Corruption also affected the process to select new Supreme Court and appellate court judges, which began in July 2019. The nominating committee responsible for finalizing the list of candidates, which included individuals suspected of connections to criminal groups, shortened the length of time available for reviewing applications and watered down the vetting process. In September, the Constitutional Court ordered the process restarted, citing irregularities, but new magistrates remained unselected by year's end.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are guaranteed in the constitution, but those rights are inconsistently upheld, due in part to corruption in the judiciary and an ineffective police force in which many officers routinely violate the law and the rights of citizens. Access to justice remains difficult, especially for the indigenous community. Conviction rates are low.

In 2018, the interior minister implemented measures that weakened the independence and professionalism of the police, including the removal of senior officials and detectives without due process or justification. Promotions were also granted to personnel who, according to some experts, did not meet the required qualifications.

Disciplinary action was taken against several judges in 2019, in apparent retaliation for their rulings on sensitive cases related to corruption and human rights abuses.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

High levels of violence, kidnappings, and extortions at the hands of the police, drug traffickers, and street gangs continue, with related fears and risks routinely affecting the lives of ordinary people. The link between the state, politicians, the military, and illicit actors complicates a cohesive response to the country's security challenges. Despite these challenges, the homicide rate dropped for the tenth straight year; the police reported 3,578 homicides in 2019, down from 3,881 in 2018. Prison facilities are grossly overcrowded and rife with gang and drug-related violence and corruption. Prison riots are common, and are frequently deadly.

Efforts to bring perpetrators of past human rights abuses to justice continued in 2019, but progress was mixed. In April, evidentiary hearings were held against seven former members of the civil defense patrols (PACs) who were charged with crimes against humanity for engaging in sexual violence against 36 Maya Achi women during the civil war. In June, a month after one defendant died, the judge ruled there was insufficient evidence to send the remaining six to trial; the ruling was condemned for the exclusion of key evidence, and the judge was removed in September. However, progress was made in indicting officers suspected of committing crimes against humanity and genocide during the war. Three members of the military high command were indicted in November 2019 and a retired army general was indicted in December.

In January 2019, Congress began considering the amendment to offer amnesty for civil war-era crimes; it would release those awaiting trial on such violations. A third reading was held in August, despite a Constitutional Court order to suspend debate in July, but the bill failed to pass.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Equal rights are guaranteed in the constitution, but minorities continue to face unequal treatment. Indigenous communities suffer from high rates of poverty, illiteracy, and infant mortality. Indigenous women are particularly marginalized. Discrimination against the Mayan community is a major concern.

LGBT+ people face discrimination, violence, and police abuse and are unprotected by legislation. The PDH has stated that people living with HIV and AIDS also face discrimination.

The constitution prohibits discrimination based on gender, but women continue to face gender-based inequality; women are usually paid less for their labor than men, and sexual harassment in the workplace is not penalized.

In July 2019, the government signed an agreement with the United States that forces migrants passing through Guatemala to claim asylum there first. Despite heavy criticism from civil society actors, the first asylum seeker to be sent from the United States under the agreement arrived in November.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

While there are no permanent restrictions on free movement, violence and the threat of violence by gangs and organized criminal groups inhibits this right in practice, and has prompted the displacement of thousands of people. Residents living in the northeast saw their freedom of movement restricted in September 2019 due to the two-month state of siege.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Protections for property rights and economic freedom rarely extend beyond Guatemalans with wealth and political connections. Access to land is especially limited for the indigenous community and for women in particular. Business activity is hampered by criminal activity including extortion and fraud. An inefficient state bureaucracy, rife with unclear and complicated regulations, also contributes to difficulties in establishing and operating a business.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Physical and sexual violence against women and children remains high, with perpetrators rarely facing prosecution. The homicide rate for women in Guatemala is triple the global average. The law permits abortion only when a pregnancy threatens the life of the woman. In 2017, a decree banned marriages for children under the age of 18, though the law is not effectively enforced. Guatemala had the fourth-highest rate of teen pregnancy in Latin America in 2019.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The indigenous community's access to economic opportunities and socioeconomic mobility remain limited, with more than 70 percent of the indigenous population living in poverty. Guatemala has one of the highest rates of child labor in the Americas, with over 800,000 children working in the country. Criminal gangs often force children and young men to join their organizations or perform work for them.

Guinea

Population: 12,200,000

Capital: Conakry

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Guinea returned to civilian rule in 2010, following a 2008 military coup and decades of authoritarian governance. Since then, the country has held multiparty elections, but they have been plagued by violence, delays, and other flaws. The government uses restrictive criminal laws to discourage dissent, and ethnic divisions and pervasive corruption often exacerbate political disputes. Regular abuse of civilians by military and police forces reflects a deep-seated culture of impunity. Recent politics have revolved around President Condé's constitutional review project—an initiative a broad-based opposition movement opposes on grounds that the initiative is meant to bring about a new constitution that would allow Condé a third term in office.

KEY DEVELOPMENTS IN 2019

- President Condé continued to pursue his constitutional review project, which the main opposition parties and many civil society organizations and trade unions allege is a plan to allow the president to run for a third term. In April, they established the National Front for the Defense of the Constitution (FNDC), a political platform that opposes constitutional changes.
- Initially, the authorities responded to FNDC demonstrations and other advocacy with intimidation, threats, violence against protesters, and arrests of FNDC leaders and supporters. Nine people were killed in violence accompanying various demonstrations against the constitutional review project in October, according to Amnesty International. In late November, facing growing international pressure, authorities provisionally released FNDC leaders.
- At year's end, the office of the president shared a draft of the new constitution, which had not been subject to public review or comment. The draft proposes, among other things, a six-year presidential term, renewable once. The draft charter is assumed to be nonretroactive, meaning that if implemented it would presumably allow Condé to run for office again.
- The parliament approved two major bills in May: a law on equal representation of men and women on electoral lists, and an amendment to the civil code to make monogamy the general regime of marriage.
- A newly seated electoral commission continued working to organize postponed parliamentary elections. In November, they announced February 2020 as the election month. In January 2019, seated lawmakers' terms had been extended indefinitely by presidential decree.

POLITICAL RIGHTS: 15 / 40 (-2)

A. ELECTORAL PROCESS: 5 / 12 (-1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

Guinea's president is elected by popular vote for up to two five-year terms. In the 2015 election, incumbent Alpha Condé of the Rally of the Guinean People (RPG) defeated

former prime minister Cellou Dalein Diallo of the Union of Democratic Forces of Guinea (UFDG), taking 57.8 percent of the vote to secure a second term. The months preceding the election saw rising ethnic tensions, violence between RPG and UFDG members, and clashes between opposition supporters and security forces that left several people dead. Election day itself was peaceful, but opposition candidates filed unsuccessful legal challenges of the results, claiming fraud and vote rigging. Despite a number of logistical problems, international observers deemed the vote valid.

In December 2019, Condé announced that he would seek a national referendum on a new constitution—a move his opponents allege is intended to secure a new constitution that will allow him to serve a third term. At year's end, the office of the president shared a draft of the new constitution, which had not been subject to public review or comment. The draft proposes, among other things, a six-year presidential term, renewable once. The draft charter is assumed to be nonretroactive, meaning that if implemented it would presumably allow Condé to run again.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4 (-1)

Of the unicameral National Assembly's 114 seats, 38 are awarded through single-member constituency races and 76 are filled through nationwide proportional representation, all for five-year terms. Political and protest-related violence in the period before the 2013 parliamentary elections was severe, with dozens of people killed and hundreds injured. Ethnic tensions and disputes over the rules governing the polls contributed to the unrest. The RPG won 53 seats, the UFDG won 37, and a dozen smaller parties divided the remainder.

Parliamentary elections set for late 2018 have been postponed until February 2020, and the original mandate of the incumbent legislature has expired. In January 2019, seated lawmakers' terms were extended indefinitely by presidential decree.

Local elections—the first since 2005—were finally held in February 2018. The opposition claimed that the polling was marred by widespread fraud, and violence between opposition supporters and security forces broke out after the elections. Opposition leaders disputed the results of many races, which delayed the seating of numerous local officials. In August 2018, the RPF and the UFDG reached an agreement to end the impasse, which included the resolution of several contested mayoral races. However, some opposition politicians were dissatisfied with the agreement, and accused authorities of violating its terms by bribing officials in order to retain control of local governments. These electoral disputes have still not been completely resolved.

Score Change: The score declined from 1 to 0 because legislative elections have been postponed, and the original mandate of the incumbent legislature expired.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

While the electoral framework has allowed credible elections to proceed in some cases, it has consistently been subject of political disputes, with rival factions claiming a lack of fair representation on electoral commissions. Elections at the local level were not held between 2005 and 2018 due to the 2008 military coup, the outbreak of the Ebola virus that lasted from 2013 to 2016, and political gridlock. The elections were finally carried out in February 2018.

In July 2018, the National Assembly passed reforms to the Independent National Electoral Commission (CENI). The law reduced the number of commissioners from 25 to 17,

and mandated that 7 commissioners be from the opposition, 7 from the ruling party, 2 from civil society, and 1 from the executive branch. The law also requires political parties to hold two seats in the National Assembly and to have contested the last presidential election to gain representation in the CENI.

The new electoral commission started an internal review of the recommendations made by the auditors of the voter register in September 2018, and later released key recommendations including numerous measures aimed at preventing manipulation of voter rolls, and at protecting voters' personal data. The CENI started voter registration ahead of the February 2020 parliamentary elections in the midst of a very tense political environment.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16 (-1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

The main political parties are the ruling RPG and the opposition UFDG. More than 130 parties are registered, with most having clear ethnic or regional bases. Relations between the RPG and opposition parties are strained, and some elections have seen violent clashes between supporters of the RPG and UFDG.

Members of the FNDC, a new grouping of civil society groups, political parties, and labor unions, have faced intimidation and arrests. Violence was widespread in the series of protests they initiated across the country since mid-October 2019. However, since November, FNDC leaders have been provisionally released from jail, and some of their demonstrations have been authorized.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Although multiparty elections take place, Guinea has not established a pattern of peaceful democratic power transfers between rival parties. Before becoming president in 2010, Condé was an opposition leader under longtime president Lansana Conté. However, rather than defeating an incumbent leader, Condé won the first election after a period of military rule that followed Conté's death in 2008.

Security forces frequently attack rallies and protests organized by the opposition, making it more difficult for opposition parties to mobilize their supporters. The government banned a number of demonstrations by opposition parties and the FNDC in 2019, including the October 2019 protests in which at least nine citizens were killed and many were injured.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means 1 / 4 (-1)

While the military's role in politics has waned since the return to civilian rule, ethnic loyalty continues to play an outsized role in the political choices of voters and party leaders. Rather than organizing around policy platforms or political ideologies and trying to attract new supporters, each party tacitly pledges allegiance to its respective ethnic group, contributing to the threat of mutual hostility and violence.

As President Condé and his allies have been floating the constitution project, the administration has received rhetorical and other support from powerful external actors. For example, the Russian ambassador to Guinea, appearing on state television in January 2019, called Condé "legendary" and endorsed the constitution project, adding that it would be beneficial to the country if Condé remained in power. There is widespread speculation that lucrative,

foreign-owned mining interests in Guinea, including Russian and Chinese operations, back Condé because they view him as best positioned to protect their interests.

Score Change: The score declined from 2 to 1 because powerful external actors provided support for the incumbent president as he sought constitutional reforms that would allow him to run for a third term.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women and minority groups have full political rights, but ethnic divisions and gender bias limit their participation in practice. Women hold nearly 22 percent of the seats in the assembly. In May 2019, the Republic of Guinea adopted a law on parity according to which women must constitute 50 percent of the electoral lists. Valid lists of candidates will be those that are alternately composed of names of candidates of both sexes. However, in the past, parties have not consistently adhered to previous legal obligations to grant women at least 30 percent of the places on their proportional representation lists for the National Assembly.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The flawed electoral process undermines the legitimacy of executive and legislative officials. In addition, their ability to determine and implement laws and policies without undue interference is impeded by impunity and rampant corruption.

C2. Are safeguards against official corruption strong and effective? 1 / 4

The National Anti-Corruption Agency (ANLC) reports directly to the presidency, and is underfunded and understaffed. A government audit whose findings were released in 2016 uncovered thousands of civil service positions held by absent or deceased workers. Some lower-level officials have been prosecuted on corruption charges in recent years, but major cases involving senior politicians and the lucrative mining industry have mainly been pursued in foreign courts.

In 2017, the National Assembly adopted an anticorruption law that restructures the ANLC and establishes new procedures for receiving corruption complaints and protecting whistle-blowers. The law has still not been applied.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations are generally opaque. An access to information law adopted in 2010 has never been enacted. However, the Natural Resource Governance Institute (NRGI), in its 2019 Resource Governance Index (RGI) interim evaluation for Guinea, reported some improvements related to government transparency. These were mostly related to reforms of rules and practices under the responsibility of the Ministry of Mines and Geology, as well as to revenue management.

CIVIL LIBERTIES: 25 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

The 2010 constitution guarantees media freedom, but Guinea has struggled to uphold freedom of expression in practice. A new criminal code adopted in 2016 retained penalties of up to five years in prison for defamation or insult of public figures, contributing to

self-censorship among journalists. A cybersecurity law passed the same year criminalized similar offenses online, as well as the dissemination of information that is false, protected on national security grounds, or “likely to disturb law and order or public security or jeopardize human dignity.”

Several dozen newspapers publish regularly in Guinea, though most have small circulations. More than 30 private radio stations and a few private television stations compete with the public broadcaster, Radio Télévision Guinéenne (RTG). Due to the high illiteracy rate, most of the population accesses information through radio.

The climate for journalists has improved somewhat in recent years, with fewer violent attacks and prosecutions for defamation. In 2019, however, journalists expressed concern over state harassment of private media outlets after dozens of journalists were placed under judicial supervision, and organized a protest before the High Authority of Communication (HAC) in August in response. In October, two Al-Jazeera journalists reporting on the protests against a potential third term for Condé were arrested and expelled from the country.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious rights are generally respected in practice. Some non-Muslim government workers have reported occasional discrimination. People who convert from Islam to Christianity sometimes encounter pressure from their community.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom has historically faced political restrictions under authoritarian regimes. The problem has eased in recent years, particularly since the return to civilian rule in 2010, though self-censorship still tends to reduce the vibrancy of academic discourse.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

There are few practical limits on private discussion, though ethnic tensions and laws restricting freedom of expression may deter open debate in some circumstances. In 2019, activists who voiced their opposition to the constitutional reform project faced harassment, arrest, and imprisonment, discouraging debate of the topic more generally.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12 (-1)

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is enshrined in the constitution, but this right is often restricted. Assemblies held without notification as required by Guinean law are considered unauthorized, and are often violently dispersed, leading to deaths, injuries, and arrests.

Authorities responded to October 2019 protests against a new constitution with intimidation, threats, violence against protesters, and arrests of FNDC leaders and supporters. Nine people were killed at various demonstrations against the constitution project in October, according to Amnesty International. Later, with the help of international pressure, and anti-third-term protests were authorized.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4 (-1)

Civil society remains weak, ethnically divided, and subject to periodic harassment and intimidation. Intimidation, harassment, and imprisonment of nongovernmental organization

(NGO) workers and activists increased in 2019, especially against those opposing the new constitution and third-term project. Guinean NGOs also struggle due to poor access to funding, leadership struggles, the restriction of civic space, and safety issues.

In 2019, authorities also introduced legislation which, if approved, would place greater regulatory and reporting constraints on NGOs, and includes requirements that groups be “professional” and “apolitical.”

Score Change: The score declined from 2 to 1 because NGO workers and activists, especially those opposing the president’s new constitution project, faced increased legal and extralegal harassment.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Although workers are allowed to form trade unions, strike, and bargain collectively, they must provide 10 days’ notice before striking, and strikes are banned in broadly defined essential services. In practice, unions are relatively active.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

While the judicial system has demonstrated a limited degree of independence since 2010, it remains subject to political influence and corruption.

In September 2018, Kéléfa Sall, the head of the Constitutional Court and an outspoken critic of President Condé, was dismissed. Opposition leaders condemned the move as an attack on judicial independence, claiming that Sall’s dismissal was intended to enable Condé to potentially introduce a referendum that would allow him to run for a third term. (Sall died in July 2019; reportedly no state official attended his funeral service or formally acknowledged his death.)

F2. Does due process prevail in civil and criminal matters? 1 / 4

Security forces engage in arbitrary arrests, often disregarding legal safeguards. Most detainees are people in prolonged pretrial detention, though justice reforms in recent years have reduced their numbers. Due-process rights pertaining to trials are frequently denied, and many disputes are settled informally through traditional justice systems.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The new criminal code adopted in 2016 eliminated the death penalty and explicitly outlawed torture for the first time. However, human rights watchdogs noted that the criminal code categorized a number of acts that fall within the international definition of torture as merely “inhuman and cruel,” a category that does not carry any explicit penalties in the code. In practice, security forces continue to engage in torture and other forms of physical violence with apparent impunity.

The justice system has largely failed to hold perpetrators accountable for past atrocities under military rule. In April 2018, the Ministry of Justice formed a steering committee to prepare for the trial of 13 suspects indicted in late 2017 for the 2009 Conakry stadium massacre, in which over 150 opposition protesters were killed by security forces. The trial has not yet commenced.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women face pervasive societal discrimination and disadvantages in both the formal and traditional justice systems. Various ethnic groups engage in mutual discrimination with respect to hiring and other matters. Antidiscrimination laws do not protect LGBT+ people. Same-sex sexual activity is a criminal offense that can be punished with up to three years in prison; although this law is rarely enforced, LGBT+ people have been arrested on lesser charges.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Guineans generally enjoyed freedom of movement for both domestic and international travel in 2019. However, rampant crime in some neighborhoods can impede movement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Private business activity is hampered by corruption and political instability, among other factors. A centralized Agency for the Promotion of Private Investments aims to ease the business registration process. Following recent reforms, property registration processes have become faster and less expensive.

Women face gender-based disadvantages in laws and practices governing inheritance and property rights.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Rape and domestic violence are common but underreported due to fears of stigmatization, and there is no specific legislation meant to address domestic abuse. Female genital mutilation (FGM) is nearly ubiquitous despite a legal ban, affecting up to 97 percent of girls and women in the country. The new criminal code adopted in 2016 set the legal age for marriage at 18, but early and forced marriages remained common.

The parliament of Guinea in May 2019 amended the civil code to make monogamy the general regime of marriage, except in case of “explicit agreement” of the first wife. This reflected a major change to a bill passed in late 2018 legalizing polygamy, which was rejected by President Condé.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The 2016 criminal code specifically criminalized trafficking in persons and debt bondage, but reduced the minimum penalties for such crimes, and enforcement has been weak. In some mining areas, child labor is a major issue. There are also cases of women and children being trafficked for sexual exploitation to other parts of West Africa as well as Europe, the Middle East, and the United States.

Guinea-Bissau

Population: 1,900,000

Capital: Bissau

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Guinea-Bissau's political system has been hampered in recent years by divisions between the president and the parliament, and within the ruling party. A consensus transitional government was formed in 2018, and elections due that year were held in 2019 after a delay. Conditions for civil liberties have gradually improved as the country has recovered from the aftermath of a military coup in 2012, though police continue to disrupt some demonstrations. Corruption is a major problem that has been exacerbated by organized criminal activity, including drug trafficking.

KEY DEVELOPMENTS IN 2019

- The African Party for the Independence of Guinea-Bissau and Cabo Verde (PAIGC) won the March parliamentary elections but lost its outright majority, leading it to form a coalition with three smaller parties.
- President José Mário Vaz continued to feud with the PAIGC over control of the premiership throughout the year, refusing to appoint PAIGC leader Domingos Simões Pereira after the March elections and eventually agreeing to reappoint incumbent Aristedes Gomes in June. Vaz attempted to unilaterally replace Gomes in October, but reversed course in November under international pressure.
- Vaz placed fourth in the first round of the presidential election in November, failing to advance to the December runoff between Pereira and Umaro Sissoco Embaló of the Movement for Democratic Alternation (Madem G15). Final results of the runoff were pending at year's end.
- Police seized a record 2,000 tons of cocaine in a September operation in Canchungo, underscoring the authorities' improved efforts to combat drug trafficking and related corruption in recent years.

POLITICAL RIGHTS: 17 / 40 (+2)

A. ELECTORAL PROCESS: 7 / 12 (+1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president is elected through a two-round voting system for up to two consecutive terms of five years. The prime minister is appointed by the president "in accordance with the election results" after consulting with the parliamentary parties, and the government must be dissolved if the parliament rejects its proposed budget.

José Mário Vaz was elected president as the nominee of the PAIGC in 2014, and the election was considered largely free and fair. However, Vaz's 2015 dismissal of Pereira, the party leader, as prime minister touched off a political crisis. A series of subsequent governments appointed by Vaz failed to secure parliamentary approval. In 2017, the UN Security Council urged Vaz and other leaders to implement the internationally brokered Conakry Agreement of 2016, which called for an inclusive government led by a consensus prime minister. Under pressure from the Economic Community of West African States (ECOWAS), Vaz in 2018 finally nominated a consensus figure, Aristides Gomes, who remained in office through the March 2019 parliamentary elections.

After the March elections, Vaz again refused to nominate Pereira as head of government, forcing the PAIGC to propose Gomes as its choice. He was officially reappointed in June; Vaz's term technically expired that month, but he remained in office through year's end. Vaz attempted to unilaterally replace Gomes with Faustino Imbali in October, reversing the move in November only after ECOWAS declared it unconstitutional and threatened sanctions.

The first round of the 2019 presidential election was held in November. After no candidate received 50 percent of the vote, a second round was held in December between Umaro Sissoco Embaló of the new party Madem G15—a PAIGC splinter group—and Pereira of the PAIGC. Vaz placed fourth in the first round and did not take part in the runoff. Final results were pending at the end of the year.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4 (+1)

Members of the 102-seat National People's Assembly are elected by popular vote for four-year terms. In 2018, the incumbent assembly's mandate was repeatedly extended due to delays in the voter registration process.

In the March 2019 elections, the PAIGC remained the largest single party with 47 seats, though it lost its outright majority. Madem G15 won 27, the Party of Social Renewal (PRS) took 21, the United People's Assembly–Democratic Party of Guinea-Bissau (APU-PDGB) took 5, and the Union for Change (UM) and the Party for a New Democracy (PND) each secured a single seat. The PAIGC formed a majority coalition with the latter three parties.

The United Nations and European Union praised the parliamentary elections as peaceful and orderly, and an observation mission from the African Union deemed them free and fair, though it noted some flaws in the process.

Score Change: The score improved from 2 to 3 because the 2019 elections were generally considered credible despite delays and other difficulties, restoring the parliament's democratic mandate after the previous term expired nearly a year earlier.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

There are some problems with the country's electoral laws and framework, including weak controls on campaign spending and vote buying and a lack of legal provisions for domestic poll observers. Elections have been subject to delays in recent years, due in part to lack of funding and stalled voter registration processes.

In observing the 2019 parliamentary elections, the African Union noted a lack of resources at the National Electoral Commission (CNE), flaws in the voter registration process, and weaknesses in national election observation by civil society. In addition, the capacity of both electoral officials and party representatives in polling stations was deemed insufficient.

In the run-up to the November 2019 presidential election, the PAIGC-led government decided to review the voter registry in order to include some 25,000 people who were not able to vote in the parliamentary elections due to technical errors. The PRS and Madem G15 claimed that the changes were fraudulent, but ECOWAS rejected the opposition's demand for a new registration process.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

There are no major constraints on party formation. Dozens of political parties are active in Guinea-Bissau, and 21 competed in the 2019 parliamentary elections, up from 15 in 2014. However, the political crisis since 2015 has led to some instances of violence and intimidation among partisan groups.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Guinea-Bissau has a limited record of democratic power transfers between rival political parties, as the PAIGC or military rulers have governed for most of the period since independence. In 2014, Vaz succeeded an independent who had served as acting president in the wake of the 2012 coup. Nevertheless, despite the repeated delays and tensions between the president and the PAIGC, opposition forces increased their representation in the 2019 legislative elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The military has apparently refrained from interfering in politics since 2014, but the choices of voters and politicians continue to be influenced by corruption and patronage networks. Organized crime linked to drug trafficking and money laundering has contributed to the country's political instability in recent decades.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women enjoy equal political rights, but their participation is limited in practice by cultural obstacles, and they are underrepresented in leadership positions. Just 14 women won seats in the March 2019 parliamentary elections, the same number as in 2014. A 2018 law requires 36 percent of candidates on party lists to be women.

Ethnicity plays a role in politics, reducing the extent to which all groups' interests are represented. For example, one of the larger groups, the Balanta, have traditionally dominated the military and cast votes for the PRS.

C. FUNCTIONING OF GOVERNMENT: 2 / 12 (+1)**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4**

Governance has been impaired by the political crisis that began in 2015, and election delays have undermined the democratic legitimacy of incumbent officials. The original term of the parliament that was replaced by the March 2019 elections had expired nearly a year earlier, and President Vaz's term expired in June. This contributed to doubts about the legal and constitutional validity of the president's multiple attempts to control the appointment of the prime minister during the year. Aristides Gomes was the seventh prime minister to be appointed since Vaz took office in 2014. Meanwhile, the full legislature has convened only sporadically in recent years.

C2. Are safeguards against official corruption strong and effective? 1 / 4 (+1)

Corruption is pervasive, including among senior government figures. Both military and civilian officials have been accused of involvement in the illegal drug trade. Critics of past corruption investigations targeting former high-ranking officials have argued that they were politically motivated.

However, an August 2019 report from the UN secretary general praised the country's progress on strengthening its law enforcement capacity and suppressing the transnational drug trade, which had long fueled official corruption. The report noted several recent trials and convictions in trafficking and organized crime cases. In September, an operation by Guinea-Bissau's judicial police seized a record 2,000 tons of cocaine. Those arrested in the operation included three people from Colombia, one from Mali, and four Guineans.

Score Change: The score improved from 0 to 1 due to authorities' reported progress in combating the transnational drug trade, which has long played a central role in official corruption.

C3. Does the government operate with openness and transparency? 0 / 4

There are no effective legal provisions to facilitate public access to government information, and government officials do not disclose their personal financial information as required by law. The political impasse and related parliamentary dysfunction have further obstructed oversight of government spending in recent years. The lack of transparency contributes to chronic budget shortfalls, frequent delays in public-sector wages, and doubts about the management of foreign assistance.

CIVIL LIBERTIES: 29 / 60 (+2)

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

The constitution provides for freedom of the press, and there is some media diversity. However, journalists regularly face harassment and intimidation, including pressure regarding their coverage from political figures and government officials.

Employees mounted a partial strike at the national public television broadcaster, Televisão da Guiné-Bissau (TGB), in January 2019 to protest political meddling and demand an end to censorship. In August, the station's director general was suspended by the government; Reporters Without Borders argued that the move was likely intended to reinforce political control ahead of the presidential election. In October, media regulators shut down two private radio stations that were critical of Vaz, accusing them of operating without a license.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is legally protected and usually respected in practice. Government licensing requirements are not onerous and often disregarded. Some Muslims have reportedly raised concerns about the influence of foreign imams who preach a more rigorous or austere form of Islam, threatening religious tolerance.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is guaranteed and generally upheld, though the education system is poor in terms of access, quality, and basic resources. Public schools were closed for much of 2018 and 2019 due to ongoing teachers' strikes, and police have at times used force on campus in response to related protests.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Individuals are relatively free to express their views on political topics in the private and social sphere, though some more public figures have faced the threat of arrest or charges in retaliation for their remarks in recent years.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12 (+1)

E1. Is there freedom of assembly? 2 / 4 (+1)

Freedom of assembly is frequently restricted. The authorities have repeatedly interfered with demonstrations linked to the political tensions between the president and

the legislature. In February 2019, police violently suppressed a student march related to teachers' strikes and school closures. A planned series of similar marches, set to begin in May, were not permitted by authorities, and police dispersed those who assembled for the initial event.

One protester was reportedly killed in October as police sought to block a PRS demonstration calling for a new voter registration process. Nevertheless, other demonstrations and political rallies associated with the year's parliamentary and presidential election campaigns generally proceeded peacefully, reflecting modest improvements in freedom of assembly since the restoration of civilian rule.

Score Change: The score improved from 1 to 2 because, despite authorities' efforts to suppress some protests during the year, a number of election-related demonstrations proceeded peacefully.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Nongovernmental organizations (NGOs) are generally able to operate. Some groups have faced intimidation and other obstacles, particularly those that are associated with street demonstrations, but no major cases of repressive measures against NGOs were reported during 2019.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers are allowed to form and join independent trade unions, but few work in the wage-earning formal sector. Private employers sometimes engage in improper interference with union organizing and other activities. The right to strike is protected, and government workers frequently exercise this right. Several strikes took place during 2019, including actions by civil servants, teachers, and state media employees.

F. RULE OF LAW: 5 / 16 (+1)

F1. Is there an independent judiciary? 1 / 4

Judges are highly susceptible to corruption and political pressure, and the court system as a whole lacks the resources and capacity to function effectively.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Corruption is common among police, and officers often fail to observe legal safeguards against arbitrary arrest and detention. Very few criminal cases are brought to trial or successfully prosecuted, partly due to the limited material and human resources available to investigators. Most of the population lacks access to the justice system in practice.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4 (+1)

Conditions in prisons and detention centers are often extremely poor, and law enforcement personnel generally enjoy impunity for abuses. Because of its weak institutions and porous borders, Guinea-Bissau has become a transit point for criminal organizations trafficking various types of contraband. The armed forces and some other state entities have been linked to drug trafficking. However, the authorities have made some progress in combating the drug trade and organized crime in recent years, and violence associated with political unrest has continued to recede since the restoration of elected civilian rule.

A low-intensity conflict in Senegal's Casamance region occasionally affects security across the border in Guinea-Bissau, where the Senegalese rebels sometimes operate.

Score Change: The score improved from 1 to 2 because efforts to strengthen elected civilian governance and suppress organized criminal activity have continued to yield modest gains in physical security in recent years.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Women face significant societal discrimination and traditional biases, despite some legal protections. They generally do not receive equal pay for similar work and have fewer opportunities for education and employment.

There are virtually no effective legal protections against discrimination on other grounds, including ethnicity, sexual orientation, and gender identity, though same-sex sexual activity is not specifically criminalized.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

There are few formal restrictions on freedom of movement, but widespread corruption among police and other public officials can limit this right in practice, as can criminal activity. The potential for Senegalese rebel activity may restrict movement in the border area.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Illegal economic activity, including logging, by organized groups remains a problem. The quality of enforcement of property rights is generally poor, and the formal procedures for establishing a business are relatively onerous.

Women, particularly those from certain ethnic groups in rural areas, face restrictions on their ability to own and inherit property.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

There are multiple constraints on personal social freedoms. Early and forced marriages remain common, especially in rural areas. The government, international organizations, and community leaders have worked to eliminate female genital mutilation, though nearly half of the country's women have undergone such traditional practices. Despite the 2014 promulgation of a law to address domestic violence, the problem is reportedly widespread; victims of rape and domestic abuse rarely report the crimes to authorities.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Guinea-Bissau is one of the world's poorest countries, with most families relying on unstable employment in the informal economy or remittances from migrant workers abroad. Public services have deteriorated in recent years amid irregular payment of public-sector workers.

Boys are vulnerable to organized exploitation through forced begging and to forced labor in sectors including mining and agriculture. Girls are frequently victims of sexual exploitation or domestic servitude. Government officials have been accused of complicity in trafficking activity, including sex tourism schemes in the Bijagós islands.

Guyana

Population: 800,000

Capital: Georgetown

Freedom Status: Free

Electoral Democracy: Yes

Overview: Guyana is a parliamentary democracy that features regular elections, a lively press, and a robust civil society. However, violent crime and discrimination against indigenous and LGBT+ people remain significant problems. The recent discovery of rich offshore oil and natural gas reserves has raised the stakes of anticorruption reforms and revived traditional ethnopolitical divisions.

KEY DEVELOPMENTS IN 2019

- In September, President David Granger scheduled general elections for March 2, 2020. His government, a coalition consisting of A Partnership for National Unity (APNU) and the Alliance for Change (AFC), had lost a no-confidence vote in December 2018, but it delayed the announcement of elections for much of 2019 through legal challenges and procedural disputes.
- The largely Indo-Guyanese People's Progressive Party/Civic (PPP/C), the country's main opposition group, organized protests against the predominantly Afro-Guyanese governing coalition over its failure to schedule elections.
- In a sign of progress on anticorruption reforms, the State Assets Recovery Agency began investigating oil licenses that had been awarded in previous years. The country's first barrel of crude oil was produced in December.

POLITICAL RIGHTS: 31 / 40 (-1)

A. ELECTORAL PROCESS: 10 / 12 (-1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4 (-1)

The president, who serves as both chief of state and head of government, appoints the cabinet, though ministers are collectively responsible to the National Assembly. Parties designate a presidential candidate ahead of National Assembly elections, with the winning party's candidate assuming the presidency. The president serves five-year terms, and a 2018 ruling by the Caribbean Court of Justice (CCJ) confirmed a 2001 constitutional amendment that limited presidents to two terms in office.

David Granger, head of the APNU-AFC coalition, became president after the bloc won the 2015 National Assembly elections. The government narrowly lost a confidence vote in December 2018, meaning new elections were due by March 2019. However, the government challenged the validity of the vote in court, delaying the elections. After the CCJ upheld the no-confidence vote in July, the announcement of an election date was further stalled by disputes about voter registration, the appointment of an elections commission chair, and other procedural matters. In September, Granger finally scheduled elections for March 2, 2020, just three weeks before they would have been due without a no-confidence vote.

Score Change: The score declined from 4 to 3 because the government raised a series of legal and procedural obstacles that delayed elections throughout the year following a no-confidence vote in late 2018.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the unicameral, 65-seat National Assembly are elected to five-year terms; 25 representatives are elected in 10 geographical constituencies, while 40 are elected by proportional representation in one nationwide constituency. Up to seven unelected cabinet ministers and parliamentary officials may also hold ex-officio seats.

In the 2015 elections, the APNU-AFC coalition won 50.3 percent of the vote and 33 seats, ending 23 years of rule by the PPP/C, which won 32 seats. The transfer of power was smooth and peaceful. Observers reported a tense atmosphere on election day and recommended numerous electoral reforms, but they generally praised the conduct of the vote.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Carter Center, after monitoring the 2015 polls, made multiple recommendations on how to improve the fairness and efficiency of electoral laws. It expressed some concern over the independence and capacity of the Guyana Elections Commission (GECOM).

The independence of GECOM was the subject of growing controversy beginning in 2017, when President Granger unilaterally appointed his own candidate as the commission's chairman. The constitution requires the president to choose from a list submitted by the leader of the opposition, but Granger had rejected multiple lists of nominees. The CCJ ruled in June 2019 that the appointment was unconstitutional, and a new chair, Claudette Singh, was appointed in July with cross-party support.

Some political parties raised doubts during the year about the accuracy of the voter registry. The old list expired in April 2019, and a new house-to-house registration exercise conducted over the summer was complicated by political and legal disputes. Verification of the final voter list was pending at year's end.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Political parties may form freely, and they generally operate without interference. A long-standing deadlock between two major parties with different ethnic bases had softened somewhat in recent years, with the multiethnic AFC emerging alongside the predominantly Afro-Guyanese APNU and the mainly Indo-Guyanese PPP/C. However, ethnopolitical divisions have sharpened following the disputed 2018 no-confidence vote and as the anticipated influx of oil and gas revenues approaches.

New parties have emerged to contest the 2020 elections, including A New and United Guyana, the Liberty and Justice Party, the Federal United Party, and the Democratic National Congress.

There are no legal provisions allowing independent candidates to stand for the presidency.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The PPP/C ruled from 1992 to 2015, and the APNU-AFC victory in that year's elections marked only the second democratic rotation of power in the country's modern history. The orderly handover demonstrated the ability of opposition parties to win elections and enter

government. The PPP/C made important gains in the 2018 municipal elections and was expected to mount a strong challenge in the 2020 national elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Voters are largely free to make their own political choices. However, there is concern that politics may be improperly influenced by the largely Indo-Guyanese economic elite.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women and ethnic minorities have equal political rights under the law, though ethnic divisions have long played a powerful role in politics. Indigenous people, who make up about 10 percent of the population, remain politically marginalized. At least one third of each party's candidate list must consist of women, and 21 out of 69 members of the National Assembly are women, but the interests of women are not well represented in the political sphere.

In 2019, the government took steps to conduct public consultations on constitutional reform with religious minorities and indigenous communities, an initiative that was first announced in 2017.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The president and the legislative majority are generally able to create and implement policy without improper interference.

C2. Are safeguards against official corruption strong and effective? 2 / 4

In recent years, the government has made progress in introducing durable safeguards against corruption, notably by strengthening controls on money laundering and empowering a new agency to audit state-owned companies. However, official corruption remains a serious problem, and the discovery of rich oil and natural gas reserves beneath the country's coastal waters has added urgency to antigraft efforts.

During 2019, the State Assets Recovery Agency, an anticorruption body, was reportedly investigating leases awarded to oil companies in previous years.

C3. Does the government operate with openness and transparency? 2 / 4

Laws designed to ensure government transparency are inconsistently upheld. A 2013 Access to Information Act is relatively weak, allowing the government to refuse requests with little or no justification.

A government integrity commission tasked with reviewing officials' asset disclosures was reestablished in 2018 after a long dormancy.

Guyana's application for membership in the Extractive Industries Transparency Initiative, which asks countries to submit reports detailing the proceeds they have gained from the extraction of their natural resources, was accepted in 2017.

CIVIL LIBERTIES: 43 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Although freedom of the press is generally respected, government officials have filed defamation cases and occasionally made threats against journalists in response to negative coverage. Criminal defamation charges can draw up to two years in prison.

The opposition has accused the Guyana National Broadcasting Authority, whose board is appointed by the president, of partisan bias in its regulatory and licensing decisions. Concerns over the editorial independence of the state-owned *Guyana Chronicle* have also been raised in recent years.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is constitutionally guaranteed and generally respected in practice. Rules limiting visas for foreign missionaries and barring blasphemous libel are not actively enforced. Religious groups can register places of worship and receive associated benefits without difficulty.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is largely upheld.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to express their views without fear of retaliation or other repercussions. However, a 2018 cybercrime law contains provisions on sedition, secrecy, and offenses against the state that could be used to stifle dissent online, according to the measure's opponents.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The authorities have upheld the right to peaceful assembly in recent years. In September 2019, a confrontational opposition demonstration calling on President Granger to schedule elections was allowed to proceed, though a subsequent police statement warned that authorities would intervene to stop any repetition of what it called unlawful acts during the protest.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate freely. The government has consulted with NGOs on various policy initiatives, including measures designed to combat human trafficking.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The rights to form labor unions, bargain collectively, and strike are generally upheld, and unions are well organized. However, laws against antiunion discrimination are poorly enforced.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

The courts are impaired by political disputes, staff shortages, and lack of resources. According to the constitution, the president must obtain the agreement of the leader of the opposition to appoint the chancellor of the judiciary and the chief justice; both positions remained vacant as of 2019, with placeholders serving in an acting capacity due to ongoing political disagreements about the appointments. Other judges are appointed by the president

on the advice of a Judicial Service Commission, most of whose members are also chosen with input from the opposition.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Observance of due process safeguards is uneven. Defendants are often held in pretrial detention for periods longer than their maximum possible sentence. Police officers do not always operate with professionalism; some have reportedly accepted bribes and committed a variety of other crimes. A new police commissioner took office in 2018 with a mandate to make reforms and improve police conduct.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Reports of police violence, abuse of detainees, and harsh, overcrowded prison conditions persist. The rate of violent crime has fallen somewhat in recent years but remains among the highest in the region.

The threat of territorial conflict with Venezuela subsided slightly in 2019. In late 2018, the Venezuelan navy drove off an oil company's ship in Guyanese waters, claiming the ship was in Venezuelan territory. In September 2019, the International Court of Justice indicated that it would determine in March 2020 whether it had jurisdiction over the border dispute.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Laws barring discrimination based on race, gender, and other categories are not effectively enforced. Women continue to suffer from workplace bias and significantly lower pay compared with men. Despite some recent advances, Guyana's nine principal indigenous groups face disparities in the provision of health care, education, and justice. Same-sex sexual activity is punishable with harsh jail terms, and the LGBT+ community is subject to police harassment and discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

There are no undue legal restrictions on freedom of movement, including with respect to residency, employment, and education. However, factors including bribery, racial polarization, and neglected infrastructure in some regions limit this right in practice.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The legal framework generally supports the rights to own property and operate private businesses, but complex regulations are unevenly enforced, and corruption and organized crime sometimes inhibit business activity. The land rights of indigenous communities are impaired by flawed consultation and demarcation procedures, as well as by unauthorized exploitation of titled indigenous lands.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Individual freedom on personal status matters such as marriage and divorce is generally respected, though same-sex marriage and civil unions are prohibited. Marriage before

age 18 is allowed with judicial or parental permission, and such marriages are reportedly common. Domestic abuse is widespread, and conviction rates for such abuse and for sexual offenses are low.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Legal protections against exploitative working conditions are not enforced consistently. Those working in the informal sector and extractive industries in the country's interior are particularly vulnerable to abuses.

The US State Department detailed Guyana's continued efforts to address human trafficking in 2019, citing increased funding of victim assistance, training of officials, and the establishment of an antitrafficking unit in the Guyana Geology and Mines Commission. However, victims who are men, children, or foreign nationals do not receive adequate support outside Georgetown, and screening procedures for foreign victims are not standardized. The number of victims from Venezuela has risen sharply in recent years.

Haiti

Population: 11,300,000

Capital: Port-au-Prince

Freedom Status: Partly Free

Electoral Democracy: No

Overview: As a result of political instability, street protests and rampant gang violence, the Haitian government struggles to meet the most basic needs of its citizens. The criminal justice system lacks the resources, independence, and integrity to uphold due process and ensure physical security for the population. Antigovernment protests often result in excessive use of force by police.

KEY DEVELOPMENTS IN 2019

- Major antigovernment protests took place through much of the year, with demonstrators calling for President Jovenel Moïse's resignation over allegations of corruption and the country's dire economic circumstances. The use of road blockades, incidents of looting, and clashes with police were common occurrences during the protests; by the time they waned in December, over 80 people were killed and over 200 were injured.
- President Moïse was directly implicated in an ongoing corruption scandal in May, when government auditors alleged that he participated in the embezzlement of millions of dollars from a road rehabilitation project before taking office. The president denied the allegations, which sparked continued demonstrations in June.
- Legislative and mayoral elections due in October were indefinitely postponed after Parliament failed to pass an elections law, with the legislature's mandate due to expire in early 2020.
- Moïse's prime ministerial nominees went unapproved by Parliament after Jean-Henry Céant was dismissed through a no-confidence vote in March. Moïse's first nominee resigned in July, while his second nominee remained as a de facto caretaker at year's end.

POLITICAL RIGHTS: 16 / 40 (-1)**A. ELECTORAL PROCESS: 5 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4**

In Haiti's semipresidential system, the president is directly elected for a five-year term. The prime minister is appointed by the president and confirmed by Parliament.

Jovenel Moïse of the Haitian Tet Kale Party (PHTK), the handpicked successor of Michel Martelly, won the 2015 presidential election, but the contest was nullified due to extensive fraud. Moïse went on to win a repeat election in 2016, taking 55.6 percent of the vote. He was inaugurated in early 2017 after an electoral tribunal verified the election result, citing irregularities but no evidence of widespread fraud. Civil society groups claimed that fraud in the vote tally, inconsistent voter registration lists, voter disenfranchisement, and a low voter turnout of 21 percent undermined the new president's mandate.

Parliament removed Prime Minister Céant through a no-confidence vote in March 2019; Céant replaced Jack Guy Lafontant in 2018 after his attempt to cut fuel subsidies in line with an International Monetary Fund (IMF) agreement triggered violent protests. President Moïse appointed culture minister Jean-Michel Lapin as prime minister later in March, but Lapin was not confirmed by Parliament and resigned in July. Moïse then appointed Fritz-William Michel, a former finance ministry official, to succeed Lapin; Michel, who also lacked parliamentary confirmation, remained as a de facto caretaker at year's end.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The directly elected, bicameral Parliament is composed of a Senate, with 30 members who serve six-year terms, and a Chamber of Deputies, with 119 members who serve four-year terms. The 2015 legislative elections were plagued by disorder, fraud, and violence. Despite concerns about the elections' credibility, 92 lawmakers took office in early 2016. Elections for a portion of the Senate and the runoff elections for the remaining seats in the Chamber of Deputies were held in 2016 along with the repeat presidential election, and the contests were marred by low voter turnout and fraud. The PHTK emerged as the largest single party in both chambers, followed by Vérité (Truth), though most of the seats were divided among a large number of smaller parties.

Elections for the Chamber of Deputies, a portion of the Senate, and local mayoralities were due in October 2019, but were indefinitely postponed after Parliament failed to pass an elections law. Parliament's mandate was due to expire in early 2020.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The Provisional Electoral Council (CEP) was established in the late 1980s as a temporary body, but it continues to be responsible for managing the electoral process. Although the constitution has provisions to prevent executive dominance of the CEP, the executive branch asserts significant control over it in practice. Legislative elections were not held from 2011 until 2015 because a number of electoral councils appointed by former president Martelly did not meet constitutional requirements or receive parliamentary approval; critics claimed that CEP members would have been beholden to Martelly. New council members were appointed in 2015 in a manner closer to the constitutional provisions. Despite discussions about establishing a permanent electoral council, the CEP began planning the 2019 elections in 2018, but those contests were later postponed.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4**

Legal and administrative barriers that prevented some parties from registering or running in past elections have largely been eliminated. The number of members required to form a political party was reduced from 500 to 20 in 2014, leading to the creation of dozens of new parties. However, the risk of violence continues to impair normal political activity. Opposition party leaders are sometimes threatened, and protests organized by opposition parties are regularly met with repressive force by the government.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

Haiti has a poor record of peaceful democratic transfers of power. It remains difficult for the opposition to increase its support or gain power through elections, which are regularly disrupted by violence, marred by accusations of fraud, and postponed. The PHTK has consolidated power in the legislature and at the local level, in part through alliances with smaller parties.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Haitians' political choices are free from explicit domination by the military and other forces outside the political system. However, many politicians rely on money linked to drug trafficking, gangs, and other illegal sources of funding to finance their campaigns, which has a considerable influence over political outcomes in the country.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Haitian women are underrepresented in political life, with only four out of 149 parliamentary seats held by women since 2017. The constitution mandates that 30 percent of public officials should be women, but the government lacks penalties for noncompliance. Election-related violence, along with social and cultural constraints, discourages women from participating in politics. Due to societal discrimination, the interests of LGBT+ people are not represented in the political system.

C. FUNCTIONING OF GOVERNMENT: 4 / 12 (-1)**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4 (-1)**

The legitimacy of Haiti's executive and legislative officials is undermined by the many problems surrounding their election. Corruption, instability, and security threats hinder the government from carrying out its own policies and providing basic services across the country. The government was also largely unable to determine or enact policy due to the president's inability to secure the confirmation of a new prime minister after Jean-Henry Céant's March 2019 dismissal.

Score Change: The score declined from 2 to 1 because Parliament did not confirm President Moïse's nominees for prime minister, resulting in a stalemate that prevented action on important matters through much of the year.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is widespread in Haiti, as are allegations of impunity for government officials. A 2017 law reduced the independence and powers of the Central Financial Intelligence Unit (UCREF), which was responsible for investigating money-laundering cases. That same year, Moïse replaced the heads of the Anticorruption Unit (ULCC) and the UCREF with political allies and former members of the Martelly administration; both units had been investigating Moïse for potential money laundering.

Despite these circumstances, Senate commissions have been investigating acts of corruption involving a low-interest loan program operated by Venezuela since 2017. In a May 2019 report to the Senate, the Superior Court of Auditors and Administrative Disputes (CSCCA) alleged that Moïse embezzled millions of dollars from a road rehabilitation project funded by the program in 2016, before he took office; the president denied the allegations. In early June, days after the report was submitted, armed assailants attacked two CSCCA auditors and tried to remove them from their car as they traveled to National Airport Authority (AAN) offices on official business. Several other CSCCA members received physical threats and fled Haiti later that month.

C3. Does the government operate with openness and transparency? 2 / 4

Haitians' general distrust of the government stems in large part from the absence of transparency and accountability measures that are needed to reduce corruption. There are no laws providing the public with access to state information, and it is reportedly very difficult to obtain government documents and data in practice. All government officials must file financial disclosure forms within 90 days of taking office and within 90 days of leaving office, though these requirements are not well enforced, and the reports are not made public.

CIVIL LIBERTIES: 22 / 60 (-2)**D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16****D1. Are there free and independent media? 2 / 4**

The constitution includes protections for press freedom, and the media sector is pluralistic, but the work of journalists is constrained by threats and violence, government interference and a lack of financial resources.

According to the Committee to Protect Journalists (CPJ), one journalist was killed in retaliation for their work in Haiti in 2019. In October, Radio Panic FM and Radio Méga reporter Néhémie Joseph was found dead in the city of Mirebalais; Joseph, who criticized the government in social media posts, accused former mayor Élionel Casséus and Senator Rony Célestin, both members of the ruling PHTK, of threatening his life the month before. In November, the CPJ reported on allegations that security officials may have been involved in his death. Radio journalist Pétion Rospide was previously shot to death in Port-au-Prince in June, but the motive for his murder remained unclear at year's end.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is constitutionally guaranteed, and religious groups generally practice freely. However, the traditionally dominant Roman Catholic and Protestant churches receive certain privileges from the state, practitioners of the Vodou religion face social stigma, and the government has denied registration to the small Muslim community.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Educational institutions and academics choose their curriculum freely, but university associations and student groups that protest government actions are often met with police violence.

Primary and secondary schools, along with universities, were closed between September and December 2019 as antigovernment protests, road blockades, and fuel shortages affected the country. The UN reported that as many as two million students were unable to attend school during this period.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

There are few significant constraints on freedom of private discussion. The government does not engage in widespread surveillance, nor is it known to illegally monitor private online communications. However, the penal code includes defamation-related offenses, and the risk of violent reprisals may also serve as a deterrent to unfettered discussion of sensitive issues such as corruption, gangs and organized crime.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12 (-1)**E1. Is there freedom of assembly? 1 / 4 (-1)**

The constitution enshrines freedom of assembly, but this right is often violated in practice by police forces that use excessive force to disperse protesters. Despite this, antigovernment protests and marches took place through much of 2019, with participants calling for Moïse's resignation over corruption allegations and the country's dire economic prospects.

The first major protests of 2019 took place in February, with demonstrators marching through major cities after the government declared a state of economic emergency. Later that month, police in Port-au-Prince clashed with demonstrators carrying the casket of a man killed by unknown assailants in an earlier protest, using tear gas and rubber bullets to disperse the crowd. In June, demonstrators again marched through Haitian cities, days after the release of a CSCCA report that tied President Moïse to acts of corruption. Another wave of protests began in late September after opposition parties rejected Moïse's call to form a unity government; nationwide demonstrations and clashes with police continued until early December, when the unrest waned.

Many of the year's protests were marred by violence; fires, incidents of looting, and road blockades were commonly reported. Government forces also were excessive in their response, with nongovernmental organization (NGO) Amnesty International reporting that police indiscriminately used nonlethal and lethal weapons to disperse crowds, including tear gas, rubber bullets, and live ammunition. By the end of the year, over 80 people were killed and at least 200 were injured as a result of the unrest.

Score Change: The score declined from 2 to 1 because of the prevalence of violence, including incidents of excessive force at the hands of police, during antigovernment protests that took place through much of the year.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Human rights defenders and activists with NGOs that address sensitive topics are subject to threats and violence, which creates a climate of fear. Violence against activists is

rarely investigated or prosecuted. Jeudy Charlot, founder of LGBT+ advocacy group Kouraj (Courage), died under suspicious circumstances in November 2019. An investigation into his death was underway at year's end, after the family made an appeal to the country's chief prosecutor.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Workers' right to unionize is protected under the law, and strikes are not uncommon, though the union movement in Haiti is weak and lacks collective bargaining power in practice. Most citizens are informally employed. Workers who engage in union activity frequently face harassment, suspension, termination, and other repercussions from employers.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

Despite constitutional guarantees of independence, the judiciary is susceptible to pressure from the executive and legislative branches. A lack of resources has contributed to bribery throughout the judicial system, and weak oversight means that most corrupt officials are not held accountable. When Moïse's government took power, all 18 chief prosecutors in the judicial jurisdictions were replaced; this opened new avenues for executive interference in the judiciary, since prosecutors can determine which cases end up before a judge. Moïse complained in 2017 that he felt forced to nominate corrupt judges based on lists submitted by the judicial council, which is tasked with vetting judges.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutionally protected due process rights are regularly violated in practice. Arbitrary arrest is common, as are extortion attempts by police. Most suspects do not have legal representation, and those who do suffer from long delays and case mismanagement. Three-quarters of the inmate population is in pretrial detention due to a large backlog of cases and resource constraints, with even higher figures in the capital. Many lack legal representation and have never appeared before a judge despite the legal requirement of a court hearing within 48 hours of arrest.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

A culture of impunity in law enforcement leaves civilians in Haiti with little protection from the illegitimate use of force. Crime statistics are difficult to authenticate, and crimes are underreported. Police are regularly accused of abusing suspects and detainees. Conditions in Haiti's prisons, which are among the world's most overcrowded, are extremely poor. Criminal groups also exert considerable influence, operating with relative impunity as they fight for territory and extort residents living in areas under their control. Politicians from the ruling PHTK and opposition groups have also hired gangs to either incite or halt residents' involvement in protests, according to local human rights activists.

In 2018, at least 59 people were killed, 7 were sexually assaulted, and 150 houses were burned in the La Saline neighborhood of Port-au-Prince. Some accounts characterized the episode as part of a conflict between rival criminal groups, but human rights researchers cited allegations of police involvement, and critics accused the government of organizing the massacre to suppress anticorruption protests. A May 2019 police report implicated Joseph Pierre Richard Duplan, a presidential delegate for an area including Port-au-Prince, and

interior ministry official Fednel Monchéry in organizing the incident, and Moïse dismissed them in September.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Discrimination against women, the LGBT+ community, and people with disabilities is pervasive. Among other problems, women face bias in employment and disparities in access to financial services.

Harassment and discrimination on the basis of sexual orientation occur regularly, and neither is prohibited by law. In 2017, the Senate passed two anti-LGBT+ bills that would limit access to employment and explicitly ban same-sex marriage; the bills remained under consideration in the Chamber of Deputies at the end of 2019.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16 (-1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4 (-1)

The government generally does not restrict travel or place limits on the ability to change one's place of employment or education. However, insecurity prevented free movement, particularly in Port-au-Prince, as roads were blockaded for 10 days in February 2019 and for a nine-week period between September and December. In addition, the government's flawed response to natural disasters has prevented many displaced residents from returning to their homes, forcing them to live in poor conditions for extended periods. At year's end, 33,000 people were living in camps for the internally displaced.

Score Change: The score declined from 2 to 1 because of the consistent use of semipermanent roadblocks through much of the country by protesters and criminal groups, which limited Haitians' freedom of movement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Although the legal framework protects property rights and private business activity, it is difficult in practice to register property, enforce contracts, and obtain credit. Poor record keeping and corruption contribute to inconsistent enforcement of property rights.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Basic freedoms related to marriage, divorce, and custody are generally respected. However, there are no laws addressing domestic violence, which is a widespread problem. Both domestic violence and rape are underreported and rarely result in successful prosecutions, with justice officials often favoring reconciliation or other forms of settlement.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Socioeconomic mobility is obstructed by entrenched poverty, with low national literacy rates and over 50 percent of Haitians living on less than \$2.40 a day. Legal protections against exploitative working conditions in formal employment are weakly enforced, and most workers are informally employed. As many as 300,000 children work as domestic servants, often without pay or access to education; they are especially vulnerable to physical or sexual abuse. Other forms of child labor are common.

Honduras

Population: 9,700,000

Capital: Tegucigalpa

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Institutional weakness, corruption, violence, and impunity undermine the overall stability of Honduras. Journalists, political activists, and women are often the victims of violence, and perpetrators are rarely brought to justice. While Honduras holds regular elections, irregularities surrounding the 2017 presidential poll prompted election monitors to call the result into question.

KEY DEVELOPMENTS IN 2019

- Antigovernment protests were held nationwide for much of the year, prompted by President Juan Orlando Hernández’s announcement of unpopular health and education reforms in April. Protests continued despite their suspension, and authorities responded with excessive force; at least six people were killed in clashes by the end of the year.
- In August, US prosecutors identified President Hernández and his predecessor as coconspirators in a drug-smuggling operation led by Hernández’s brother, Juan Antonio Hernández. The president’s brother was convicted by a US jury in October, and his sentence was pending at year’s end.
- In December, legislators recommended against the renewal of the Mission to Support the Fight against Corruption and Impunity in Honduras (MACCIH), which is backed by the Organization of American States (OAS). At year’s end, the government was negotiating with the OAS over MACCIH’s mandate, which was to expire in early 2020.

POLITICAL RIGHTS: 19 / 40 (-1)

A. ELECTORAL PROCESS: 7 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president is both chief of state and head of government, and is elected by popular vote to four-year terms. The leading candidate is only required to win a plurality; there is no runoff system.

In a controversial 2015 decision, the Honduran Supreme Court voided Article 239 of the constitution, which had limited presidents to one term. President Juan Orlando Hernández of the National Party (PN) was subsequently reelected in 2017, with the Supreme Electoral Council (TSE) announcing in December—three weeks after the actual poll—that he had taken 42.95 percent of the vote. Opposition candidate Salvador Nasralla won 41.42 percent. The OAS noted numerous issues with the electoral process, which it said “was characterized by irregularities and deficiencies, with very low technical quality and lacking integrity,” and appealed for new elections to be held. The government dismissed the OAS petition, and by year’s end the United States, the European Union (EU), and Canada had recognized Hernández as the winner of the election.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Members of the 128-seat, unicameral National Congress are elected for four-year terms using proportional representation by department. In the 2017 polls, the governing PN acquired an additional 13 seats, but still fell short of holding a legislative majority. The opposition Liberty and Refoundation (LIBRE) party and Liberal Party (PL) lost seven seats, and one seat, respectively. While the 2017 presidential and parliamentary votes were held concurrently, stakeholders accepted the results of the legislative elections; only the presidential poll was disputed.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The TSE came under heavy criticism for its administration of the 2017 presidential poll. A preliminary vote count had showed Nasralla with a significant lead, but subsequent updates and the final result—which was released three weeks after the elections—showed a victory by Hernández. The delay prompted protests and widespread allegations of TSE incompetence and bias toward the ruling party. As the vote-counting process continued, OAS and EU election monitors expressed concerns regarding the lack of transparency and irregularities surrounding the presidential vote, and voiced support for Nasralla's demand for a recount. The OAS eventually called for the poll to be rerun, but authorities dismissed the recommendation.

A UN-sponsored national dialogue did not produce an agreement on electoral reform in 2018, but a subsequent effort between the OAS and Honduras was more successful. Based on that work, the Congress approved the creation of two new electoral bodies to replace the TSE, the Electoral Court of Justice (TJE) and National Electoral Council (CNE), in January 2019. Their leaders were appointed in September.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4**

Political parties are largely free to operate, though power has mostly been concentrated in the hands of the PL and the PN since the early 1980s. In 2013, LIBRE and the Anti-Corruption Party (PAC) participated in elections for the first time, winning a significant share of the vote and disrupting the dominance of the PL and the PN. PAC lost all but one of its seats in 2017, but LIBRE maintained its position as the second-largest party in the parliament.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Opposition parties are competitive, and in 2017, opposition candidates took a significant portion of the vote in both the legislative and presidential elections. However, the many serious irregularities surrounding the TSE's administration of the 2017 presidential election prompted EU and OAS election monitors to question the validity of the vote count, and the opposition insisted that a PN-aligned TSE had denied the opposition candidate victory in the presidential race.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Political and economic elites have traditionally exerted significant influence over political parties, limiting people's political choices. The military, after decades of ruling Honduras, remains politically powerful. President Hernández's appointments of military officials to civilian posts, many related to security, have underscored that influence. There were numerous reports of vote buying during the 2017 polling period.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

All adult citizens may vote, and voting is compulsory. Ethnic minorities remain underrepresented in Honduras's political system and in the political sphere generally, though there have been modest efforts by the government to encourage their participation and representation. Nongovernmental organizations (NGOs) have also worked to improve minority representation in government. After being criticized for failing to do so in past elections, the TSE in 2017 printed voter information materials in indigenous and Afro-Honduran languages. However, no representatives of the Afro-Honduran (Garifuna) population were elected to Congress in 2017.

Women are also underrepresented in politics. In the 2017 elections, women won 27 of 128 congressional races and 23 of 298 mayoral posts. However, women's rights groups are becoming more visible in the political sphere.

C. FUNCTIONING OF GOVERNMENT: 4 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

In 2014, the Hernández administration eliminated five cabinet-level ministries and created seven umbrella ministries in an effort to cut costs. Critics have argued that the restructuring concentrated power in too few hands. Two new executive decrees passed in 2018 further consolidated power in the executive branch.

C2. Are safeguards against official corruption strong and effective? 1 / 4 (-1)

Corruption remains rampant in Honduras, despite efforts to bolster its anticorruption mechanisms in recent years. The MACCIH, which was established in 2016, subsequently facilitated anticorruption legislation aimed at preventing illicit campaign donations and cooperated with the Attorney General's Special Prosecutor's Unit Against Impunity and Corruption (UFECIC) in its work. In April 2019, MACCIH reported that 120 individuals were being prosecuted for corruption, including 70 government officials. However, legislators, some of whom were implicated in corruption by MACCIH's work, voted against its renewal in December, calling its activities unconstitutional. MACCIH's mandate was set to expire in January 2020, and the Hernández administration and the OAS were still negotiating over its future at year's end.

Several high-profile corruption cases made their way through the courts in Honduras and abroad in 2019. In February, the National Anticorruption Council (CNA) referred former president Porfirio Lobo and members of his family to the UFECIC for misappropriating up to \$1 million from a public children's trust; MACCIH. In May, MACCIH disclosed that it was also investigating Lobo and his son for money laundering. In August, former first lady Rosa Elena Bonilla de Lobo was convicted for siphoning funds from the children's trust, and received a 58-year sentence in September.

President Hernández were directly implicated in corruption in August 2019, when United States prosecutors identified him and former president Lobo as conspirators in a

drug smuggling operation run by Juan Antonio Hernández, the president's brother. In October, a United States jury convicted the president's brother; his sentencing was still pending at year's end.

Score Change: the score declined from 2 to 1 because evidence of President Hernández's involvement in the illegal drug trade and the government's reluctance to extend an OAS-supported anticorruption mission have added to concerns that Honduran officials act with impunity.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations are generally opaque. Journalists and interest groups have difficulty obtaining information from the government. Secrecy laws passed in 2014 allow authorities to withhold information on security and national defense for up to 25 years. The laws cover information regarding the military police budget, which is funded by a security tax, as well as information related to the Supreme Court and the Foreign Affairs and International Cooperation Directorate.

CIVIL LIBERTIES: 26 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 1 / 4

Authorities systematically violate the constitution's press freedom guarantees. Reporters and outlets covering sensitive topics or who are perceived as critical of authorities risk assaults, threats, blocked transmissions, and harassment. A 2017 reform to antiterrorism provisions in the Penal Code justified the jailing of journalists for inciting terrorism or hate, but the law was annulled in 2018.

Journalists are also targeted with antidefamation laws. In March 2019, the Supreme Court upheld the 2016 defamation conviction of Globo TV host David Romero Ellner, and he was taken into custody to serve a 10-year prison sentence later that month. Ellner was taken despite an Inter-American Commission on Human Rights (IACHR) request for Honduran authorities to delay his detention while it considered a petition filed on the case.

In March 2019, television host Leonardo Gabriel Hernández was killed in the southern city of Nacaome. Police believed that Hernández was targeted after criticizing organized criminal groups on the air, and two members of the MS-13 criminal group were later detained in connection with his murder. The Committee to Protect Journalists (CPJ) reported that Hernández was the first journalist to be killed for their work in Honduras since 2010.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally respected in Honduras.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom is undermined by criminal groups, who control all or parts of schools in some areas and subject staff to extortion schemes. Authorities sometimes move to suppress student demonstrations by arresting participants and dispersing the events, and violent clashes between police and student protesters sometimes occur. Students at the National Autonomous University of Honduras (UNAH) clashed with military police when they

arrived to disperse a protest against President Hernández. At least five people were injured when police fired live ammunition into the crowd.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Under the Special Law on Interception of Private Communications, passed in 2011, the government can intercept online and telephone messages. Violence, threats, and intimidation by state and nonstate actors curtails open and free private discussion among the general population.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is constitutionally protected, but the government consistently uses force to disperse participants. Ongoing protests roiled the country for much of 2019, after President Hernández announced austerity measures for the country's health and education sectors in April. Congress suspended the measures after protesters marched through Tegucigalpa and blocked major roads later that month; three people were injured after riot police clashed with protesters, some of whom were armed.

Despite the suspension of Hernández's reforms, hundreds of protests were held throughout Honduras in the following months, with demonstrators calling for the president's resignation. Tegucigalpa became the site of major protests in August, after Hernández was implicated in his brother's drug-smuggling operation, on September 15, when Honduras celebrated its independence from Spain, and in October, when the president's brother was convicted in the United States. Amnesty International reported that authorities regularly used tear gas and live ammunition against demonstrators and bystanders as the year continued, and that six people were killed during protests or government reprisals by year's end.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

NGOs and their staff, especially in the human rights and environmental fields, face significant threats, including harassment, surveillance, smear campaigns aimed at undermining their work, and violence. The IACHR reported that between January 2014 and August 2018, at least 65 human rights defenders were murdered, and over 1,232 attacks were documented between 2016 and 2017. Human Rights Watch (HRW) reported that another three human rights defenders, two of whom were indigenous, were killed in 2019.

Campaigners are also subject to detention and trial for their activities. In March 2019, authorities released 12 people who were charged with criminal conspiracy after they demonstrated against an illegal mining concession in the country's Bajo Aguan region. However, authorities detained seven campaigners on charges including robbery and arson in the same region in August.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Labor unions are well organized and can strike, though labor actions have resulted in clashes with security forces. The government does not always honor formal agreements entered with public-sector unions. Union leaders and labor activists in both the public and private sector face harassment, dismissal, and violence for their activities. The Solidarity Center reported that a member of the Workers' Union of Gildan Villanueva SA (SITRAGAVSA) was killed by police in July 2019 when he participated in an antigovernment protest.

F. RULE OF LAW: 5 / 16**F1. Is there an independent judiciary? 1 / 4**

Political and business elites exert excessive influence over the judiciary, including the Supreme Court. Judicial appointments are made with little transparency, with the IACHR reporting that the Supreme Court exerts excessive control over appointments. Judges have been removed from their posts for political reasons, and a number of legal professionals have been killed in recent years. Prosecutors and whistleblowers handling corruption cases are often subject to threats of violence.

In 2012, Congress voted to remove four of the five justices in the Supreme Court's constitutional chamber after they ruled a police reform law unconstitutional. In 2013, the legislature granted itself the power to remove from office the president, Supreme Court justices, legislators, and other officials. It also curtailed the power of the Supreme Court's constitutional chamber and revoked the right of citizens to challenge the constitutionality of laws. These moves laid the groundwork for the controversial 2015 constitutional change that allowed for President Hernández's 2017 reelection.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process is limited due to a compromised judiciary and a corrupt and often inept police force, in which many officers have engaged in criminal activities including drug trafficking and extortion. The government has increasingly utilized the armed forces to combat crime and violence. Arbitrary arrests and detentions are common, as is lengthy pretrial detention. In 2017, authorities established several new courts in an attempt to address lengthy trial delays. Authorities in the armed forces have dishonorably discharged members accused of rights violations before their trials have taken place.

In 2018, a court found seven of the eight suspects in the 2016 killing of indigenous rights activist Berta Cáceres guilty of murder. Among those convicted were two officials with a company constructing the hydroelectric dam Cáceres had opposed and former members of the military. The defendants were handed sentences ranging from 30 to 50 years in December 2019, over a year after their conviction.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The number of homicides rose to 3,996 in 2019, from 3,864 in 2018. Violent crime and gang violence remain serious problems, and have prompted large-scale migration out of Honduras. Many parents opt to send their children towards the United States to avoid gang recruitment, and those who return to their neighborhoods are often targeted by gangs, and in some cases, killed for fleeing the community. In response to widespread violence, the government has empowered the Military Police of Public Order (PMOP) and other security forces to combat security threats, and these units often employ excessive force when conducting operations.

Prisons are overcrowded and underequipped, and prison violence remains rampant due in large part to the presence of gangs. In October, inmates in the high-security El Pozo prison killed Magdaleno Meza, a drug smuggler who previously implicated Juan Antonio Hernández in his own confession. In December, El Pozo's warden, who was suspended after Meza's death, was himself shot and killed. That month was also marked by two prison clashes that killed at least 30 inmates; prison gangs were involved in both incidents.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Violence and discrimination against LGBT+ people and indigenous and Garifuna populations persist. Lesbian Network Cattrachas, a local NGO, reported that at least 26 LGBT+ people were killed in the first eight months of 2019, outpacing their 2018 tally of 25. While antidiscrimination laws are on the books, victims of such abuses have little practical recourse.

Honduras has among the highest femicide rates in the world, and these murders are rarely investigated. According to the UNAH, 380 women were murdered in 2018.

Asylum seekers from Honduras and other countries can find themselves held in Honduran territory due to a bilateral agreement signed with the United States in September 2019. As part of the agreement, Honduras agreed to house asylum seekers whose claims were either rejected by or unprocessed by the United States, even if they did not originate in Honduras.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

While authorities generally do not restrict free movement, ongoing violence and impunity have reduced personal autonomy for the country's residents. Those living in gang-controlled territories face extortion, and dangerous conditions limit free movement and options for education and employment. The Office of the UN High Commissioner for Refugees (UNHCR) estimated that over 247,000 people were internally displaced in Honduras at the end of 2019.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Corruption, crime, and gang activity inhibits the ability to conduct business activities freely and dissuades entrepreneurs from establishing new businesses. Those who work in the transportation sector (taxi and bus drivers) are notable targets of gangs, but many are unable to flee for fear of retaliatory violence against themselves and their families.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Same-sex marriage remains illegal in Honduras. In 2018, Congress approved legislation that banned same-sex couples from adopting children, over the objection of activists who called the bill superfluous and discriminatory. Despite their opposition, the law came into force in March 2019. Abortion is illegal in Honduras, including in cases of rape or incest, and women accused of terminating their pregnancies face prison terms of up to six years. Emergency contraception is also prohibited. Domestic violence remains widespread, and most such attacks go unpunished.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Lack of socioeconomic opportunities combined with high levels of crime and violence limit social mobility for most Hondurans, and exacerbate income inequality. High youth unemployment and low levels of education help to perpetuate the cycle of crime and violence.

Human trafficking is a significant issue in Honduras, which serves as a source country for women and children forced into prostitution; adults and children are also vulnerable to forced labor in the agriculture, mining, and other sectors, and as domestic servants.

Hungary

Population: 9,800,000

Capital: Budapest

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: After taking power in 2010 elections, Prime Minister Viktor Orbán's Alliance of Young Democrats–Hungarian Civic Union (Fidesz) party pushed through constitutional and legal changes that have allowed it to consolidate control over the country's independent institutions. More recently, the Fidesz-led government has moved to institute policies that hamper the operations of opposition groups, journalists, universities, and nongovernmental organizations (NGOs) whose perspectives it finds unfavorable.

KEY DEVELOPMENTS IN 2019

- Fidesz maintained control of many regions of Hungary during local elections in October. However, opposition candidates fared better in cities, notably winning the mayoralty and city council of the capital, Budapest. Fidesz also posted a strong performance in May's elections to the European Parliament (EP), winning nearly 53 percent of the votes against a dispersed opposition.
- Hungary's government maintained harsh policies toward migrants and asylum seekers, as its impasse with European institutions over its migrant policy continued. In May, activists warned that Hungarian authorities were denying food to asylum seekers detained in transit zones. The European Commission (EC) opened a new legal probe against Hungary in response.
- Opposition parliamentarians and journalists lost much of their ability to oppose and criticize the government. A law granting politicians the right to enter the offices of public buildings was repealed, and they now require prior notification or permission. Journalists saw their physical access to much of the National Assembly stripped by its speaker.

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The National Assembly elects both the president and the prime minister, meaning the democratic legitimacy of these votes rests largely on the fairness of parliamentary elections. The president's duties are mainly ceremonial, but he or she may influence appointments and return legislation for further consideration before signing it into law. The president is limited to a maximum of two terms. János Áder, a founding member of Fidesz, has been president since 2012, having won a second five-year term in 2017. Orbán has been prime minister since 2010, winning reelection in 2014 and 2018.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Voters elect representatives every four years to a 199-seat, unicameral National Assembly under a mixed system of proportional and direct representation (106 from

single-member districts and 93 from compensatory party lists). The coalition of Fidesz and its junior partner, the Christian Democratic People's Party (KDNP), won the April 2018 parliamentary elections with 49.3 percent of the vote, capturing exactly two-thirds (133) of the seats. The far-right Movement for a Better Hungary (Jobbik) took 26 seats, a coalition led by the center-left Hungarian Socialist Party (MSZP) won 20 seats, and smaller parties and individuals divided the remainder.

An election-monitoring mission performed by the Organization for Security and Co-operation in Europe (OSCE) said the elections were generally well administered, but it noted an "overlap between state and ruling party resources," and added that opaque campaign finance, media bias, and "intimidating and xenophobic rhetoric" hampered voters' ability to make informed choices. While there was no evidence of electoral fraud that could have affected the elections' outcome, some irregularities were reported, and the OSCE found that rigid adherence to formal regulations by the National Election Commission (NVB) had in effect limited access to legal remedy.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Members of the NVB are nominated by the president and confirmed to nine-year terms by parliament. There is no formal parliamentary debate or public consultation process to inform the selection of current NVB members, and observers have raised concerns about the body's impartiality. The OSCE report on the 2018 election noted the NVB's tendency to favor the ruling party when considering complaints over advertising materials. However, the government was not totally immune to NVB oversight; in March 2018, it fined Prime Minister Orbán for posting an election campaign video in a kindergarten classroom online without securing the approval of parents.

Nevertheless, Orbán's government has been largely successful in superseding impartiality requirements. In 2019, the Supreme Court effectively neutralized a long-standing neutrality requirement for state institutions during election campaigns. That case was heard after Prime Minister Orbán threatened government funding for the city of Budapest if its Fidesz mayor was not reelected that October.

The OSCE, in its 2018 assessment, also indicated that citizens were not permitted to participate in election observation at polling places, and that "intimidating rhetoric by the government" discouraged public involvement in election-related activities. This resulted in numerous local election commissions operating without an opposition or nonpartisan presence during the 2018 polls.

After Fidesz took power in 2010, it used its parliamentary supermajority to redraw constituency boundaries in its favor. Electoral bodies frequently reject referendums proposed by the opposition while approving government proposals of dubious constitutionality, including a controversial 2016 referendum on a European Union (EU) asylum quota plan.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties can organize legally, but they face some practical impediments in their efforts to garner popular support. Changes to party registration and financing systems that took effect ahead of the 2014 parliamentary polls encouraged the registration of new parties, but these reforms were criticized as a means for Fidesz to divide the opposition. Opposition

parties are disadvantaged by the politicized distortion of the advertising market, notably including the market for the country's many billboards.

Individual politicians face smear campaigns in progovernment media outlets. In December 2017, electoral authorities targeted Jobbik, the largest opposition party in the National Assembly, over an accusation of illicit fundraising, fining it over €2 million (\$2.1 million). Béla Kovács, a prominent Jobbik Member of the European Parliament, was also accused of espionage that month. Though Jobbik ultimately competed in the 2018 general election, it warned that it may boycott that election upon the announcement of the fine.

Opposition parties faced bogus competitors in the 2014 and 2018 elections, with Transparency International warning that at least 12 groups were created to take advantage of public funding schemes in the 2018 election. Some of these groups relied on petition signatures borrowed from Fidesz candidates to enter the ballot, suggesting the government's involvement in splitting the opposition vote through this tactic.

Authorities have interfered with peaceful political activities by opposition figures, as well. During opposition-led rallies held in Budapest in December 2018, lawmakers invoked their legal right to access public buildings in order to enter the headquarters of the country's public broadcaster, but security agents forcibly removed two of the lawmakers. This legal right was subsequently revoked in 2019.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Fidesz has dominated the political landscape since the 2010 election. The opposition remains fragmented, and opposition parties increasingly contend with obstacles and restrictions that detract from their ability to gain power through elections. These include unequal access to media, smear campaigns, politicized audits, and a campaign environment skewed by the ruling coalition's mobilization of state resources.

While the 2018 parliamentary polls were generally well administered, the proliferation of obstacles faced by opposition parties and candidates diminished their ability to freely compete with Fidesz. The OSCE cited the "pervasive overlap between state and ruling party resources," which often made extensive government advertising campaigns indistinguishable from Fidesz promotional materials. The ruling party also harnessed Hungary's public broadcaster to disseminate its message, with the OSCE's media monitoring mission describing "clear patterns of political bias" in its election-related programming. Finally, the national government maintains effective control of the State Audit Office (ÁSZ), which monitors campaign activities and party spending; rulings made by the ÁSZ, which is led by a former member of Fidesz, are final, leaving opposition parties with little recourse.

The 2019 election campaign saw a marked rise in the use of recorded sexual encounters featuring politicians that were released without their consent. In early October, a sex tape featuring Tamás Wittinghoff, an opposition politician and mayor of the town of Budaörs, was revealed when flyers featuring a URL to the video were distributed in the town. Wittinghoff claimed the video had been recorded after Fidesz lost a race in the town four years before, and said he was the victim of blackmail. A sex tape featuring Zsolt Borkai, the Fidesz mayor of Győr, was also revealed to the public in October, and Borkai was forced to resign from the party and the mayoralty despite winning reelection.

In August, progovernment television station TV2 also highlighted sexual harassment claims against former opposition politician László Donáth, who has since become the pastor and director of a nursing home. The television station interviewed a man who overheard details of Donáth's alleged attack on a female employee in an elevator, but a subsequent

police investigation revealed no new information. Donáth denied the accusations. That same month, a progovernment newspaper reported on a charge of sexual harassment against his daughter, Anna Donáth, who had won a seat in the EP as an opposition candidate in May. The newspaper reported that Donáth harassed a young girl while they both attended a music festival; Donáth denied the accusation.

The local elections were nevertheless a highlight for opposition politicians; Fidesz lost control of several cities, including the capital of Budapest. Gergely Karácsony, the winner of Budapest's mayoral election, commanded over 50 percent of the vote; opposition politicians also wrested control of Budapest's local council.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Individuals are largely able to participate in public affairs without encountering undue influence over their political choices. However, Fidesz has increasingly harnessed its members' political and economic power to sideline opposition groups and prevent them from presenting a meaningful challenge to its dominant position.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women are underrepresented in political life, and the share of women in the parliament remains low. Only 24 of 199 National Assembly members, or 12 percent, are women. Women are also poorly represented in cabinet; after winning the 2018 election, Prime Minister Orbán named only one woman as a minister; Andrea Bartfai-Mager has no official portfolio.

Hungary's constitution guarantees the right of ethnic minorities to form self-governing bodies, and all 13 recognized minorities have done so. Minorities can also register to vote for special minority lists—with a preferential vote threshold—in parliamentary elections. Only one of the 13 recognized minorities managed to elect a representative with voting rights in the National Assembly in 2018. An ex-Fidesz politician who suspended their party membership won a seat to represent the German minority that year.

The Romany minority has long been underrepresented in politics and government, and the community has been actively targeted by members of Fidesz in recent years; party co-founder Zsolt Bayer called Romany Hungarians “unfit” in public comments made in 2013.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The governing coalition is effectively able to draft and implement laws and policies without undue interference. Fidesz continues to dominate governance through a parliamentary supermajority that it acquired in problematic elections. Prime Minister Orbán, the party's leader, exerts considerable influence over the legislature. The ability of the opposition to check government activities remains limited.

Amendments to the rules governing the National Assembly adopted in December 2019, further weakened legislators' ability to exercise their influence. Parliamentarians lost the ability to cross the political aisle, and were prohibited from entering state institutions without prior notification or permission. Legislators who entered the headquarters of Hungary's public television broadcaster during a protest in December 2018, before the law came to effect, were still targeted by the authorities, with prosecutors opening an investigation into their behavior in January 2019.

Lawmakers have also had their behavior in the National Assembly restricted in other ways after Fidesz won its third term, with the speaker disciplining lawmakers for occupying the lectern and bringing signs onto the floor. Before this, opposition politicians had occupied the lectern to criticize a law that weakened overtime protections for workers in 2018. In October 2019, another opposition politician used signs to interrupt Prime Minister Orbán during a speech.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a problem in Hungary, and instances of high-level government corruption have not been properly investigated. Prosecutors have also been reluctant to investigate long-standing allegations of the public misuse of development funds disbursed by the EU, despite the severity of the problem; in September 2019, the European Anti-Fraud Office (OLAF) warned that Hungary was the worst-performing member state regarding the misappropriation of EU funds. OLAF reported that nearly 4 percent of EU-provided funds were misused and should have been returned during its 2014–18 reporting period.

Transparency International's Hungarian chapter has reported that a number of companies with close ties to the government are supported primarily by public funds. By contrast, business figures who fell out of favor with the government, like former Fidesz party treasurer Lajos Simicska, have been subjected to financial and legal pressure. Two of Simicska's media outlets, daily newspaper *Magyar Nemzet* and Lánchíd Rádió, closed after losing government advertising revenue.

Fidesz has also used legal and personnel changes to establish broad control over auditing and investigative bodies, including the ÁSZ.

C3. Does the government operate with openness and transparency? 2 / 4

Hungary's Freedom of Information Act contains numerous exemptions, permits agencies to charge fees for the release of information, and is inconsistently enforced. In many cases, information is only made available as a result of litigation.

The government has also resisted transparency in its treatment of asylum seekers; journalist Illés Szurovecz was rebuffed from visiting three immigration centers between 2015 and 2016, though a politician traveling with him was allowed to enter a facility. In September 2019, the ECHR found that Hungary had violated Szurovecz's right to seek domestic redress for his request, after the plaintiff had been denied judicial review in Hungary.

Major legislation is frequently rushed through parliament, leaving citizens and interest groups little time to provide feedback or criticism. Journalists, meanwhile, have been curtailed from performing their duties while covering events in parliament, with the speaker prohibiting audio and video recording in corridors surrounding the plenary chamber, entrances, and on-site cafeterias in October 2019.

CIVIL LIBERTIES: 43 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16

D1. Are there free and independent media? 2 / 4

The constitution protects freedom of the press, but complex and extensive media legislation enacted by Fidesz has created avenues for politicized media regulation, undermining this guarantee. While private, opposition-aligned media outlets exist, national, regional, and local media are increasingly dominated by progovernment outlets, which are frequently used to smear political opponents and highlight false accusations. Government advertising and sponsorships favor progovernment outlets, leaving independent and critical outlets in a financially precarious position.

Members of Prime Minister Orbán's governing coalition and their allies have worked to close or acquire critical media outlets since 2015, when news outlet Origo was sold to investors allied with the government. The 2016 closure of Hungary's largest independent daily, *Népszabadság*, represented a particularly serious blow to media diversity. After Fidesz won its third term in 2018, several outlets owned by Simicska, a former Fidesz party treasurer who fell out with the prime minister, were closed, including the 80-year-old daily newspaper *Magyar Nemzet*, weekly *Heti Válasz*, and Lánchíd Rádió. *Magyar Nemzet* and Lánchíd Rádió suffered financial losses after losing state advertising revenue. HírTV, which Simicska sold off in 2018, saw a subsequent shift in its editorial line under its new owners.

In September 2018, businessman Zoltan Speder sold his holdings in cemp-X Online Zrt, which indirectly controls Index.hu, a major independent news website. Speder had previously fallen out with Prime Minister Orbán, while cemp-X's new owners are closely allied to Fidesz. In the years before this acquisition, Index.hu saw access to public information and to government officials curtailed by the Fidesz government.

Pressure on independent news outlets grew when owners of the majority of progovernment outlets, including HírTV and Origo, donated their companies to a new governing body, the Central European Press and Media Foundation (KESMA), in late 2018. Though these outlets had a combined value of as much as \$100 million, the erstwhile owners surrendered their news agencies to KESMA for free.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution guarantees religious freedom and provides for the separation of church and state, though these guarantees were weakened in the 2011 version of the constitution, whose preamble makes direct references to Christianity. Constitutional amendments enacted in 2018 reinforced those references, making it the obligation of all state organs to protect "Christian culture."

Government-led xenophobic campaigns in recent years have fueled anti-Muslim sentiment. In 2016, the Pew Research Center reported that 72 percent of Hungarians viewed Muslims as unfavorable, a far higher figure than in the EU as a whole.

After the adoption of a 2011 law on churches, some 300 religious communities lost their status as incorporated churches and were relegated to the new category of "religious organizations." When that law was later found in violation of the European Convention on Human Rights, the government adopted a new law in 2018 to fulfill the same goals. That legislation created a four-tier recognition scheme, leaving parliament to determine where organizations would fall in the new system. The law does not rectify the earlier deregistration of churches.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

The Fidesz-led government has maintained its efforts to bring schools and universities under close supervision. A gradual overhaul of the public education system raised concerns about excessive government influence on school curriculums, and legislation adopted in 2014 allows for government-appointed chancellors empowered to make financial decisions at public universities. Selective support by the government of certain academic institutions also threatens academic autonomy. In 2018, the government revoked accreditation from all gender studies programs, with senior officials questioning the rationale for this field of academic study.

Progovernment media outlets commonly target activists, academics, programs, and institutions, often by calling them "Soros agents," referring to Hungarian-born financier and

philanthropist George Soros, or “mercenaries.” These efforts are commonly aimed at gender studies programs, researchers studying inequality, and academics who have voiced criticism of the government, leading to self-censorship in Hungarian academia.

The government has more recently focused its attention on Central European University (CEU), a graduate school founded by George Soros after the collapse of the Soviet Union. In October 2018, the Hungarian government declined to sign an agreement that would allow the institution, which maintained accreditation in Hungary and the United States, to continue its operations. CEU responded by announcing its closure of US-accredited activities in Hungary that December, though some activities will continue on its Budapest campus until 2022. That decision took effect in September 2019, and CEU’s campus in the Austrian capital of Vienna opened to students.

The Fidesz government then targeted the Hungarian Academy of Sciences (MTA), which previously had its autonomy protected in the constitution. The government announced plans to strip the 200-year-old Academy of its network of research institutions in May 2019, handing them over to a new governing body. The Academy vehemently objected to the move, claiming the government wanted “total political control” of vital research in a public statement. Thousands of protesters assembled in early June to object to the government’s move, but the National Assembly adopted the proposal in a July vote. MTA president László Lovász submitted a complaint to the Constitutional Court in September, just as the legislation was to take effect. The controversy abated later that month, when the government negotiated an agreement with the Academy that protected much of its funding and operational autonomy.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

While freedom of expression is constitutionally protected, ongoing efforts to sideline voices and perspectives that authorities find unfavorable, including many found at the Hungarian Academy of Sciences, CEU, NGOs, and media outlets, have discouraged open criticism of the government and other politically sensitive speech.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution provides for freedom of assembly, and the government generally respects this right in practice. Fidesz’s electoral victory in 2018 prompted large crowds to turn out for peaceful antigovernment demonstrations.

However, the government has also endeavored to limit the freedom of assembly with new legislation. In October 2018, the government enacted legislation giving police forces more latitude to disperse public protests. That November, the government attempted to ban protests in public squares from taking place at all during national holidays, though the attempt was withdrawn later that month.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

NGOs whose activities conflict with government priorities have come under continued pressure. Since taking power, Fidesz has instituted burdensome registration and reporting requirements for NGOs, and police illegally raided the offices of one group, the Ökotárs Foundation, in 2015.

NGOs assisting asylum seekers have also been subject to Hungary’s “Stop Soros” laws, which heavily restricted the right to asylum in 2018. The “Stop Soros” laws survived domestic judicial review when the Constitutional Court upheld it in February 2019, but they have been

heavily criticized by the UN and European bodies. The Office of the UN High Commissioner for Human Rights (OHCHR) condemned the law as “shameful and blatantly xenophobic.” The Council of Europe’s Venice Commission, a constitutional consultative body, concluded that the new law “infringes upon the right to freedom of association and expression and should be repealed.” The EC separately warned that the measure violated EU law.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The government recognizes workers’ rights to form associations and bargain collectively. However, there are limitations on what can be considered a lawful strike, and union membership is low. Trade unions are present in less than 30 percent of workplaces, and only 8 percent of workers belong to one.

F. RULE OF LAW: 10 / 16

F1. Is there an independent judiciary? 2 / 4

Judicial independence remains a matter of concern. All of the 11 judges appointed to the Constitutional Court between 2010 and 2014 were named by the Fidesz government. Only when Fidesz temporarily lost its supermajority was it willing to include an opposition party into the nomination process for four judges, which took place in 2016. Rulings in recent years have favored government interests.

The administration of the judicial branch has also been subject to government interference and controversy in recent years; Tünde Handó, president of the National Judicial Office (NJO) since 2012, has been regarded as an ally of the Fidesz government in curtailing judicial independence. During her tenure, Handó has also been in conflict with the National Judicial Council (NJC), the body ultimately responsible for self-governance within the judiciary, with Handó calling the NJC’s activities unlawful in 2018. While the NJC is considered the supreme administrative body for the judicial branch, Handó was alleged to have disregarded its instructions on several occasions, and ignored her responsibility to consult the NJC on the NJO’s budget proposals in 2018 and 2019. Their conflict was scheduled to reach the Constitutional Court in 2019, but Handó was herself named a nominee to an empty seat on that bench in late October.

Parliament sought to create a new administrative court system in 2018, which would have given the Ministry of Justice broad powers to appoint and promote judges; that move garnered the opposition of the EP, which triggered an investigation under Article 7 of the EU’s Lisbon Treaty in response. Parliament postponed the reforms in June 2019, but an omnibus bill speedily passed in late December effectively resurrected the administrative court circuit. The legislation also restricted judicial interpretation of existing case law and allowed members of the Constitutional Court to assume a seat on the Supreme Court, the ultimate judicial arbiter of cases not directly involving the constitution, without nomination. In addition, administrative authorities were also given the chance to challenge unfavorable rulings directly before the Constitutional Court.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process rights are enshrined in the constitution and are generally respected. However, the former head of the NJO, Tünde Handó, was criticized for using her authority to transfer certain cases to courts of her choice. There have been concerns about the quality of lawyers appointed for defendants who are unable or unwilling to retain legal counsel on their own.

Hungarian courts have also shown continued resistance to European judicial oversight on due process matters in 2019. That September, Hungary’s Supreme Court sided with Prosecutor General Péter Polt in his efforts to limit the European Court of Justice’s (ECJ)

oversight over an ongoing case, which began when a lower-level judge suspended a criminal trial and sought the ECJ's opinion on its compliance with EU regulations. Polt argued that the judge's request itself was unlawful.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Overcrowding, inadequate medical care, and poor sanitation in the country's prisons and detention centers remain problems. In 2017, the government revoked its cooperation agreement with the Hungarian Helsinki Committee, a human rights organization, effectively terminating the group's access to detention facilities.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The rights of refugees and asylum seekers are routinely violated in Hungary, where changes to asylum policy—including the uncontested declaration, by law, of Serbia as a safe third country—and the construction of barriers along the country's southern border have made it nearly impossible for individuals to apply for asylum and receive protection. Only two asylum seekers are formally permitted to enter the country per day. Once allowed in, asylum seekers are frequently detained in poorly equipped transit zones, and few are recognized by Hungarian authorities as refugees.

European courts have heavily criticized Hungarian asylum and immigration policy throughout 2019. In July, the ECJ ruled that a law denying domestic courts the right to review asylum decisions was incompatible with EU jurisprudence. That same month, the EC opened an infringement procedure in response to the denial of food to asylum seekers held in custody. In November, the ECHR ruled that the removal of asylum seekers to Serbia amounted to a human rights violation. Despite this, the government has maintained its stance; it continues to train special police units ("border hunters") with wide powers to remove migrants from the country, and has prolonged a state of emergency in order to execute its migration policy.

Members of the Romany population, Hungary's largest ethnic minority, face widespread discrimination, societal exclusion, violence, and poverty. Roma students continue to be segregated or improperly placed in schools for children with mental disabilities, a practice that led the EC to begin an infringement procedure in 2016. In 2017, the EC reported improvements in Romany access to Hungary's education system, but also warned that segregation remained common in the classroom. The body also reported a growing proportion of young Roma who were not in education, employment, or training in 2017 report.

Women in Hungary are subject to employment discrimination and tend to be underrepresented in high-level business positions.

Hungary has become less welcoming of LGBT+ rights under Fidesz. In a 2019 Eurostat survey, 55 percent of Hungarians voiced opposition to LGBT+ rights overall. Hungarians also voiced strong opposition to same-sex marriage in the survey, and opposed transgender residents gaining the ability to change identity documents in line with their gender identities. Senior Fidesz politicians have made homophobic statements in public; parliament speaker László Kövér compared same-sex relationships to pedophilia when discussing his opposition to same-sex adoptions in May 2019.

As the year closed, Hatter (Background), an advocacy group for LGBT+ rights, warned that legislative restrictions, a lack of support from law enforcement, and hostile comments from Fidesz politicians threatened to close the historically open environment for LGBT+ people in Hungary.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

There are no significant restrictions on Hungarians' freedom of travel or the ability to change their place of residence or employment. However, a July 2019 law restricts the ability of students and parents to avoid the centralized school system and limits their access to alternative schools.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Individuals have the right to own property and establish private businesses. However, the recent difficulties of business owners who have fallen out of favor with the government illustrate the extent to which success depends on government connections.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The government generally does not restrict social freedoms, though the constitution enshrines the concept of marriage as a union between a man and a woman. LGBT+ Hungarians are allowed to pursue civil unions, but they remain prohibited from adopting children.

Hungarian women have recently been encouraged to expand the size of their families, with Prime Minister Orbán proposing a package of income tax breaks and preferential mortgage terms for women who bear at least four children. Orbán directly linked his proposal to his anti-Muslim and nativist outlook when he announced the proposal in February 2019, placing pressure on Hungarian women to address the country's demographic decline.

Domestic violence and spousal rape are illegal, but the definition of rape hinges on the use of force or coercion, not on lack of consent. NGOs describe government responses to violence against women as inadequate. The right to life from conception is constitutionally protected, but access to abortion remained largely unrestricted in 2019.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Hungary is a transit point, source, and to a lesser extent, destination for trafficked persons, including women trafficked for prostitution. Prevention, coordination efforts, and processes to identify and support victims remain inadequate, while trafficking investigations and enforcement of relevant laws are unreliable.

Iceland

Capital: Reykjavík

Population: 400,000

Freedom Status: Free

Electoral Democracy: Yes

Overview: Iceland is a parliamentary democracy with a long history of upholding political rights and civil liberties. However, links between elected representatives and business interests remain a concern, as does the concentration of private media ownership. Reports of systematic exploitation of immigrant labor have escalated considerably.

KEY DEVELOPMENTS IN 2019

- In March, the European Court of Human Rights (ECHR) ruled that justice minister Sigríður Andersen violated the fair-trial rights of Icelanders after ignoring a selection committee to install unqualified nominees to the Court of Appeals; one of her selections was the spouse of a lawmaker in the ruling coalition. Andersen resigned over the affair later that month.
- In May, Parliament voted to liberalize Iceland's abortion law, allowing the procedure through the 22nd week of a pregnancy. Icelanders were generally able to undergo abortions through the 16th week before the new law, which took effect in September, was approved.
- In November, Icelandic fishing firm Samherji was implicated in bribing Namibian government officials to secure fishing rights there, after the so-called "Fishrot Files" were released. Samherji's CEO stepped down later that month.

POLITICAL RIGHTS: 37 / 40**A. ELECTORAL PROCESS: 12 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

The president serves as a largely ceremonial chief of state, is directly elected to a four-year term, and is not subject to term limits. President Gudni Thorlacius Jóhannesson was elected in 2016, taking 39.1 percent of the vote in a field of nine candidates. The Organization for Security and Co-Operation in Europe (OSCE) deployed an assessment mission ahead of the polls, and concluded that stakeholders had a high degree of confidence in Icelandic electoral processes. However, the OSCE reaffirmed past concerns about the possibility for early voting to begin before the candidate confirmation procedures closed. The OSCE declined to monitor the poll itself, and stakeholders accepted the results.

The prime minister is head of government. The leader of the ruling party or coalition usually becomes prime minister; the legitimacy of the prime minister rests primarily on the conduct of the parliamentary polls. The current prime minister, Katrín Jakobsdóttir of the Left-Green Movement (LGM), took office in 2017, following parliamentary elections that were viewed as credible by international observers.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral Parliament is elected for four-year terms. The 2017 election was the third parliamentary election in four years, following the dissolution of the governing coalition in the wake of a scandal involving then prime minister Bjarni Benediktsson.

An OSCE monitoring mission found the elections well administered and in line with international standards for democratic elections. The Independence Party (IP) took a plurality of seats, with 16, the second-place LGM took 11, and the Progressive Party (PP) finished third, taking 8 seats. A new coalition government comprising those parties was seated following several weeks of multiparty coalition talks.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The constitution, the election law of 2000, and related legislation establish a clear and detailed framework for conducting elections. Electoral laws are implemented impartially by a variety of national- and regional-level authorities. However, the division of responsibilities between the relevant bodies is not always well defined.

An extensive constitutional reform process, launched by popular initiative in 2009, led to the drafting of a new constitution that, among other things, would harmonize the number of votes per seat in all constituencies. The draft was approved by referendum in 2012, but the initiative has since stalled in the legislature.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties form and operate freely, and rise and fall according to political developments and the will of the public. In 2017, two new parties, the Center Party (CP) and the People's Party, gained legislative representation.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties have the ability to gain power through free elections, as evidenced by the LGM's gains in 2017 and inclusion in the coalition government. However, the IP has only rarely lost its status as the largest party in Parliament, and is usually part of the ruling coalition.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

No military, foreign, or religious entities exert undemocratic influence over voters' choices. However, some politicians and parties are closely linked with businesses, which in turn exert significant political influence. Fisheries minister Kristján Þór Júlíusson is closely affiliated with Samherji, an Icelandic fishing company that was implicated in a scheme to bribe Namibian officials in November 2019.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

All Icelandic citizens of adult age may vote in local and national elections. Foreigners can vote in municipal elections if they have been residents for at least five years, or three years if they are citizens of Nordic countries. The interests of women and LGBT+ people are well represented in politics. In Reykjavík's 2018 municipal election, an unprecedented number of immigrants ran for office.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The freely elected head of government and national legislative representatives determine the policies of the government.

C2. Are safeguards against official corruption strong and effective? 3 / 4

While Iceland maintains robust anticorruption laws, public officials and major companies have engaged in corrupt behavior. Some officials implicated in corrupt or unsavory behavior often continue to serve in government.

In 2018, Prime Minister Jakobsdóttir commissioned a report to garner recommendations for improving public confidence in the government. The report's findings called for legislation to facilitate access to information about public institutions and protection for

whistleblowers in both the public and private sectors. A report published by the Council of Europe's Group of States Against Corruption (GRECO) later that year criticized Iceland for inadequate enforcement of conflict-of-interest rules, and urged the government to strengthen rules on accepting third-party gifts.

Despite these efforts, incidents of official corruption continued in 2019. In March, the ECHR ruled that justice minister Andersen violated Icelanders' right to a fair trial by ignoring the recommendations of a selection committee and appointing unqualified individuals to the Court of Appeals; one nominee was the spouse of a lawmaker in the ruling IP. While Andersen initially resisted calls to resign, she did so later in March.

In November, Icelandic fishing firm Samherji was implicated in bribery after the release of the so-called "Fishrot Files;" they revealed that Samherji bribed Namibian government officials to secure fishing rights as far back as 2012. Samherji CEO Þorsteinn Már Baldvinsson resigned later that month after the files were released by WikiLeaks, but fisheries minister Júlíusson resisted calls to step down after admitting that he spoke to Baldvinsson over the allegations.

In December 2019, polling firm Maskína found that 72 percent of Icelanders viewed their country's political system as corrupt.

C3. Does the government operate with openness and transparency? 3 / 4

Iceland's Information Act, passed in 2013 to strengthen existing legislation on transparency and freedom of information, has been criticized by press freedom advocates as having weak provisions. Public officials have sought to conceal information that may be embarrassing or implicate them in wrongdoing.

In 2018, six PP and CP parliamentarians were secretly recorded making misogynistic, anti-LGBT, and ableist remarks about colleagues at a Reykjavík bar. An uproar ensued after the woman who recorded the conversation leaked it to the media. Four of the legislators involved petitioned the Reykjavík District Court to pursue charges against her for violating their privacy, but the court dismissed their claims that December.

CIVIL LIBERTIES: 57 / 60

D. FREEDOM OF EXPRESSION AND BELIEF 15 / 16

D1. Are there free and independent media? 3 / 4

The constitution guarantees freedom of speech and of the press. The autonomous Icelandic National Broadcasting Service (RÚV) competes with private radio and television stations. Private media ownership is concentrated, with the media company 365 controlling most of the major private television and radio outlets, as well as the free newspaper *Frettabladid*, which enjoys the highest circulation in the print market.

In 2017, just prior to the election, media broke the story that former prime minister Benediktsson sold his shares in Glitnir Bank just hours before the financial crash of 2008. Soon afterward, the Reykjavík district commissioner issued an injunction against newspaper *Stundin* and Reykjavík Media, barring use of documents from Glitnir's estate in media coverage. Press freedom advocates denounced the ruling, characterizing it as a move to put the interests of banks above journalists' duty to inform the public. In early 2018, the Reykjavík District Court lifted the injunction, allowing the paper to use Glitnir documents in its reporting.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides for freedom of religion, which is generally upheld in practice. About three-quarters of Icelanders belong to the Evangelical Lutheran Church. The state supports the church through a special tax, which citizens can choose to direct to the University of Iceland instead.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is respected, and the education system is free of excessive political involvement.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People in Iceland may freely discuss personal views on sensitive topics without fear or surveillance or retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is generally upheld.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) may form, operate, and fundraise freely, and frequently inform policy discussions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The labor movement is robust, with more than 80 percent of all eligible workers belonging to unions. All unions have the right to strike, with the exception of the National Police Federation. Members of the Icelandic Journalists Union (BÍ) launched strikes in October and November 2019 after they objected to a proposed collective bargaining agreement; these were the first strikes by journalists in Iceland since 1978.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is generally independent. Judges are proposed by an Interior Ministry selection committee and formally appointed by the president, and are not subject to term limits. However, the selection process was interrupted by former justice minister Andersen in March 2019, when she selected nominees who were considered unqualified to the Court of Appeals.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The law does not provide for trial by jury, but many trials and appeals use panels of several judges. Prison conditions generally meet international standards.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Police are generally responsive to incidents of violence. War and insurgencies are not a concern.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution states that all people shall be treated equally before the law, regardless of sex, religion, ethnic origin, race, or other status. However, in 2017, the European Commission Against Racism and Intolerance (ECRI) noted an apparent rise in racist discourse in Iceland in recent years.

The rate of refugee recognition in Iceland is very low compared to other northern European countries. In November 2019, authorities deported an Albanian family, including a woman who was nine months pregnant, despite receiving medical certification that she was unfit to fly. The family was deported even though an appeal against their deportation order was still under consideration, and they were ultimately removed from Iceland without notice.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

Freedom of movement is constitutionally protected and respected in practice.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

There is generally no undue government interference in business or private property ownership.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Parliament unanimously passed a law legalizing same-sex marriage in 2010, and a 2006 law established full and equal rights for same-sex couples in matters of adoption and assisted pregnancy. A comprehensive law on transgender issues adopted in 2012 aimed to simplify legal issues pertaining to gender reassignment surgery, to ensure full and equal rights for transgender people, and to guarantee relevant health care.

Individuals seeking an abortion after the 16th week of a pregnancy previously required special approval to undergo the procedure, but Parliament amended the law in May 2019 to allow abortions through the 22nd week of a pregnancy. The new law took effect in September.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Citizens generally enjoy fair access to economic opportunity. However, the systematic exploitation of migrant workers, including underpaying employees and denying overtime, has become a significant problem in recent years, especially in the tourism industry. Employers who exploit workers have largely acted with impunity due to an inadequate government response. Wage theft is not punishable by law. There are reports of forced labor, primarily involving migrants, in the construction and service industries, and of forced sex work in nightclubs.

Iceland criminalized human trafficking in 2009. In its 2019 *Trafficking in Persons Report*, the US State Department reported that law enforcement efforts to combat trafficking remained weak, and that no one has been prosecuted or convicted of human trafficking since 2010.

India

Population: 1,391,900,000

Capital: New Delhi

Freedom Status: Free

Electoral Democracy: Yes

Note: The numerical scores and status listed here do not reflect conditions in Indian-controlled Kashmir, which is examined in a separate report.

Overview: India maintains a robust electoral democracy with a competitive multiparty system at the federal and state levels, though politics are marred by corruption. The constitution guarantees civil liberties including freedom of expression and freedom of religion, but harassment of journalists and other government critics has increased under Prime Minister Narendra Modi and his Hindu nationalist Bharatiya Janata Party (BJP), as have religiously motivated attacks against non-Hindus. Certain minority groups—notably Muslims, scheduled castes (Dalits), and scheduled tribes (Adivasis)—remain economically and socially marginalized despite general legal equality and, in some cases, affirmative-action programs.

KEY DEVELOPMENTS IN 2019

- The ruling BJP increased its parliamentary majority in general elections held in April and May, overcoming the country's weakening economic outlook.
- A citizens' register issued in August in the eastern state of Assam excluded nearly two million residents, effectively rendering them stateless. Most were ethnic Bengalis, including many Muslims.
- A Supreme Court decision in November allowed the construction of a Hindu temple at a disputed religious site where a mosque had stood until its illegal demolition by Hindu extremists in 1992.
- In December, Parliament adopted a new citizenship law that discriminated against Muslims, triggering widespread protests that were harshly suppressed in some regions.

POLITICAL RIGHTS: 34 / 40 (-1)

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Executive elections and selection procedures are generally regarded as free and fair. Executive power is vested in a prime minister, typically the leader of the majority party in the Lok Sabha (House of the People), and a cabinet of ministers nominated by the prime minister. They are appointed by the president and responsible to the Lok Sabha. Narendra Modi was sworn in for a second term as prime minister after the BJP's victory in the 2019 Lok Sabha elections.

The president, who plays a largely symbolic role, is chosen for a five-year term by state and national lawmakers. Current president Ram Nath Kovind, a member of the Dalit community and a veteran BJP politician, was elected in 2017.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 545-seat Lok Sabha, the lower house of Parliament, are directly elected in single-member constituencies for five-year terms, except for two appointed members representing Indians of European descent. Most members of the less powerful 245-seat upper house, the Rajya Sabha (Council of States), are elected by state legislatures using a proportional-representation system to serve staggered six-year terms; up to 12 members are appointed.

The most recent Lok Sabha elections were held in seven phases in April and May 2019. The ruling BJP won 303 seats, giving its National Democratic Alliance coalition a stable majority of 353 seats. The opposition Indian National Congress party placed a distant second with 52 seats, for a total of 92 seats with its partners in the United Progressive Alliance. Voter turnout was 67 percent. The elections were considered generally free and fair, though some violations of campaign rules were reported.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections for the central and state governments are overseen by the independent Election Commission of India. The head of the commission is appointed by the president and serves a fixed six-year term. The commission is generally respected and had been thought to function without undue political interference. In 2019, however, its impartiality and competence were called into question. The panel's decisions concerning the timing and phasing of national elections, and allegations of selective enforcement of the Model Code of Conduct, which regulates politicians' campaign behavior and techniques, suggested bias toward the BJP.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16 (-1)**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Political parties are generally able to form and operate without interference, and a wide variety of parties representing a range of views and interests compete in practice. However, the opaque financing of political parties—notably through electoral bonds that allow donors to obscure their identities—remains a source of concern.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Different parties regularly alternate in government at the state and national levels. Modi and the BJP took power after the 2014 elections, ending 10 years of government by the Congress party. Although it won a new term in the 2019 parliamentary elections, the BJP's performance in state assembly elections was mixed. The party notably lost control over Maharashtra and Jharkhand in the last three months of the year.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Political participation, while generally free, is hampered by insurgent violence in certain areas. Separately, some political actors have sought to inflame communal tensions with the goal of energizing their own supporters while potentially intimidating opponents.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4 (-1)

Women and religious and ethnic minorities vote in large numbers and have opportunities to gain political representation. In 2019, for the first time, the rate of women's voting in national elections equaled that of men. Quotas for the Lok Sabha ensure that 84 and 47 seats are reserved for the so-called scheduled castes and scheduled tribes, respectively. State assemblies and local bodies feature similar quotas for these historically disadvantaged groups, as well as for women representatives. However, marginalized segments of the population continue to face practical obstacles to full political representation. Muslim candidates notably won 27 of 545 seats in the 2019 Lok Sabha elections, up from 22, but Muslims make up some 14 percent of the population.

Two developments in 2019 undermined the political rights of certain minorities, and Muslims in particular. In August, authorities finalized a review of citizenship status in the eastern state of Assam. The new citizens' register excluded nearly two million Assam residents, many of them ethnic Bengali Muslims, effectively rendering them stateless. Those excluded had allegedly failed to produce documentation that they or their ancestors resided in India before neighboring Bangladesh became independent in 1971. In December, Parliament adopted the Citizenship Amendment Act, which granted special access to Indian citizenship for non-Muslims from neighboring Muslim-majority states. The plainly discriminatory law was seen in part as an effort to ensure citizenship for Bengali Hindus who were left stateless by the Assam register.

Score Change: The score declined from 3 to 2 due to a review of citizenship status in Assam that effectively rendered nearly two million people stateless, as well as a new law that offered citizenship to non-Muslims from neighboring Muslim-majority countries.

C. FUNCTIONING OF GOVERNMENT: 9 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

India's elected leaders have the authority to set government policies, draft and enact legislation, and govern the country's territory in practice.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Large-scale political corruption scandals have repeatedly exposed bribery and other malfeasance, but a great deal of corruption is thought to go unnoticed and unpunished.

The Lokpal and Lokayuktas Act of 2014 created independent government bodies tasked with receiving complaints of corruption against public servants or politicians, investigating such claims, and pursuing convictions through the courts. A retired Supreme Court justice was appointed as the first chairman of the national anticorruption agency, or Lokpal, in March 2019.

Several high-profile opposition politicians were arrested on corruption charges in 2019, giving rise to accusations that authorities were enforcing the laws selectively to favor the BJP.

C3. Does the government operate with openness and transparency? 3 / 4

The public generally has access to information about government operations, but the legal framework meant to ensure transparency has been under pressure in recent years. Amendments to the Whistleblowers Protection Act since its adoption in 2014 have drawn criticism for undermining the act's effectiveness, which was already regarded as limited in

scope. The 2005 Right to Information (RTI) Act is widely used to improve transparency and expose corrupt activities. Millions of requests are made under the act each year. However, more than 80 right-to-information users and activists have been murdered, and hundreds have been assaulted or harassed, according to the Commonwealth Human Rights Initiative. In July 2019, Parliament adopted amendments to the RTI Act that placed the salaries and tenures of the central and state-level information commissioners under the control of the central government, potentially exposing them to political pressure.

CIVIL LIBERTIES: 37 / 60 (-3)

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16 (-1)

D1. Are there free and independent media? 2 / 4

The private media are vigorous and diverse, and investigations and scrutiny of politicians are common, but there have been escalating attacks on press freedom under the Modi government. Revelations of close relationships between politicians, business executives, and lobbyists, on one hand, and leading media personalities and owners of media outlets, on the other, have dented public confidence in the press. Authorities have used security, defamation, sedition, and hate speech laws, as well as contempt-of-court charges, to curb critical voices in the media. Hindu nationalist campaigns aimed at discouraging forms of expression deemed “antinational” have exacerbated self-censorship, and some media observers have suggested that reporting has become less ambitious in recent years. Online disinformation was widespread in the run-up to the 2019 general elections.

Journalists risk harassment, death threats, and physical violence in the course of their work. Such attacks are rarely punished, and some have taken place with the complicity or active participation of police. Although no deadly attacks against journalists were reported in 2019, according to the Committee to Protect Journalists, five were killed in connection with their work in 2018, and four in 2017.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

While Hindus make up about 80 percent of the population, the Indian state is formally secular, and freedom of religion is constitutionally guaranteed. However, legislation in several states criminalizes religious conversions that take place as a result of “force” or “allurement,” which can be broadly interpreted to prosecute proselytizers. Some states require government permission for conversion.

A number of Hindu nationalist organizations and some local media outlets promote antiminority views, a practice that critics charge has been tolerated by the government of Prime Minister Modi. Attacks against minorities in connection with the alleged slaughter or mishandling of cows, which are held to be sacred by Hindus, continued in 2019. The media nonprofit IndiaSpend documented 45 killings by cow vigilantes between 2012 and 2018. More than 120 cases of cow-related violence, including lynchings, have been reported since Modi came to power, and the BJP has faced criticism for failing to mount an adequate response. In August 2019, a Rajasthan court acquitted six suspects in the 2017 killing of a Muslim man, despite eyewitness accounts and video evidence of their complicity; the victim was posthumously charged with cow smuggling, though that case was dropped. The acquittal of the man’s assailants was appealed by his family in October.

In November 2019, the Supreme Court reached a long-awaited verdict in a case concerning a disputed religious site in the state of Uttar Pradesh. While the judgment offered some accommodations to the minority Muslim community, finding that land for a mosque should be set aside elsewhere, it allowed construction of a Hindu temple to proceed at the

site in question, where a mosque had stood for centuries until it was destroyed by Hindu extremists in 1992.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4 (-1)

Academic freedom, though previously robust, has weakened in recent years, as intimidation of professors, students, and institutions over political and religious issues has increased. The student wing of the Hindu nationalist organization Rashtriya Swayamsevak Sangh (RSS), from which the ruling BJP is widely regarded to have grown, has used violent tactics on campuses across the country, including attacks on students and professors. Academics face pressure not to discuss topics deemed sensitive by the BJP government, particularly India's relations with Pakistan and conditions in Indian Kashmir.

Score Change: The score declined from 3 to 2 due to rising intimidation in recent years that is aimed at controlling academic discussion of politically sensitive topics.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Personal expression and private discussion in India are generally open and free. However, a nationwide Central Monitoring System launched in 2013 is meant to enable authorities to intercept any digital communication in real time without judicial oversight, raising concerns about abusive surveillance practices. Colonial-era laws continue to be used to curb expression. In February 2019, four students were arrested for sedition after allegedly celebrating an attack on Indian troops by Pakistan-based militants.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12 (-2)

E1. Is there freedom of assembly? 2 / 4 (-2)

There are some legal restrictions on freedom of assembly, including a provision of the criminal procedure code that empowers authorities to restrict public gatherings and impose curfews whenever "immediate prevention or speedy remedy" is required. State and central governments have repeatedly suspended mobile and internet service to curb protests in recent years. While peaceful demonstrations take place regularly in practice, some state and local governments used assembly bans, internet blackouts, and live ammunition in December 2019 to quell nationwide protests against the Citizenship Amendment Act and proposals to extend the Assam citizens' register process across the country. Roughly two dozen people had been killed in protest-related violence by year's end, and many others were arrested.

Score Change: The score declined from 4 to 2 due to the authorities' harsh repression of protests against the Citizenship Amendment Act.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

A wide variety of nongovernmental organizations (NGOs) operate, but some continue to face threats, legal harassment, excessive police force, and occasionally lethal violence. Under certain circumstances, the Foreign Contributions Regulation Act (FCRA) permits the federal government to deny NGOs access to foreign funding, and authorities have been accused of abusing this power to target political opponents. Since 2015, the government has deregistered nearly 15,000 associations under the FCRA.

In 2018, government financial crimes units raided the offices of Greenpeace India and Amnesty International India and froze their financial accounts. Amnesty International later reported that it was the target of an online smear campaign that some progovernment media outlets took part in. In 2019, officials served Amnesty International India with a “show cause” notice for alleged violations of India’s foreign exchange law. The organization’s offices were raided in November by the Central Bureau of Investigation.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Although workers in the formal economy regularly exercise their rights to bargain collectively and strike, laws including the Essential Services Maintenance Act have enabled the government to ban certain strikes. Public employees have more limited organizing rights, and private employers are not legally obliged to recognize unions or engage in bargaining.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 3 / 4

The judiciary is independent of the political branches of government. Judges, particularly at the Supreme Court level, have displayed considerable autonomy and activism in response to public-interest litigation. However, the lower levels of the judiciary have suffered from corruption.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process rights are not consistently upheld. Citizens face substantial obstacles in the pursuit of justice, including demands for bribes and difficulty getting the police to file a First Information Report, which is necessary to trigger an investigation of an alleged crime. Corruption within the police force remains a problem. The justice system is severely backlogged and understaffed, leading to lengthy pretrial detention for suspects, many of whom remain in jail longer than the duration of any sentence they might receive if convicted. A number of security laws allow detention without charge or based on vaguely worded offenses.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Torture, abuse, and rape by law enforcement and security officials have been reported. A bill intended to prevent torture remains pending. Abuses against prisoners, particularly minorities and members of the scheduled castes, by prison staff are common. Figures reported to the National Human Rights Commission suggest that 1,966 deaths occurred in judicial or police custody in 2018.

Security forces battling regional insurgencies continue to be implicated in extrajudicial killings, rape, torture, kidnappings, and destruction of homes. While the criminal procedure code requires that the government approve the prosecution of security force members, approval is rarely granted, leading to impunity.

The Maoist insurgency in the east-central hills region of India continues, though the annual number of casualties linked with it has decreased significantly since a peak in 2010. Among other abuses, the rebels have allegedly imposed illegal taxes, seized food and places of shelter, and engaged in abduction and forced recruitment of children and adults. Local civilians and journalists who are perceived to be progovernment have been targeted. Tens of thousands of civilians have been displaced by the violence and live in government-run camps.

Separately, in India’s seven northeastern states, more than 40 insurgent factions—seeking either greater autonomy or complete independence for their ethnic or tribal

groups—continue to attack security forces and engage in intertribal violence. Such fighters have been implicated in bombings, killings, abductions, and rapes of civilians, and they operate extensive extortion networks.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution bars discrimination based on caste, and laws set aside quotas in education and government jobs for historically underprivileged scheduled tribes, Dalits, and groups categorized by the government as “other backward classes.” However, members of these castes and minorities face routine discrimination and violence, and the criminal justice system fails to provide equal protection to marginalized groups.

In parts of the country, particularly in rural areas, informal community councils issue edicts concerning social customs. Their decisions sometimes result in violence or persecution aimed at those perceived to have transgressed social norms, especially women and members of the scheduled castes. Other forms of discrimination faced by women include workplace bias and sexual harassment. Indian participation in the international #MeToo movement against sexual harassment has raised awareness of the problem, but women have also endured reprisals after reporting instances of harassment.

In 2018, the Supreme Court ruled that the use of Section 377 of the Indian penal code to ban same-sex intercourse was unconstitutional. However, discrimination continues against LGBT+ people, including violence and harassment in some cases.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Article 19 of the constitution grants citizens the right to reside and settle in any part of the territory of India. However, freedom of movement is hampered in some parts of the country by insurgent violence or communal tensions. In 2019, Andhra Pradesh enacted legislation requiring companies to reserve 75 percent of jobs for locals; other states are considering similar policies.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Although the legal framework generally supports the right to own property and engage in private business activity, property rights are somewhat tenuous for tribal groups and other marginalized communities, and members of these groups are often denied adequate resettlement opportunities and compensation when their lands are seized for development projects. While many states have laws to prevent transfers of tribal land to nontribal groups, the practice is reportedly widespread, particularly with respect to the mining and timber industries. Muslim personal status laws and traditional Hindu practices discriminate against women in terms of property rights and inheritance.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Rape and other sexual abuse are serious problems, and scheduled-caste and tribal women are especially vulnerable. Mass demonstrations after the fatal gang rape of a woman on a Delhi bus in 2012 prompted the government to enact significant legal reforms, but egregious new rape cases have continued to emerge, and the criminal justice system has been repeatedly faulted for its poor handling of such matters. After one widely publicized rape

and murder in November 2019, police killed the four suspects while they were in custody in December. In another case that month, a victim was fatally attacked by her alleged rapist and other men while on her way to attend a court hearing.

Despite criminalization and hundreds of convictions each year, dowry demands surrounding marriage persist, sometimes resulting in violence. A 2006 law banned dowry-related harassment, widened the definition of domestic violence to include emotional or verbal abuse, and criminalized spousal sexual violence. However, reports indicate that enforcement is poor.

Muslim personal status laws and traditional Hindu practices feature gender discrimination on matters such as marriage, divorce, and child custody. A Muslim divorce custom allowing a man to unilaterally and summarily divorce his wife was criminalized in July 2019. The malign neglect of female children after birth remains a concern, as does the banned use of prenatal sex-determination tests to selectively abort female fetuses.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

The constitution bans human trafficking, and bonded labor is illegal, but the practice is fairly common. Estimates of the number of affected workers range from 20 to 50 million. A 2016 law allows children below the age of 14 to engage in “home-based work,” as well as other occupations between the ages of 14 and 18. Children are not permitted to work in potentially hazardous industries, though the rule is routinely flouted. There have been reports of complicity by law enforcement officials in human trafficking.

Indonesia

Population: 268,400,000

Capital: Jakarta

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Indonesia has made impressive democratic gains since the fall of an authoritarian regime in 1998, establishing significant pluralism in politics and the media and undergoing multiple, peaceful transfers of power between parties. However, the country continues to struggle with challenges including systemic corruption, discrimination and violence against minority groups, separatist tensions in the Papua region, and the politicized use of defamation and blasphemy laws.

KEY DEVELOPMENTS IN 2019

- President Joko Widodo (“Jokowi”) of the ruling Indonesian Democratic Party of Struggle (PDI-P) was reelected in April, defeating former general Prabowo Subianto in a rematch of their 2014 contest.
- Prabowo’s supporters held a major protest in Jakarta in May to object to Jokowi’s reelection. The protest turned violent, with rioters using projectiles and setting fires, and police using tear gas and water cannons; at least 6 people were killed during the clashes.
- Student groups held nationwide protests against proposed revisions to the criminal code that would have restricted extramarital sex and access to contraceptives for

minors, as well as legislation that weakened Indonesia's anticorruption agency, in September. Protesters and security forces again clashed; two students were killed by police, and hundreds of people were injured.

- Authorities continued a crackdown on proindependence activity in the Papua region throughout the year. Ten Papuan protesters and one soldier died in clashes that took place in August, after police were filmed using racial slurs while arresting a group of Papuan students; in December, at least 110 people were arrested for flying the Papuan flag, which is considered treasonous by Indonesian authorities.

POLITICAL RIGHTS: 30 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is directly elected and serves as both head of state and head of government. Presidents and vice presidents can serve up to two five-year terms. Jokowi, the PDI-P candidate, won a second term in the April 2019 election with 55.5 percent of the vote, defeating former general Prabowo Subianto, the Great Indonesia Movement Party (Gerindra) candidate.

Limited voting irregularities were reported, but the contest was largely considered free and fair by international election monitors. Prabowo's campaign claimed the election was marred by widespread fraud and vote rigging, but this claim was rejected by the Constitutional Court in June. In October, Jokowi appointed Prabowo as his defense minister.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The House of Representatives (DPR), the main parliamentary chamber, consists of 575 members elected in 34 multimember districts. The 136-member House of Regional Representatives (DPD) is responsible for monitoring laws related to regional autonomy and may also propose bills on the topic. All legislators serve five-year terms with no term limits.

Legislative elections were held concurrently with the presidential race and local contests in April 2019. The PDI-P, led by former president Megawati Sukarnoputri, won 19.3 percent of the vote and 128 seats. Golkar, the party of former authoritarian president Suharto, won 85 seats with 12.3 percent of the vote, followed by Gerindra with 78 seats and 12.6 percent of the vote. Partai NasDem won 59 seats, while the Democratic Party (PD) of former president Susilo Bambang Yudhoyono won 54. Two Islamic parties—the National Mandate Party (PAN) and the United Development Party (PPP) lost seats from the last parliament, returning with 44 and 19 respectively. Two other Islamic parties, the National Awakening Party (PKB) and the Prosperous Justice Party (PKS), increased their representation, winning 58 and 50 seats respectively.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The legal framework for elections is largely democratic, and electoral authorities are mostly seen as impartial. However, some legal provisions are problematic. Under a 2012 law, the hereditary sultan of Yogyakarta is that region's unelected governor.

A 2016 revision to the law governing local elections requires that the Election Oversight Agency (Bawaslu) and the General Elections Commission (KPU) conduct a binding consultation with the parliament and the government before issuing any new regulations or decisions. Activists expressed concerns that the rules would reduce electoral authorities' independence.

In 2017, the DPR approved a new General Elections Law that requires parties or coalitions fielding presidential candidates to hold 20 percent of the seats in parliament or 25 percent of the national vote in 2014. The provision effectively bars new or smaller parties from fielding candidates in the presidential race.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The right to organize political parties is respected, and the system features competition among several major parties. Four new parties contested the 2019 elections, two of them led by children of former president Suharto.

However, election laws favor large parties by increasing eligibility requirements. The 2017 General Elections Law requires new parties to undergo a “factual verification” process which involves confirming the accuracy of submitted documents on parties’ management, membership, and operations.

Communist parties are banned, and those who disseminate communist symbols or promote communism can face prison sentences of up to 12 years. In July 2019, police arrested two members of a literary group in East Java for possessing books on communism, including the biography of a former Indonesian Communist Party (PKI) leader. In early August, police in Makassar, the provincial capital of Sulawesi Selatan, seized books on Marxism during a raid.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Indonesia has established a pattern of democratic power transfers between rival parties since 1999. The most recent handover occurred in 2014, when the PDI-P returned to power after losing the previous two presidential elections. However, the 2017 General Elections Law makes it more difficult for the opposition by tying presidential candidates’ eligibility to their parties’ past electoral success.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

While voters and candidates are generally free from undue interference, the military remains influential, with former commanders playing prominent roles in politics, and intimidation by nonstate actors—including Islamist radical groups—remains a problem.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women enjoy full political rights, and political parties are also subject to 30 percent gender quotas for steering committees and candidates. Women remain underrepresented in electoral politics, holding 20.5 of the DPR’s seats; however, women do win leadership positions in Indonesia. In October, the parliament elected Puan Maharani, daughter of former president Megawati and granddaughter of former president Sukarno, to serve as its first female speaker.

Ethnic Chinese are poorly represented in politics, and often abstain from voting. However, two parties with ethnic Chinese leaders, the Indonesian Solidarity Party (PSI) and United Indonesian Party (Perindo), contested the April 2019 elections. Both parties fell below the 4-percent threshold to earn seats.

LGBT+ people, who are also poorly represented in electoral politics, abstain from voting.

Some local governments have discriminated against religious minorities by restricting access to identification cards, birth certificates, marriage licenses, and other bureaucratic necessities, limiting their political rights and electoral opportunities.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Elected officials generally determine the policies of the government, though national authorities have faced difficulties in implementing their decisions due to resistance at the local level. Separately, observers have warned that the military is regaining influence over civilian governance and economic affairs.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains endemic in the national and local legislatures, civil service, judiciary, and police. Acrimony between rival agencies—particularly the Corruption Eradication Commission (KPK) and the national police—has hindered anticorruption efforts, and civilian investigators have no jurisdiction over the military. In September 2019, the parliament passed legislation weakening the KPK; under the new act, the KPK can only employ investigators from the national police, and is restricted in its ability to wiretap suspects.

Nevertheless, senior politicians have faced scrutiny over corruption accusations in 2019. Former social affairs minister Idrus Marham was handed a three-year prison sentence in April after he was convicted of accepting bribes while running for the Golkar party leadership; the Supreme Court reduced Marham’s sentence to two years in December after hearing his appeal. In September, sports minister Imam Nahrawi resigned from his post after the KPK named him as a suspect in a bribery case.

C3. Does the government operate with openness and transparency? 2 / 4

Although civil society groups are able to comment on and influence pending policies or legislation, government transparency is limited by broad exemptions in the freedom of information law and obstacles such as a 2011 law that criminalizes the leaking of vaguely defined state secrets to the public.

CIVIL LIBERTIES: 31 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16 (-1)

D1. Are there free and independent media? 3 / 4

Indonesia hosts a vibrant and diverse media environment, though legal and regulatory restrictions hamper press freedom. The 2008 Law on Electronic Information and Transactions extended libel to online media, criminalizing the distribution or accessibility of information or documents that are “contrary to the moral norms of Indonesia,” or involve gambling, blackmail, or defamation. Journalists covering sensitive subjects, including LGBT+ issues, face harassment and threats. Foreign journalists visiting Papua and West Papua continue to report bureaucratic obstacles and deportations.

Journalists also risk physical assault. At least seven members of the press were assaulted by police and by demonstrators while covering a postelection protest in Jakarta that descended into violence in May 2019. In late September, the Committee to Protect

Journalists (CPJ) reported that police assaulted at least three journalists who covered an anticorruption protest in the city of Makassar.

Press activity has also been inhibited by internet blackouts. In May 2019, the government limited internet access in Jakarta, as supporters of presidential candidate Prabowo demonstrated over his loss. In late August 2019, the government slowed internet speeds in Papua as major protests took place, limiting journalists' ability to report on events in the region.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Indonesia officially recognizes Islam, Protestantism, Roman Catholicism, Hinduism, Buddhism, and Confucianism. Individuals may leave the "religion" section on their identity cards blank, but those who do—including adherents of unrecognized faiths—often face discrimination. Atheism is not accepted, and the criminal code contains provisions against blasphemy, penalizing those who "distort" or "misrepresent" recognized faiths.

National and local governments fail to protect religious minorities and exhibit bias in investigations and prosecutions. Building a new house of worship requires the signatures of 90 congregation members and 60 local residents of different faiths.

Violence and intimidation against Ahmadi and Shiite communities persists, and the central government continues to tolerate persecution of these groups.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Threats to academic freedom have increased in recent years. Academics have been charged with defamation and removed from their posts for criticism of public officials. In March 2019, Robertus Robet, a Jakarta State University lecturer, was arrested after criticizing a government plan to assign military officers to civilian posts in a February speech. Robet, who was charged with "offending a legal body," fled to Australia with his family later that month.

Hard-line groups are known to threaten discussions on LGBT+ matters, interfaith issues, and the 1965–66 anticommunist massacres.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4 (-1)

Laws against blasphemy, defamation, and certain other forms of speech sometimes inhibit the expression of personal views on sensitive topics, including on social media.

The government is known to surveil and detain individuals who discuss separatism in the Papua region or fly the Papuan flag. In January 2019, Papuan activist Agustinus Yolemal was handed a one-year sentence for posting a video containing proindependence slogans to Facebook the year before. In August, the national police disclosed that it was surveilling social media pages that allegedly published unverified and inciteful information on the region. Authorities arrested at least 110 people for raising the Papuan flag on December 1, the anniversary of its first use in public; Human Rights Watch (HRW) reported that 20 people were later charged with treason.

Civil servants are also subject to stringent restrictions on online activity; in November 2019, the government formed a task force to review "radical" social media comments from civil servants, including speech believed to insult or criticize the official *Pancasila* ideology, the state motto, the constitution, or the government. The decree governing this new task

force also prohibits civil servants from joining organizations deemed to insult the country's governing principles.

Score Change: The score declined from 4 to 3 due to the cumulative effect of government restrictions on the public use of the Papuan flag, arrests of Papuans expressing their desire for independence, surveillance of social media activity, and ongoing harassment of journalists and activists, which discourage open discussion on sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

Freedom of assembly is usually upheld, and peaceful protests are common. However, assemblies addressing sensitive political topics—such as the 1965–66 massacres or regional separatism—are regularly dispersed, with participants facing intimidation or violence from vigilantes or police.

Supporters of presidential candidate Prabowo demonstrated in Jakarta in May 2019, claiming that the contest was rigged after his loss in April. While demonstrations began peacefully, clashes between protesters and the authorities broke out, with protesters setting fires and throwing projectiles, and police using tear gas and water cannons; at least 6 people were killed and 200 more were injured during the clashes.

In August 2019, large demonstrations were held in the Papua region, after a video of Papuan students facing racist abuse by a militia group was disseminated online. Some of these demonstrations turned violent, with rioters burning a legislative assembly hall in the city of Manokwari along with several prisons and police using live ammunition to disperse a crowd; at least 10 Papuans and one soldier were killed in the clashes.

In September 2019, Indonesian students held demonstrations in several cities, including Jakarta and Makassar, to voice opposition to the government's policy on Papua, legislation meant to weaken the KPK, and proposed criminal code revisions that would have banned extramarital sex and restricted access to contraceptives. Protesters and police again clashed; two students were killed by police in the city of Kendari, and several hundred people were injured nationwide.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

While nongovernmental organizations (NGOs) are active in Indonesia, they are subject to government monitoring and interference. A 2013 law requires all NGOs to register with the government and submit to regular reviews of their activities. It limits the types of activities NGOs can undertake and bars them from committing blasphemy or espousing ideas that conflict with the official Pancasila ideology, such as atheism and communism. The government is empowered to dissolve noncompliant organizations without judicial oversight.

Authorities and influential Muslim organizations have continued to intimidate and harass LGBT+ people and activists. Nahdlatul Ulama, Indonesia's largest Muslim organization, has called for LGBT+ activism to be criminalized. The cumulative effect of this campaign has been to drive the LGBT+ activist community underground, and to hamper groups seeking to provide services to LGBT+ people.

Activists working to address Papuan issues are also targeted by the government. In September 2019, human rights lawyer Veronica Koman was accused of "provoking unrest" by the authorities for sharing videos of police activity in the region. Koman fled to Australia that month.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers can join independent unions, bargain collectively, and with the exception of civil servants, stage strikes. Legal strikes can be unduly delayed by obligatory arbitration processes, and laws against antiunion discrimination and retaliation are not well enforced. As a result of a memorandum of understanding signed in 2018, the military can assist police in dealing with strikes and demonstrations.

F. RULE OF LAW: 5 / 16**F1. Is there an independent judiciary? 2 / 4**

The judiciary has demonstrated its independence in some cases, particularly in the Constitutional Court, but the court system remains plagued by corruption and other weaknesses. Judicial decisions can also be influenced by religious considerations. In March 2019, the Supreme Court rejected the appeal of a Buddhist woman who received an 18-month prison sentence for blasphemy, after she privately complained about the volume of a nearby mosque's call to prayer.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Police reportedly engage in arbitrary arrests and detentions, particularly of protesters or activists suspected of separatism. Existing safeguards against coerced confessions are ineffective, and defendants are sometimes denied proper access to legal counsel, including in death penalty cases.

A number of districts and provinces have ordinances based on Sharia (Islamic law) that are unconstitutional and contradict Indonesia's international human rights commitments.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Military service members accused of crimes against civilians are tried in military courts, which lack impartiality and often impose light punishments. Security forces regularly go unpunished or receive lenient sentences for human rights violations. In October 2019, six police officers involved in the deaths of two student protesters in Kendari received administrative punishments in a disciplinary hearing.

Deadly confrontations between security forces remain common in Papua and West Papua.

Torture by law enforcement agencies is not specifically criminalized. Prisons are overcrowded and corrupt, leading to riots, protests, and jailbreaks. Violence related to natural resource extraction remains a problem. In Aceh, regulations under Sharia permit provincial authorities to use caning as punishment for offenses related to gambling, alcohol consumption, and illicit sexual activity.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Papuans face racial discrimination, including from authorities. In August 2019, members of a militia were filmed using racial slurs as police officers arrested a group of 43 Papuan students. The students allegedly did not raise the Indonesian flag as the country celebrated its independence day.

Some national laws and numerous local ordinances discriminate against women either explicitly or in effect.

LGBT+ people suffer from widespread discrimination, and authorities continue to target LGBT+ people with inflammatory and discriminatory rhetoric. LGBT+ people also risk attacks by hard-line Islamist groups, sometimes with support from local authorities.

Ethnic Chinese, who make up approximately one percent of the population but reputedly hold much of the country's wealth, are also vulnerable to harassment.

Indonesia grants temporary protection to refugees and migrants, but is not party to the 1951 Refugee Convention and does not accept refugees for asylum and resettlement.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The freedoms to travel and change one's place of residence, employment, or higher education are generally respected. However, Indonesians engaging in these administrative processes are sometimes vulnerable to bribery.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

A robust private sector exists, but business activity is hampered by corruption. Property rights are sometimes threatened by state appropriation and licensing of communally owned land to companies, particularly for those with unregistered or customary land rights. Women have relatively poor rights to marital property, as well. Ethnic Chinese in Yogyakarta face restrictions on private property ownership under a 1975 decree that contravenes national laws.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Abortion is illegal except to save a woman's life or in instances of rape. Adults over the age of 15 must have corroboration and witnesses to bring rape charges.

Sharia-based ordinances in a number of districts impose restrictions on dress, gambling, alcohol use, and sexual activity; these ordinances are disproportionately enforced against women and LGBT+ people.

Public displays of affection are banned in Aceh Province under Sharia-based regulations. In January 2019, two couples were whipped in the provincial capital of Banda Aceh for showing affection in public, after serving months-long prison sentences.

Marriages must be conducted under the supervision of a recognized religion, which obstructs interfaith marriages. The minimum age for marriage, defined in the 1974 Marriage Law, was 16 for women and 19 for men; child marriage was historically common for girls. In 2018, the Constitutional Court ruled the minimum age of 16 for women to marry unconstitutional. The parliament complied with the ruling in September 2019, amending the law to make the minimum age for marriage 19 for women.

That same month, the parliament also considered criminal code revisions that would have restricted extramarital sex; the new code would also have restricted access to contraception for minors and would have effectively banned same-sex relations. Jokowi halted the bill, which attracted fierce criticism and prompted major demonstrations, in late September; the parliament is expected to reconsider the revisions in 2020.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

National, provincial, and local authorities set standards for working conditions and compensation, but enforcement is inconsistent. Indonesian workers are trafficked abroad, including women in domestic service and men in the fishing industry.

Iran

Population: 83,900,000

Capital: Tehran

Freedom Status: Not Free

Electoral Democracy: No

Overview: The Islamic Republic of Iran holds elections regularly, but they fall short of democratic standards due in part to the influence of the hard-line Guardian Council, an unelected body that disqualifies all candidates it deems insufficiently loyal to the clerical establishment. Ultimate power rests in the hands of the country's supreme leader, Ayatollah Ali Khamenei, and the unelected institutions under his control. These institutions, including the security forces and the judiciary, play a major role in the suppression of dissent and other restrictions on civil liberties.

KEY DEVELOPMENTS IN 2019

- Protesters took to the streets in some 100 cities and towns in mid-November following the announcement of a significant hike in the price of gasoline. Security forces responded with lethal violence, reportedly killing more than 300 people, injuring thousands, and arresting thousands more.
- Authorities implemented a near-total internet shutdown that lasted for nearly a week in an apparent bid to suppress information about the protests and related state violence.
- Earlier in the year, the courts imposed a series of heavy prison sentences on labor activists, human rights lawyers, and women protesting the country's compulsory hijab rules, among others.
- Hard-line cleric Ebrahim Raisi, who allegedly played a role in mass executions of political prisoners in the 1980s, was appointed as chief of the judiciary in March.
- The state reportedly executed close to 300 people over the course of the year, including at least two juvenile offenders who were put to death in April.

POLITICAL RIGHTS: 7 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The supreme leader, who has no fixed term, is the highest authority in the country. He is the commander in chief of the armed forces and appoints the head of the judiciary, the heads of state broadcast media, and the Expediency Council—a body tasked with mediating disputes between the Guardian Council and the parliament. He also appoints six members of the Guardian Council; the other six are jurists nominated by the head of the judiciary and confirmed by the parliament, all for six-year terms. The supreme leader is appointed by the Assembly of Experts, which monitors his work. However, in practice his decisions appear to go unchallenged by the assembly, whose proceedings are kept confidential. The current supreme leader, Ali Khamenei, succeeded Islamic Republic founder Ruhollah Khomeini in 1989.

The president, the second-highest-ranking official in the Islamic Republic, appoints a cabinet that must be confirmed by the parliament. He is elected by popular vote for up to two

consecutive four-year terms. In the 2017 presidential election, only six men were allowed to run out of some 1,600 candidates who had applied. All 137 women candidates were disqualified by the Guardian Council. The main challenger to incumbent president Hassan Rouhani, a self-proclaimed moderate, was hard-line cleric Ebrahim Raisi. In the run-up to the election, the authorities intensified their crackdown on the media, arresting several journalists and administrators of reformist channels on Telegram, the popular messaging application. However, Rouhani's victory, with 57 percent of the vote amid roughly 70 percent turnout, appeared to reflect the choice of the electorate among the available candidates.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

Members of the 290-seat parliament are elected to four-year terms. In 2016, elections were held for the both the parliament and the Assembly of Experts, a body of 86 clerics who are elected to eight-year terms by popular vote. Only 51 percent of the candidates who had applied to run for parliament were approved by the Guardian Council, the lowest figure to date. Only 20 percent of candidates were approved to run for the assembly, also a record low.

At the end of the process, relatively moderate Rouhani supporters held more than 40 percent of seats in the parliament, while independents—who included a number of reformists—and hard-liners each took about a third. The result was perceived as a victory for moderates and reformists, though the exact orientations and allegiances of individual lawmakers are often unclear. Moderates and reformists similarly made symbolic gains in the Assembly of Experts, but because so many had been disqualified, the supposedly moderate lists included conservative candidates. A majority of the new assembly ultimately chose hard-line cleric Ahmad Jannati, head of the Guardian Council, as the body's chairman.

In December 2019, ahead of the parliamentary elections scheduled for February 2020, a number of reformist candidates were reportedly disqualified from running.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The electoral system in Iran does not meet international democratic standards. The Guardian Council, controlled by hard-line conservatives and ultimately by the supreme leader, vets all candidates for the parliament, the presidency, and the Assembly of Experts. The council typically rejects candidates who are not considered insiders or deemed fully loyal to the clerical establishment, as well as women seeking to run in the presidential election. As a result, Iranian voters are given a limited choice of candidates.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Only political parties and factions loyal to the establishment and to the state ideology are permitted to operate. Reformist groups have come under increased state repression, especially since 2009, and affiliated politicians are subject to arbitrary detention and imprisonment on vague criminal charges.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

While there is some space for shifts in power between approved factions within the establishment, the unelected components of the constitutional system represent a permanent

barrier to opposition electoral victories and genuine rotations of power. In 2015, two new reformist parties—Nedaye Iranian (Voice of Iranians) and Ettehad Mellat Iran (Iranian National Unity)—were established ahead of the 2016 parliamentary elections. However, most candidates from these and other reformist groups were disqualified by the Guardian Council ahead of the voting.

Top opposition leaders face restrictions on their movement and access to the media. Mir Hossein Mousavi, Zahra Rahnavard, and Mehdi Karroubi—leaders of the reformist Green Movement, whose protests were violently suppressed following the disputed 2009 presidential election—have been under house arrest without formal charges since 2011. Reformist former president Mohammad Khatami is the subject of a media ban that prohibits the press from mentioning him and publishing his photos. Former hard-line president Mahmoud Ahmadinejad, who fell out of favor for challenging Khamenei, was barred from running in the 2017 presidential election.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The choices of both voters and politicians are heavily influenced and ultimately circumscribed by Iran's unelected state institutions and ruling clerical establishment.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Women remain significantly underrepresented in politics and government. In 2017, Rouhani appointed two women among his several vice presidents but failed to name any women as cabinet ministers. No women candidates have ever been allowed to run for president. In June 2019, lawmaker Parvaneh Salahshouri complained that she and other women in the parliament had to contend with resistance from their male colleagues; she stated that the men often dismiss their proposals, prevent them from taking senior positions, and discourage them from speaking out.

Five seats in the parliament are reserved for recognized non-Muslim minorities: Jews, Armenian Christians, Assyrian and Chaldean Christians, and Zoroastrians. However, ethnic and especially religious minorities are rarely awarded senior government posts, and their political representation remains weak.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The elected president's powers are limited by the supreme leader and other unelected authorities. The powers of the elected parliament are similarly restricted by the supreme leader and the unelected Guardian Council, which must approve all bills before they can become law. The council often rejects bills it deems un-Islamic. Nevertheless, the parliament has been a platform for heated political debate and criticism of the government, and legislators have frequently challenged presidents and their policies.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption remains endemic at all levels of the bureaucracy, despite regular calls by authorities to tackle the problem. Powerful actors involved in the economy, including the Islamic Revolutionary Guard Corps (IRGC) and bonyads (endowed foundations), are above scrutiny, and restrictions on the media and civil society activists prevent them from serving as independent watchdogs to ensure transparency and accountability.

In 2019, the judiciary launched a crackdown on corruption amid accusations that the effort was politically motivated.

C3. Does the government operate with openness and transparency? 1 / 4

The transparency of Iran's political system remains extremely limited in practice, and powerful elements of the state and society are not accountable to the public. An access to information law was passed in 2009, and implementing regulations were finally adopted in 2015. In 2017, the Information and Communications Technology Ministry unveiled an online portal to facilitate information requests. However, the law grants broadly worded exemptions allowing the protection of information whose disclosure would conflict with state interests, cause financial loss, or harm public security, among other stipulations.

CIVIL LIBERTIES: 10 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16 (-1)

D1. Are there free and independent media? 0 / 4 (-1)

Freedom of expression and media independence are severely limited both online and offline. The state broadcasting company is tightly controlled by hard-liners and influenced by the security apparatus. News and analysis are heavily censored, while critics and opposition members are rarely, if ever, given a platform on state-controlled television, which remains a major source of information for many Iranians. State television has a record of airing confessions extracted from political prisoners under duress, and it routinely carries reports aimed at discrediting dissidents and opposition activists.

Newspapers and magazines face censorship and warnings from authorities about which topics to cover and how. Tens of thousands of foreign-based websites are filtered, including news sites and major social media services. Satellite dishes are banned, and Persian-language broadcasts from outside the country are regularly jammed. Police periodically raid private homes and confiscate satellite dishes. Iranian authorities have pressured journalists working for Persian-language media outside the country by summoning and threatening their families in Iran. This form of intimidation increased following the November 2019 protests.

Before officials announced a significant hike in the price of gasoline, which triggered the protests, the press received instructions on how to cover potential unrest, according to the New York-based Center for Human Rights in Iran. During the subsequent demonstrations, the authorities implemented a near-total shutdown of internet service for nearly a week. The blackout was apparently aimed at halting the flow of news and information about the protests themselves and the violent response from security forces. The organization NetBlocks reported that connectivity dropped to just 5 percent of normal levels for several days during the shutdown.

Reporters Without Borders said in early December that at least 11 journalists, including photographers and cameramen, had been arrested since the start of the protests in mid-November. One journalist, Mohammad Mosaed, was arrested that month for tweeting about the internet shutdown. He was released on bail in December.

Score Change: The score declined from 1 to 0 due to efforts by the authorities to censor and control media coverage of protests that began in November, including through instructions to outlets, arrests of journalists, and an internet shutdown.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Iran is home to a majority Shiite Muslim population and Sunni, Baha'i, Christian, and Zoroastrian minorities. The constitution recognizes only Zoroastrians, Jews, and certain Christian communities as religious minorities, and these small groups are relatively free to worship. The regime cracks down on Muslims who are deemed to be at variance with the state ideology and interpretation of Islam. Mohammad Ali Taheri, a spiritual leader jailed since 2011 for founding a group centered on mysticism whose beliefs and practices are allegedly un-Islamic, was released to house arrest in April 2019 after his death sentence was overturned in 2015 and again in 2018.

Sunni Muslims complain that they have been prevented from building mosques in major cities and face difficulty obtaining government jobs. In recent years, there has been increased pressure on the Sufi Muslim order Nematollahi Gonabadi, including destruction of its places of worship and the jailing of some of its members.

The government also subjects some non-Muslim minorities to repressive policies and discrimination. Baha'is are systematically persecuted, sentenced to prison, and banned from access to higher education. The US Commission on International Religious Freedom (USCIRF) said in December 2019 that at least 11 Baha'is were arrested during the November protests. There is an ongoing crackdown on Christian converts; in the past several years, a number of informal house churches have been raided and their pastors or congregants detained.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom remains limited in Iran, and universities have experienced harsh repression since 2009. Khamenei has warned that universities should not be turned into centers for political activities. Students have been prevented from continuing their studies for political reasons or because they belong to the Baha'i community. Foreign scholars visiting Iran are vulnerable to detention on trumped-up charges. Xiyue Wang, a US citizen pursuing a doctorate in history who had been jailed in Iran for three years on espionage charges, was released in a prisoner exchange in December 2019. Several other academics remained behind bars at year's end. They included Iranian-French anthropologist Fariba Adelhah, who had been arrested in June 2019, and Kylie Moore-Gilbert, a British-Australian researcher detained in September 2018.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Iran's vaguely defined restrictions on speech, harsh criminal penalties, and state monitoring of online communications are among several factors that deter citizens from engaging in open and free private discussion. Despite the risks and limitations, many do express dissent on social media, in some cases circumventing official blocks on certain platforms.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

The constitution states that public demonstrations may be held if they are not "detrimental to the fundamental principles of Islam." In practice, only state-sanctioned demonstrations are typically permitted, while other gatherings have in recent years been forcibly dispersed by security personnel, who detain participants.

In addition to thousands of arrests, hundreds of people were killed and thousands were injured in the protests that erupted in mid-November 2019. Estimates of the death toll ranged from more than 300 to 1,500. The internet shutdown imposed by authorities suppressed communication about the demonstrations, but videos that showed security forces

firing directly at protesters still emerged. Rallies were organized in support of the regime later in November, and they received live coverage from state media. Authorities reportedly harassed the families of some of those killed, partly to prevent them from sparking new protests at memorial gatherings.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Nongovernmental organizations that seek to address human rights violations are generally suppressed by the state. For example, the Center for Human Rights Defenders remains closed, with several of its members in jail. Even groups that focus on more apolitical issues like the environment are subject to crackdowns. In November 2019, six environmental activists who had been detained in a larger wave of arrests in 2018 received sentences of between six and 10 years in prison based on dubious charges of collaboration with the United States.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Iran does not permit the creation of labor unions; only state-sponsored labor councils are allowed. Labor rights groups have come under pressure in recent years, with key leaders and activists sentenced to prison on national security charges. Workers who engage in strikes are vulnerable to dismissal and arrest. Several detained labor activists received heavy prison terms of 14 years or more during 2019. They included prominent figures like Esmail Bakhshi and Sepideh Gholian, who were sentenced in September and released on bail the following month.

F. RULE OF LAW: 3 / 16

F1. Is there an independent judiciary? 1 / 4

While the courts have a degree of autonomy within the ruling establishment, the judicial system is regularly used as a tool to silence regime critics and opposition members. The head of the judiciary is appointed by the supreme leader for renewable five-year terms; Ebrahim Raisi was named to the post in March 2019. Political dissidents and advocates of human and labor rights have continued to face arbitrary judgments, and the security apparatus's influence over the courts has reportedly grown in recent years.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The authorities routinely violate basic due process standards, particularly in politically sensitive cases. Activists are arrested without warrants, held indefinitely without formal charges, and denied access to legal counsel or any contact with the outside world. Many are later convicted on vague security charges in trials that sometimes last only a few minutes. Lawyers who take up the cases of dissidents have been jailed and banned from practicing, and a number have been forced to leave the country to escape prosecution. In March 2019, prominent human rights lawyer Nasrin Sotoudeh was reportedly sentenced to an additional 33 years in prison and 148 lashes for her activities; she had been in prison serving a five-year sentence since June 2018.

Dual nationals and those with connections abroad have also faced arbitrary detention, trumped-up charges, and denial of due process rights in recent years. Several such individuals remained behind bars at the end of 2019.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Former detainees have reported being beaten during arrest and subjected to torture until they confess to crimes dictated by their interrogators. Some crimes can be formally punished with lashes in addition to imprisonment or fines. Prisons are overcrowded, and prisoners often complain of poor detention conditions, including denial of medical care. Hunger strikes by political prisoners to protest mistreatment in custody remained common in 2019.

Iran has generally been second only to China in the number of executions it carries out each year. Convicts can be executed for offenses other than murder, such as drug trafficking, and for crimes they committed when they were younger than 18 years old. Legislation enacted in 2017 significantly increased the quantity of illegal drugs required for a drug-related crime to incur the death penalty, prompting sentence reviews for thousands of death-row inmates. Nevertheless, the state reportedly executed close to 300 people over the course of 2019, including at least two juvenile offenders who were put to death in April.

The country faces a long-term threat from terrorist and insurgent groups that recruit from disadvantaged Kurdish, Arab, and Sunni Muslim minority populations. In February 2019, a suicide bombing in southeastern Iran killed 27 members of the IRGC. A Sunni militant group with links to the terrorist network Al-Qaeda claimed responsibility for the attack.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women do not receive equal treatment under the law and face widespread discrimination in practice. For example, a woman's testimony in court is given half the weight of a man's, and the monetary compensation awarded to a female victim's family upon her death is half that owed to the family of a male victim.

Ethnic minorities complain of various forms of discrimination, including restrictions on the use of their languages. Some provinces with large minority populations remain underdeveloped. Activists campaigning for the rights of ethnic minorities and greater autonomy for minority regions have come under pressure from the authorities, and some have been jailed.

Members of the LGBT+ community face harassment and discrimination, though the problem is underreported due to the criminalized and hidden nature of these groups in Iran. The penal code criminalizes all sexual relations outside of traditional marriage, and Iran is among the few countries where individuals can be put to death for consensual same-sex conduct.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement is restricted, particularly for women and perceived opponents of the regime. Many journalists and activists have been prevented from leaving the country. Women are banned from certain public places and can obtain a passport to travel abroad only with the permission of their fathers or husbands.

In October 2019, under pressure from the world's soccer governing body, the authorities allowed women to enter a stadium to attend a male soccer match in Tehran. The pressure to ease the decades-old ban had intensified after a woman set herself on fire and died in September; she had been threatened with prison for trying to attend a soccer match in March.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Iranians have the legal right to own property and establish private businesses. However, powerful institutions like the IRGC play a dominant role in the economy, and bribery is

said to be widespread in the business environment, including for registration and obtaining licenses. Women are denied equal rights in inheritance matters.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Social freedoms are restricted in Iran. All residents, but particularly women, are subject to obligatory rules on dress and personal appearance, and those who are deemed to have violated the rules face state harassment, fines, and arrest. In 2019, several women were sentenced to heavy prison terms for challenging the requirement that they wear headscarves in public.

Police conduct raids on private gatherings that breach rules against drinking alcohol and mixing with unrelated members of the opposite sex. Those attending can be detained and fined or sentenced to corporal punishment in the form of lashes.

Women do not enjoy equal rights in divorce and child custody disputes. In October 2019, the Guardian Council approved a legal amendment that would enable Iranian women married to foreign men to request Iranian citizenship for their children.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The government provides no protection to women and children forced into sex trafficking, and both Iranians and migrant workers from countries like Afghanistan are subject to forced labor and debt bondage. The IRGC has allegedly used coercive tactics to recruit thousands of Afghan migrants living in Iran to fight in Syria. Human Rights Watch has reported that children as young as 14 are among those recruited.

The fuel-price hike that triggered the November 2019 protests was the latest sign of an economic crisis driven by a combination of US-led trade sanctions and mismanagement by the regime. The crisis has caused serious hardships for ordinary Iranians, leaving them more vulnerable to exploitation.

Iraq

Population: 39,300,000

Capital: Baghdad

Freedom Status: Not Free

Electoral Democracy: No

Overview: Iraq holds regular, competitive elections, and the country's various partisan, religious, and ethnic groups enjoy some representation in the political system. However, democratic governance is impeded in practice by corruption and security threats. In the Kurdistan region, democratic institutions lack the strength to contain the influence of long-standing power brokers. Increasingly, Iran has been able to influence politics in Baghdad. Civil liberties are generally respected in Iraqi law, but the state has limited capacity to prevent and punish violations.

KEY DEVELOPMENTS IN 2019

- Over 500 protesters were killed and 19,000 were injured in a violent crackdown on antigovernment protests in Baghdad and other cities that took place between

October and December. Journalists covering the protests were also targeted by government security forces and allied nonstate militias.

- In early December, Prime Minister Adel Abdul Mahdi resigned, and parliament subsequently failed to meet a constitutional deadline to appoint a new prime minister. Mahdi was serving in a caretaker capacity at year's end.
- Late in December, Parliament approved a wide-reaching slate of electoral reforms in response to protesters' demands. The changes are expected to benefit independent political candidates and reduce the power of political parties, which protesters and other critics denounce as corrupt and self-serving.
- Reconstruction of areas liberated from the Islamic State (IS) militant group's control continued throughout the year. However, over 1.4 million Iraqis remained internally displaced as of December, and the threat of terrorism persisted.
- Nechirvan Barzani of the Kurdistan Democratic Party (KDP) was sworn in as president of the semiautonomous Kurdistan region in June, after serving as prime minister. The presidency had been vacant since Masoud Barzani, Nechirvan's uncle, resigned after the 2017 independence referendum.

POLITICAL RIGHTS: 17 / 40

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

After national elections, the Council of Representatives (CoR) chooses the largely ceremonial president, who in turn appoints a prime minister nominated by the largest bloc in the parliament. The prime minister, who holds most executive power and forms the government, serves up to two four-year terms. The national elections held in May 2018 were generally viewed as credible by international observers, despite low turnout and allegations of fraud, which was particularly prevalent in the Kurdish provinces and neighboring Kirkuk. That October, after a five-month delay, the new CoR chose Kurdish politician Barham Salih as president, and Adel Abdul Mahdi, a Shiite independent, was appointed as prime minister.

In December 2019, following months of protests, Adel Abdul Mahdi submitted his resignation to the parliament, which accepted it; he was to stay on as part of a caretaker government until a replacement was appointed. In the last week of December, the parliament failed to meet a constitutional deadline to appoint a new prime minister.

The Kurdistan Regional Government (KRG), composed of Iraq's northernmost provinces, is ostensibly led by a president with extensive executive powers. The draft Kurdish constitution requires presidential elections every four years and limits presidents to two terms. However, after eight years as president, Masoud Barzani of the KDP had his term extended by two years in a 2013 political agreement with another party, the Patriotic Union of Kurdistan (PUK). In 2015, Barzani unilaterally prolonged his term by another two years, which was met with condemnation by opposition leaders. Barzani remained in office until November 2017, finally resigning after he organized an unauthorized September referendum on Kurdish independence that prompted the Iraqi central government to reassert control over the region's international borders and all territory occupied by Kurdish forces since the IS offensive in 2014.

After Barzani stepped down, the presidency remained vacant, and executive power was held by Prime Minister Nechirvan Barzani, his nephew. After the Kurdish parliamentary elections in September 2018, the KDP nominated Nechirvan Barzani to become president and Masrour Barzani—Masoud Barzani's son—to serve as prime minister. In May 2019, Nechirvan Barzani was elected president by the Iraqi Kurdish parliament and sworn in

in June, after the position had been vacant for nearly two years. Masrour Barzani was appointed and sworn in as prime minister in June. Both Barzanis, the president and prime minister, are from the KDP party.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The 329-member CoR has been elected every four years from multimember open lists in each province, though a reform package approved in December 2019 significantly changed the framework for future polls. The May 2018 elections, held under the party-list system, were generally viewed as credible by international observers, despite some allegations of fraud. Reported irregularities in the new electronic voting system prompted the CoR to pass a law mandating a recount. During the recount, a storage facility containing many ballots caught fire, further undermining public trust in the process. The completed recount did not significantly alter the results. The Sairoon alliance, led by Shiite cleric Moqtada al-Sadr, won the most seats with 54, followed by the Conquest coalition led by Hadi al-Amiri with 48, outgoing prime minister Haider al-Abadi's Victory alliance with 42, and the State of Law coalition headed by former prime minister Nouri al-Maliki with 25. The top four alliances were all led by Shiite parties, though they made varying efforts to reach across sectarian lines. Among the several Kurdish parties, the KDP won 25 seats and the PUK won 19. The remaining seats were divided among Sunni-led coalitions, smaller parties, and independents.

Following repeated delays, provincial council elections originally scheduled for 2017 were postponed indefinitely by the CoR in November 2019. Kirkuk, the subject of a dispute between the KRG and the central government, has not held provincial council elections since 2005.

In the Kurdistan region, the 111-seat Kurdistan Parliament is elected through closed party-list proportional representation in a single district, with members serving four-year terms. The September 2018 elections, originally due in 2017, resulted in the governing KDP increasing its plurality to 45 seats. The PUK received 21 seats, Gorran took 12, and several smaller parties and minority representatives accounted for the remainder. The elections were plagued by fraud allegations and other irregularities, and Gorran and other smaller parties rejected the results.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Independent High Electoral Commission (IHEC) is responsible for managing elections in Iraq. The IHEC generally enjoys the confidence of the international community and, according to some polls, the Iraqi public. It faced criticism in 2018 from opposition leaders and outgoing prime minister Haider al-Abadi over its handling of electronic voting challenges and the subsequent recount, but international organizations praised the body for its professionalism and impartiality.

Under electoral reforms approved in December 2019, each of the country's 18 provinces would be divided into a number of new electoral districts, with one legislator elected for every 100,000 people. The reforms moreover abolished the existing party-list voting system and replaced it with one in which voters select individual candidates from the new districts, which at year's end had yet to be delineated. It was unclear how that procedure would commence in the absence of recent census data, as a national census has not been conducted since 1987; this lack of current data had already resulted in skewed parliamentary seat allocations.

The Kurdistan Independent High Electoral and Referendum Commission (IHERC) administers elections in the Kurdistan region. In addition to the 2018 legislative balloting, the IHERC conducted the 2017 independence referendum, in which 93 percent of voters favored independence, though the exercise—which was not monitored by international observers—was allegedly marred by intimidation and fraud.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The constitution guarantees the freedom to form and join political parties, with the exception of the pre-2003 dictatorship's Baath Party, which is banned. A 2016 law strengthened the ban, criminalizing Baathist protests and the promotion of Baathist ideas. The measure applies to any group that supports racism, terrorism, sectarianism, sectarian cleansing, and other ideas contrary to democracy or the peaceful transfer of power. Individual Iraqis' freedom to run for office is also limited by a vague "good conduct" requirement in the electoral law.

In practice, Iraqis can generally form parties and operate without government interference. Party membership and multiparty alliances shift frequently. The IHEC registered 205 parties for the 2018 elections, reflecting both a relatively open political environment and deep fragmentation.

The electoral reforms approved in late 2019 in response to protesters' demands are expected to make independent candidacies more viable.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Elections are competitive, but most parties are dominated by one sectarian or ethnic group, meaning large and established parties representing the Shiite majority have tended to govern, and minority groups have only gained power as part of a cross-sectarian party or bloc. A number of new parties that are more secular and national in orientation participated in the 2018 elections, but Shiite parties continued to play the leading role. The strong performance of the newly formed Conquest coalition, which finished second, raised some concerns due to its inclusion of members associated with the Popular Mobilization Forces (PMF)—state-sponsored militia groups that fought against IS and have been accused of war crimes and Iranian ties. The former ruling party, Dawa, was split between the State of Law and Victory coalitions led by former prime ministers al-Maliki and al-Abadi, respectively, which created an opening for other lists like Sairoon and Conquest to gain seats and influence government formation. The transfer of power to the new prime minister proceeded far more smoothly than in 2014, when al-Maliki stepped down only after intense domestic and international pressure.

In the Kurdistan region, the traditional dominance of the KDP and the PUK was for a time challenged by the rise of the reformist group Gorran, but the repeated postponement of presidential and legislative elections before 2018 allowed entrenched interests to remain in power. Although the damaging crisis that followed the 2017 independence referendum appeared to threaten the KDP's electoral prospects, it ultimately retained its leading position in the 2018 legislative elections, while the PUK replaced Gorran as the second-largest party in the Kurdish parliament.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The ability of IS to suppress normal political activity has waned significantly since 2017, when government forces successfully drove the group out of the territory it formerly controlled.

However, Iraq's political system remains distorted by interference from foreign powers, most notably Iran, which physically and politically threatens Iraqi policymakers who challenge its interests. The PMF have strong links to Iran, and dozens of figures associated with these militias ran in the 2018 elections and won seats in the CoR.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Despite legal and constitutional measures designed to protect the political rights of various religious and ethnic groups, the dominant role of ethno-sectarian parties and the allocation of key offices according to informal religious or ethnic criteria reduce the likelihood that politicians will act in the interests of the whole population.

Sunni Arabs, the largest ethno-sectarian minority, are represented in the parliament but often argue that the Shiite majority excludes them from positions of real influence. The presidency and premiership are reserved in practice for a Kurd and a Shiite; the position of parliament speaker goes to a Sunni. Muhammad al-Halbusi was named speaker in September 2018.

A system of reserved seats ensures a minimum representation in the CoR for some of Iraq's smaller religious and ethnic minorities. There are five seats reserved for Christians and one each for Fayli Kurds (added in 2018), Yazidis, Sabeen Mandaean, and Shabaks. The Kurdish parliament reserves five seats for Turkmen, five for Christians, and one for Armenians. The political rights of minorities have been severely impeded by widespread displacement from formerly IS-occupied areas. Although polling stations were set up at encampments for the country's nearly two million internally displaced people (IDPs), in May 2018 the parliament voted to annul the votes of IDPs due to fraud claims.

The CoR and the Kurdish parliament reserve 25 percent and 30 percent of their seats for women, respectively, though such formal representation has had little obvious effect on state policies toward women, who are typically excluded from political debates and leadership positions. LGBT+ people are unable to enjoy equal political rights in practice due to harsh societal discrimination, and the main political parties do not advocate for the interests of LGBT people in their platforms.

C. FUNCTIONING OF GOVERNMENT: 2 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4**

Several factors, including irregular Kurdish occupation of some areas and extensive Iranian influence, have hindered the ability of elected officials to independently set and implement laws and policies. The United States and its allies also exert some policy influence through their support for Iraqi security forces and other state institutions. Iraq's fragmented politics can lead to gridlock and dysfunction, as demonstrated by the protracted negotiations on government formation following the May 2018 elections. At the end of 2019, Iraq's government was facing an unresolved political crisis as mass protests continued, and as lawmakers had proven unable to select an interim prime minister.

In the KRG, Masoud Barzani effectively suspended the parliament in 2015 after the speaker and many members opposed his extended presidential mandate. Although the

parliament reconvened ahead of the independence referendum in 2017, some parties boycotted the session, and the executive governed without a legislature for most of the year. Separately, Kurdish lawmakers boycotted the CoR for several weeks in late 2017 amid the referendum crisis. The Kurdish legislature that was elected in September 2018 has met, but tension was still high between the KDP and PUK, and a government had not yet formed as of December. The office of president that remained vacant since Masoud Barzani stepped down in November 2017 was filled by his nephew Nechirvan Barzani in June 2019, and the Iraqi Kurdish cabinet has been filled.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption remains a major problem in Iraq, and was a key contributor to the protest movement in Baghdad and other cities that erupted in 2019. Political parties, which siphon funds from the ministries they control and take kickbacks for government contracts, resist anticorruption efforts, while whistle-blowers and investigators are subject to intimidation and violence. The judicial system, itself hampered by politicization and corruption, takes action on only a fraction of the cases investigated by the Integrity Commission, one of three governmental anticorruption bodies. The KRG suffers from similar corruption problems.

C3. Does the government operate with openness and transparency? 1 / 4

A few policies that promote openness have been adopted, including rules requiring public officials to disclose their assets, but the government does not generally operate with transparency. The CoR debates the budget, and interest groups are often able to access draft legislation. However, security conditions make elected representatives, who usually live and work in a restricted part of the capital, relatively inaccessible to the public. The public procurement system is nontransparent and corrupt, with no legal recourse available for unsuccessful bidders. The oil and gas industry also lacks transparency, and the government has failed to make adequate progress in meeting its commitments to the Extractive Industries Transparency Initiative. The government has not yet passed a comprehensive law on access to information.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -1 / 0

IS's loss of territorial control in 2017 largely halted its campaign to alter religious demography, though many Shiite Muslims and religious minorities who were displaced by the group remain unable to return to their homes, for both security and economic reasons. Iraqi government forces' return in late 2017 to territories held by Kurdish militias since 2014 resulted in another round of demographic changes in those areas, with some Kurdish residents leaving and displaced Arabs returning. There have also been reports of Sunni Arabs being displaced from areas liberated from IS by Shiite militias. As of December 2019, approximately 4.6 million Iraqis displaced by the IS offensive in 2014 had since returned to their home regions, while another 1.4 million people remained internally displaced.

CIVIL LIBERTIES: 14 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16

D1. Are there free and independent media? 1 / 4

The constitution allows limits on free expression to preserve "public order" and "morality." Iraq's media scene appears lively and diverse, but there are few politically independent

news sources. Journalists who do not self-censor can face legal repercussions or violent retaliation.

Two journalists were killed in 2019, according to the Committee to Protect Journalists (CPJ). Hisham Fares al-Adhami, a reporter and camera operator, was shot and killed while covering a protest in Baghdad in October, with his colleagues attributing his death to sniper fire. Photographer and camera operator Ahmed Muhana al-Lami died after being shot in the back while covering a protest in Baghdad in December.

Journalists continued to face threats over their coverage in 2019, including by appearing on online lists of disfavored journalists that were circulated by anonymous social media accounts; a number of journalists fled Baghdad after their names appeared on such lists. Other journalists have been personally threatened over their reports.

Media outlets faced restrictions and obstruction in response to their coverage in 2019. In September, the US-funded Al-Hurra broadcast network was suspended for three months over an August investigative report they published on corruption within both Sunni and Shiite religious organizations responsible for maintaining religious sites. Journalists covering the year's antigovernment protests were obstructed and threatened by security forces. In October, the offices of four media networks were raided by unidentified men wearing masks and black uniforms.

According to media watchdogs, over 200 incidences of threats, harassment, and legal action were taken against journalists working in 2019 in the Kurdish region.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The constitution guarantees freedom of belief, but in practice many Iraqis have been subjected to violence and displacement due to their religious identity, and places of worship have often been targets for terrorist attacks. Blasphemy laws remain on the books, although enforcement is rare. A religious conversion law passed in 2015 discriminates against non-Muslims by automatically designating the children of a parent who has converted to Islam as Muslim, even if the other parent is a non-Muslim. Restaurants serving alcohol and liquor stores have faced harassment and attack, further eroding religious freedom.

Most political leaders expressed support for religious pluralism after IS's defeat, and Sunnis living in liberated areas have largely been able to practice their religion freely since.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Educators have long faced the threat of violence or other repercussions for teaching subjects or discussing topics that powerful state or nonstate actors find objectionable. The country's official curriculum is often augmented in the classroom by religious or sectarian viewpoints.

Political activism by university students can result in harassment or intimidation.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Social media posts on controversial topics sometimes result in retribution. Certain topics including corruption, and, to a somewhat lesser extent, criticism of Iran, are considered to be off limits. A number of private citizens involved in the 2019 protests, including at least one minor, were apparently abducted, with their whereabouts unknown at year's end.

Political speech in the Kurdistan region can also prompt arbitrary detentions or other reprisals from government or partisan forces.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12 (-1)**E1. Is there freedom of assembly? 0 / 4 (-1)**

The constitution guarantees freedom of assembly, but protesters are frequently at risk of violence or arrest, and these dangers became acute during the 2019 protest movement. Security forces used curfews, tear gas, and live ammunition to suppress the demonstrations that began in October against corruption, poor infrastructure and government services, and high unemployment in Baghdad and other cities in the south. On a single day in Baghdad in December, according to estimates published by Human Rights Watch (HRW), at least 29 and possibly as many as 80 people were killed by attackers the group described as “unidentified armed forces,” apparently acting “in cooperation with Iraqi national and local security forces.” By mid-December, some 19,000 people had been injured during the protests, and at least 500 were killed, according to the United Nations special envoy to Iraq. Iraqi security officials and journalists reported that snipers under the command of Iranian-backed militia units had used live ammunition to shoot at protesters from rooftops.

Authorities also reacted to the movement by periodically shutting down the internet in many regions for several days, followed by a targeted restriction of access to social media platforms including WhatsApp, Twitter, and Facebook. The move was intended to curb the protests and stanch online criticism of the government.

Score Change: The score declined from 1 to 0 due to security forces’ widespread use of lethal violence against antigovernment protesters in the last quarter of the year.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Nongovernmental organizations (NGOs) enjoy societal support and a relatively hospitable regulatory environment, though they must register with the government and obtain approval from the commission responsible for suppressing Baathism to operate. In the Kurdistan region, NGOs must renew their registration annually.

In late 2019, a number of antigovernment activists were kidnapped as the protest movement continued. There were also reports of activists’ assassinations, including the killing of prominent civil society figure Fahem al-Tai in November.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Labor laws allow for collective bargaining (even by nonunionized workers), protect the rights of subcontractors and migrant workers, and permit workers to strike, among other features. However, public-sector workers are not allowed to unionize, there is no legal prohibition against antiunion discrimination, and workers do not have access to legal remedies if fired for union activity. Some state officials and private employers discourage union activity with threats, demotions, and other deterrents.

F. RULE OF LAW: 1 / 16**F1. Is there an independent judiciary? 0 / 4**

The judiciary is influenced by corruption, political pressure, tribal forces, and religious interests. The lines between the executive, legislative, and judicial branches are frequently blurred, and executive interference in the judiciary is widespread. Due to distrust of or lack of access to the courts, many Iraqis have turned to tribal bodies to settle disputes, even those involving major crimes.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Criminal proceedings in Iraq are deeply flawed. Arbitrary arrests, including arrests without a warrant, are common. Terrorism cases in particular have been prone to fundamental violations of due process, with human rights groups describing systematic denial of access to counsel and short, summary trials with little evidence that the defendants committed specific crimes other than association with IS. In 2018, some trials of suspected IS members that resulted in death sentences lasted as little as 20 minutes, and hundreds of family members of suspected IS fighters have been arbitrarily detained.

Several senior military commanders were removed from their posts in October 2019 following a violent crackdown on protesters. The actions were rejected by many Iraqis as inadequate, and, given the bloodshed that continued throughout the rest of the year, had little deterrent effect on members of the security forces.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The end of large-scale combat with IS significantly improved the security environment. Though the organization remained active as a clandestine terrorist group in 2019, it no longer controlled Iraqi territory or civilian populations, and its ability to operate was diminished.

The use of torture to obtain confessions is widespread, including in death penalty cases. In 2018, the government continued to expedite executions of those convicted of terrorism. Detainees are often held in harsh, overcrowded conditions, and forced disappearances, particularly of suspected IS fighters, have been reported.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Women face widespread societal bias and discriminatory treatment under laws on a number of topics. Sexual harassment in the workplace is prohibited, but it is reportedly rare for victims to pursue formal complaints.

Members of a given ethnic or religious group tend to suffer discrimination or persecution in areas where they represent a minority, leading many to seek safety in other neighborhoods or provinces. Same-sex sexual relations are not explicitly prohibited, but LGBT people risk violence if they are open about their identity. People of African descent suffer from high rates of extreme poverty and discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement improved somewhat as areas formerly controlled by IS were brought back under government control. However, large-scale destruction of housing and infrastructure, the presence of sectarian or partisan militias, and the ongoing threat of violence made it difficult for many displaced people to return home. Almost 1.4 million Iraqis remained internally displaced as of December 2019.

The movement of women is limited by legal restrictions. Women require the consent of a male guardian to obtain a passport and the Civil Status Identification Document, which is needed to access employment, education, and a number of social services.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 1 / 4

Iraqis are legally free to own property and establish businesses, but observance of property rights has been limited by corruption and conflict. Business owners face demands for bribes, threats, and violent attempts to seize their enterprises. Contracts are difficult to enforce. Women are legally disadvantaged with respect to inheritance rights and may face pressure to yield their rights to male relatives.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Forced and early marriages are common, especially in the context of displacement and poverty. Nearly one in four Iraqi women aged 20 to 24 were married by age 18, and marriage between 15 and 18 is legal with parental approval. Laws on marriage and divorce favor men over women. Domestic violence is criminalized but widespread and rarely prosecuted. Rapists can avoid prosecution if they marry their victims; spousal rape is not prohibited. The law also allows reduced sentences for those convicted of so-called honor killings, which are seldom punished in practice.

Both men and women face pressure to conform to conservative standards on personal appearance. A number of high-profile women associated with the beauty and fashion industries were murdered in 2018, including Tara Fares, a social media star who was shot dead in Baghdad in September. The assailants remain unknown, but the government blamed extremist groups for the murders.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

After the military defeat of IS, many Yazidi women who had been forced into sex slavery remained missing. Exploitation of children, including through forced begging and the recruitment of child soldiers by some militias, is a chronic problem. Foreign migrant workers frequently work long hours for low pay, and they are vulnerable to forced labor. Human trafficking is also a problem, and IDPs are particularly vulnerable. Thus far, the government's efforts to enforce trafficking laws have been inadequate.

Ireland

Population: 4,900,000

Capital: Dublin

Freedom Status: Free

Electoral Democracy: Yes

Overview: Ireland is a stable democracy in which political rights and civil liberties are respected and defended. There is some limited societal discrimination, especially against the traditionally nomadic Irish Travellers. Corruption scandals have plagued the police force, and domestic violence remains a problem.

KEY DEVELOPMENTS IN 2019

- In a May referendum, voters struck down a constitutional clause that mandated a years-long waiting period for separated couples seeking divorce.
 - In August, Ireland's public data regulator ruled that the government's wide-ranging retention of data from welfare card applicants violated existing data laws, though the government vowed to appeal its ruling in September.
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POLITICAL RIGHTS: 39 / 40**A. ELECTORAL PROCESS: 12 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

The Taoiseach, or prime minister, is nominated by House of Representatives (Dáil Éireann) and formally appointed by the president. Thus, the legitimacy of the prime minister is largely dependent on the conduct of Dáil elections, which historically have free and fair. The Dáil elected Leo Varadkar, of the Fine Gael party, as Taoiseach in June 2017 after his predecessor, Enda Kenny, also of Fine Gael, stepped down after six years in office. The son of an Indian immigrant and openly gay, Varadkar is also Ireland's youngest-ever Taoiseach, elected when he was 38 years old.

The president is elected to up to two seven-year terms, and as chief of state has mostly ceremonial duties. Michael D. Higgins was reelected in 2018. Voting in presidential elections has historically been free and fair.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The Dáil's 158 members are elected in multimember districts through a proportional representation system, and their terms last five years. The Senate (Seanad Éireann) contains 60 seats; 43 members are indirectly chosen through an electoral college, while 11 are selected by the Taoiseach and 6 are selected from constituencies that represent some higher education institutions.

The 2016 Dáil election saw no major irregularities or unequal campaigning. Fine Gael remained the largest party, but with far fewer seats than it had taken in the 2011 general election, while Fianna Fáil more than doubled its share of the vote. Fine Gael formed a minority government with the support of some independent lawmakers and through a confidence-and-supply arrangement with Fianna Fáil, which is due to expire in 2020. (Under such arrangements, an opposition party agrees to support a minority government in confidence votes and matters relating to the budget, but may oppose it on other matters.)

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Ireland's electoral framework is strong and government bodies are able to hold credible polls. There is no electoral commission in Ireland, but the government gave initial approval for a bill to create one in December 2019; it was referred to a parliamentary committee and remained under consideration at year's end.

Ireland has frequent referendums, especially on European Union (EU) treaties. While there is no evidence of interference in elections or referendums to date, Varadkar has previously emphasized the need to strengthen Ireland's data protection systems to safeguard against interference in future polls.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Political parties in Ireland are free to form and compete. The two main parties—Fianna Fáil and Fine Gael—do not differ widely in ideology; they represent the successors of opposing sides in the nation's 1922–23 civil war. Other key parties include the Labour Party,

Sinn Féin, and the Green Party. A record number of independent lawmakers, 23, entered the Dáil in 2016.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties generally do not encounter restrictions or harassment that affects their ability to gain power through elections, though Fianna Fáil has historically dominated Irish politics. Fine Gael became the Dáil's largest party in 2011.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from domination by the military, foreign powers, religious hierarchies, and other powerful groups.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women are active in politics but are underrepresented, holding 21 percent of the Dáil's seats at year's end.

While ethnic and other minorities are generally free to participate in politics, members of the Irish Traveller and Romany communities have little representation. Efforts to include them in political processes are minimal. Travellers were formally recognized as an indigenous ethnic group in 2017, the same year the National Traveller and Roma Inclusion Strategy 2017–21 was launched. The Council of Europe called that strategy ineffective in a June 2019 report, however.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials freely determine government policy.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Ireland has a recent history of problems with political corruption, but has introduced anticorruption legislation in recent years. The Corruption Offences Act, which took effect in 2018, modernized and consolidated existing anticorruption laws, though critics claimed that the legislation did not adequately address bribery. In August 2019, the Department of Justice conceded the legislation did not fully comply with Organization for Economic Co-operation and Development (OECD) guidelines.

Scandals involving Ireland's police force (An Garda Síochána) have raised concerns about a lack of safeguards against corruption in that sector.

C3. Does the government operate with openness and transparency? 4 / 4

The public has broad access to official information under the 2014 Freedom of Information Act, though partial exemptions remain for the police and some other agencies. A Transparency Code requires open records on the groups and individuals that advise public officials on policy.

The government has been criticized for failing to consult meaningfully with civil society groups and relevant stakeholders in policy formulation, particularly regarding the Romany community, Travellers, and people living with disabilities.

CIVIL LIBERTIES: 58 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Irish media are free and independent, and present a variety of viewpoints. However, the Irish media sector is highly concentrated, with Independent News and Media (INM) controlling much of the newspaper market. Media outlets have also complained of restrictive defamation laws in recent years.

The state may censor material deemed indecent or obscene, but this provision is rarely invoked. References to criminal blasphemy were removed from the constitution in 2018, after voters elected to eliminate the offense in a referendum that year.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally guaranteed. Although religious oaths are still required from senior public officials, there is no state religion, and adherents of other faiths face few impediments to religious expression. In recent years, Ireland has faced a notable decline in religiosity following a series of sexual abuse and other scandals involving the Roman Catholic Church and Catholic clergy.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is respected. The Catholic Church operates approximately 90 percent of Ireland's schools and most schools include religious education, but parents may exempt their children from it. The constitution requires equal funding for schools run by different denominations.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant impediments to open and free private discussion, including in personal online communications. However, the government's retention of data has caused controversy in 2019. In August, the Data Protection Commission (DPC) ruled that the government's wide-ranging retention of data pertaining to welfare card applicants violated existing data protection laws. The government vowed to appeal the DPC ruling in September.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The right to assemble freely is respected, and peaceful demonstrations are held each year.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Freedom of association is upheld, and nongovernmental organizations (NGOs) can operate freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Labor unions operate without hindrance, and collective bargaining is legal and unrestricted.

F. RULE OF LAW: 14 / 16**F1. Is there an independent judiciary? 4 / 4**

Ireland has a generally independent judiciary and a legal system based on common law. In 2014, the Council of Europe's anticorruption body, GRECO, recommended the establishment of a Judicial Council and an improvement to judicial appointments procedures. A bill to create a Judicial Council was approved by the Seanad in December 2019, and will be considered by the Dáil in 2020.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Due process generally prevails in civil and criminal matters. However, the police force has been affected by repeated corruption scandals in recent years. A new police commissioner was appointed in 2018; his predecessor resigned in 2017 after the irregular use of breathalyzer tests and questions about her approach toward whistleblowers stoked controversy.

A series of official inquiries in recent years have detailed decades of past physical and emotional abuse—including forced labor as recently as 1996—against women and children in state institutions and by Catholic priests and nuns, as well as collusion to hide the abuse. In 2015, the European Court of Human Rights (ECHR) ruled that the state was liable for sexual abuse in schools; Ireland subsequently launched a compensation scheme for sexual abuse survivors. In July 2019, an Irish judge ruled that some applicants were inappropriately denied compensation, and Varadkar issued a state apology over sexual abuse in schools later that month.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Irish prisons and detention facilities are frequently dangerous, unsanitary, overcrowded and ill-equipped for prisoners with mental illness. The government continues to make progress in addressing a 2015 Council of Europe report that criticized the continued lack of toilet access in some cells.

Some politicians and communities have expressed concern about the impact of the United Kingdom's impending departure from the EU (known as Brexit) on aspects of the 1998 Good Friday Agreement, which ended a period of sectarian conflict in Northern Ireland known as the Troubles; some concerns relate to a perceived risk of unrest at the Northern Ireland border. However, the threat of violence in Ireland remained low in 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

While existing legislation bans hate speech, Ireland lacks comprehensive hate-crime legislation or a national action plan to combat hate-based crime. Civil society groups consider government policies insufficient, and the Office of the UN High Commissioner for Human Rights (OHCHR) called on Ireland to actively address racial discrimination in December 2019. The Council of Europe separately reported that Irish Travellers continued to face discrimination in housing, hiring, education, and the provision of social services in 2019.

There are concerns that people with disabilities face housing issues, are persistently institutionalized, and have suffered a severe reduction of social benefits in recent years.

Irish law prohibits discrimination based on sexual orientation, but some social stigma against LGBT+ people persists. In 2015, the Dáil legislated to curtail an exemption that allowed health and educational institutions run by religious entities to practice employment discrimination on religious grounds—for example, on the basis of sexual orientation.

The asylum application process is complex, and asylum seekers can be housed for lengthy periods in poor living conditions. The 2015 International Protection Law expedites asylum procedures, but focuses on enabling deportations rather than identifying and processing cases. In July 2019, the Irish Refugee Council (IRC), an NGO that supports asylum seekers, warned that Ireland was violating an EU directive that establishes standards for their living conditions.

Discrimination in the workplace on the basis of gender is illegal, but gender inequality in wages persists.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no restrictions on travel or the ability to change one's place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Private businesses are free to operate, and property rights are generally respected.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Individuals in Ireland have gained expanded social freedoms in recent years. In a 2015 referendum, voters extended marriage rights to same-sex couples. That same year, the Children and Family Relationships Act extended adoption rights to same-sex and cohabiting couples, and the Gender Recognition Act allowed transgender individuals to obtain legal recognition without medical or state intervention, and—for married transgender people—without divorcing. In a 2018 referendum, voters abolished a constitutional amendment that made nearly all abortions illegal, and health providers began performing abortions in January 2019.

That same month, Ireland enacted the Domestic Violence Act 2018, which criminalized forms of emotional and psychological abuse. However, domestic and sexual violence against women remain serious problems, and marginalized and immigrant women have particular difficulty accessing support.

In May 2019, Irish voters struck down a constitutional clause mandating a years-long waiting period for separated couples seeking to divorce.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

People generally enjoy equality of opportunity. Workers have rights and protections under employment legislation. Although the government works to combat human trafficking and protect victims, undocumented migrant workers remain at risk of trafficking and labor exploitation.

Israel

Population: 8,500,000

Capital: Jerusalem

Freedom Status: Free

Electoral Democracy: Yes

Note: The numerical scores and status listed here do not reflect conditions in the West Bank and the Gaza Strip, which are examined in separate reports. Although the international community generally considers East Jerusalem to be part of the occupied West Bank, it may be mentioned in this report when specific conditions there directly affect or overlap with conditions in Israel proper.

Overview: Israel is a multiparty democracy with strong and independent institutions that guarantee political rights and civil liberties for most of the population. Although the judiciary is active in protecting minority rights, the political leadership and many in society have discriminated against Arab and other minorities, resulting in systemic disparities in areas including political representation, criminal justice, education, and economic opportunity.

KEY DEVELOPMENTS IN 2019

- Prime Minister Benjamin Netanyahu governed as a caretaker throughout the year, having failed to secure majority coalitions after successive parliamentary elections in April and September.
- During the April elections, some 1,200 monitors contracted by Netanyahu's conservative Likud party entered polling stations in Arab neighborhoods while wearing body cameras, many of which were concealed but nevertheless detected by voters. Arab political leaders denounced the effort as voter intimidation. The head of the election committee reiterated that secretly recording voters on election day was illegal, and that recording images at polling places should not occur at all unless serious irregularities are observed.
- Ahead of the September elections, Netanyahu, citing unfounded claims of massive voter fraud in Arab neighborhoods, unsuccessfully tried to secure approval of legislation that would have allowed Likud to record video at polling stations.
- Netanyahu was formally indicted in November on three separate corruption charges, but he refused to step down and actively sought legislative approval of an immunity bill that would shield him from prosecution while in office.

POLITICAL RIGHTS: 33 / 40 (-2)

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

A largely ceremonial president is elected by the Knesset for one seven-year term. In 2014, Reuven Rivlin of the conservative Likud party was elected to replace outgoing president Shimon Peres, receiving 63 votes in a runoff against Meir Sheetrit of the centrist Hatnuah party.

The prime minister is usually the leader of the largest faction in the Knesset. In 2014, in a bid to create more stable governing coalitions, the electoral threshold for parties to win representation was raised from 2 percent to 3.25 percent, and the no-confidence procedure was revised so that opponents hoping to oust a sitting government must simultaneously vote in a new one.

The incumbent prime minister in 2019, Benjamin Netanyahu of Likud, had been in office since 2009. However, he had served in a caretaker capacity since December 2018, when the right-wing Yisrael Beiteinu withdrew support for the governing coalition, triggering snap elections. Netanyahu was unable to secure reelection following two inconclusive polls in 2019, and continued serving in a caretaker capacity at year's end, with a third round of elections scheduled for March 2020.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 120-seat Knesset are elected by party-list proportional representation for four-year terms, and elections are typically free and fair.

Israel held elections twice in 2019. In April, the centrist opposition Blue and White coalition (led by former army chief Benny Gantz and former finance minister Yair Lapid) and Likud each won 35 seats, with nine smaller parties taking shares of the remainder. Netanyahu was tasked by President Rivlin with forming a governing coalition, but failed, and new elections were held in September. This time, Blue and White secured 33 seats, followed by Likud with 32. The Joint List—a coalition of parties representing Arab citizens of Israel, who often identify as Palestinian—took 13 seats; the ultra-Orthodox party Shas, 9; Yisrael Beiteinu, 8; the ultra-Orthodox party United Torah Judaism, 7; the right-wing Yamina, 7; the center-left Labor-Gesher, 6; and the left-wing Democratic Union, 5. After the second elections, both Netanyahu and Gantz failed to form a governing majority, setting the stage for the March 2020 elections.

During the April elections, some 1,200 monitors contracted by Likud entered polling stations in Arab neighborhoods while wearing body cameras—many of which were concealed but nevertheless detected by voters—and Arab political leaders denounced the effort as voter intimidation. Police reportedly removed the people with cameras from the premises in some circumstances. The head of the Central Elections Committee (CEC) reiterated that secretly recording voters on election day was illegal, and that video recording at polling places should not occur at all in the absence of serious irregularities. Ahead of the September elections, Netanyahu voiced unfounded allegations of large-scale voter fraud in Arab neighborhoods, and unsuccessfully tried to pass legislation that would have explicitly allowed Likud to record voting at polling stations there.

Thousands of police officers and CEC representatives equipped with video cameras monitored the September polls, carrying out their legal mandate of observation at all polling stations regardless of location. They were authorized to record only evidence of suspected voting irregularities.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The fairness and integrity of elections are guaranteed by the CEC, which is composed of delegations representing the various political groups in the Knesset and chaired by a Supreme Court judge. Elections are generally conducted in a peaceful and orderly manner, and all parties usually accept the results.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4**

Israel hosts a diverse and competitive multiparty system. However, parties or candidates that deny Israel's Jewish character, oppose democracy, or incite racism are prohibited. Under a 2016 law, the Knesset can remove any members who incite racism or support armed struggle against the state of Israel with a three-quarters majority vote; critics allege that the law is aimed at silencing Arab representatives.

Ahead of the September 2019 elections, two candidates from the far-right Otzma Yehudit party were barred from running after the Supreme Court ruled that their public comments

amounted to anti-Arab racism, though it declined to disqualify the entire party, finding insufficient evidence that the party platform and the party as a whole were racist.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Israel has undergone multiple, peaceful rotations of power among rival political groups during its history. Opposition parties control several major cities, including Tel Aviv, and many Arab-majority towns are run by mayors from the Joint List parties.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Israeli voters are generally free from coercion or undue influence from interest groups outside the political sphere. A 2017 law imposes funding restrictions on organizations that are not political parties but seek to influence elections. While it was aimed at limiting political interference by outside groups and wealthy donors, critics of the law said its provisions could affect civil society activism surrounding elections and infringe on freedoms of association and expression.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women generally enjoy full political rights in law and in practice, though they remain somewhat underrepresented in leadership positions and can encounter additional obstacles in parties and communities—both Jewish and Arab—that are associated with religious or cultural conservatism.

In 2018, the Knesset adopted a new “basic law” known as the nation-state law, which introduced the principle that the right to exercise self-determination in the State of Israel belongs uniquely to the Jewish people, among other discriminatory provisions. The basic laws of Israel are considered equivalent to a constitution, and critics of the nation-state law said it created a framework for the erosion of non-Jewish citizens’ political and civil rights.

Arab or Palestinian citizens of Israel already faced some discrimination in practice, both legal and informal. The Joint List’s representation in the Knesset falls short of Arabs’ roughly one-fifth share of Israel’s population, though some vote or run as candidates for other parties. No Arab party has ever been formally included in a governing coalition, and Arabs generally do not serve in senior positions in government. In 2019, after the September elections, 10 of the 13 Knesset members from the Joint List supported Benny Gantz for prime minister, marking the first time the Arab parties have endorsed a candidate since Yitzhak Rabin in 1992.

The roughly 600,000 Jewish settlers in the West Bank and East Jerusalem are Israeli citizens and can participate in Israeli elections. Arab residents of East Jerusalem have the option of obtaining Israeli citizenship, though most decline for political reasons. While these noncitizens are entitled to vote in municipal as well as Palestinian Authority (PA) elections, most have traditionally boycotted Israeli municipal balloting, and Israel has restricted PA election activity in the city. A Palestinian Jerusalem resident who is not a citizen cannot become mayor under current Israeli law. Israeli law strips noncitizens of their Jerusalem residency if they are away for extended periods, and a law adopted in 2018 empowers the interior minister to revoke such residency for those deemed to be involved in terrorism or treason-related offenses. Citizenship and residency status are denied to Palestinian residents of the West Bank or Gaza Strip who are married to Israeli citizens.

Courts can revoke the citizenship of any Israeli convicted of spying, treason, or aiding the enemy. Separately, it was reported during 2017 that the Interior Ministry had revoked the citizenship of dozens and possibly thousands of Bedouins in recent years, citing decades-old registration errors.

Jewish immigrants and their immediate families are granted Israeli citizenship and residence rights; other immigrants must apply for these rights.

C. FUNCTIONING OF GOVERNMENT: 8 / 12 (-2)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4 (-1)

The government and parliament are free to set and implement policies and laws without undue interference from unelected entities. Military service plays an important role in both political and civilian life, with many top officers entering politics at the end of their careers, but elected civilian institutions remain in firm control of the military.

In 2019, the failure of two successive elections to yield a governing majority meant that the country lacked a fully empowered government for the entire year, with the incumbents remaining in place in a caretaker capacity.

Score Change: The score declined from 4 to 3 because two successive elections in 2019 failed to produce a new government, leaving the existing government in place as a caretaker throughout the year.

C2. Are safeguards against official corruption strong and effective? 2 / 4 (-1)

High-level corruption investigations are relatively frequent, with senior officials implicated in several scandals and criminal cases in recent years. In November 2019, Netanyahu was indicted on separate charges of fraud, bribery, and breach of trust; police had recommended the charges in 2018 after conducting three investigations into his alleged acceptance of expensive gifts, his apparent attempt to collude with the owner of the newspaper *Yedioth Ahronoth* to secure positive coverage, and the granting of regulatory favors to telecommunications operator and media conglomerate Bezeq in return for positive coverage. Netanyahu denied the charges against him, accused law enforcement bodies of perpetrating “an attempted coup,” and called for a commission to “investigate the investigators.” He refused to step down as caretaker prime minister after the indictment and continued to seek reelection. He also pursued legislative approval of an immunity bill that would shield him and other lawmakers from prosecution while in office, though the measure did not pass during the year.

In June 2019, Sara Netanyahu, the prime minister’s wife, admitted to criminal wrongdoing related to the misuse of state funds to order catered meals, in a plea bargain through which she received no jail time. She had been indicted in 2018 on charges of aggravated fraud and breach of trust related to improper spending. Also in 2018, police had recommended charges against Netanyahu’s former personal attorney and other suspects for alleged bribery related to a contract to purchase naval vessels. In December 2019, the State Prosecutor’s Office indicated that it would indict the attorney, David Shimron, alongside a former navy commander and a number of other former officials in connection with that affair.

A law passed in 2017 limits the circumstances under which the police can file indictment recommendations when investigating elected officials and senior civil servants, and increases the penalties for leaking a police recommendation or other investigative materials. While the law did not apply to existing investigations, the parliamentary opposition at

the time accused the majority of trying to weaken law enforcement agencies to protect its political leadership.

Score Change: The score declined from 3 to 2 because the caretaker prime minister, who was indicted on multiple corruption charges, refused to step down and actively sought to secure legal immunity while running for reelection and attacking the credibility of law enforcement institutions.

C3. Does the government operate with openness and transparency? 3 / 4

Israel's laws, political practices, civil society groups, and independent media generally ensure a substantial level of governmental transparency, though recent corruption cases have illustrated persistent shortcomings. The Freedom of Information Law grants every citizen and resident of Israel the right to receive information from a public authority. However, the law includes blanket exemptions that allow officials to withhold information on the armed forces, intelligence services, the Atomic Energy Agency, and the prison system, potentially enabling the concealment of abuses.

CIVIL LIBERTIES: 43 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 3 / 4

The Israeli media sector as a whole is vibrant and free to criticize government policy. While the scope of permissible reporting is generally broad, print articles on security matters are subject to a military censor. According to the results of a freedom of information request, in 2017 the military partially or fully redacted a total of 2,358 news items, or 21 percent of the articles submitted to it by media outlets for prior review. The Government Press Office has occasionally withheld press cards from journalists to restrict them from entering Israel, citing security considerations.

A 2017 law allows police and prosecutors to obtain court orders that require the blocking of websites found to publish criminal or offensive content. Freedom of expression advocates warned that the measure could permit the suppression of legitimate speech.

Netanyahu's dual role as prime minister and communications minister between 2014 and 2017 raised questions about conflicts of interest involving the ministry's regulatory functions. He was forced to resign as communications minister in light of the police investigations into his alleged attempts to arrange favorable coverage from certain private media outlets. Ayoub Kara, his replacement, was considered a close ally; Kara served until June 2019, when he stepped down and was replaced by David Amsalem, another Netanyahu ally.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

While Israel defines itself as a Jewish state, freedom of religion is largely respected. Christian, Muslim, and Baha'i communities have jurisdiction over their own members in matters of marriage, divorce, and burial. The Orthodox establishment governs personal status matters among Jews, drawing objections from many non-Orthodox and secular Israelis. Most ultra-Orthodox Jews, or Haredim, have been excused from compulsory military service under a decades-old exemption for those engaged in full-time Torah study. In July 2018 the Knesset gave initial approval to a draft law that would regulate the conscription of Haredim, setting gradually rising recruitment targets for each year. However, the governing coalition's lack of agreement on a final bill contributed to its collapse in December 2018 and the calling of early elections.

Although the law protects the religious sites of non-Jewish minorities, they face discrimination in the allocation of state resources as well as persistent cases of vandalism, which usually go unsolved.

Citing security concerns, Israeli authorities have set varying limits on access to the Temple Mount/Haram al-Sharif in East Jerusalem in recent years, affecting worshippers across the broader area. However, in 2018 the government lifted restrictions on Jewish lawmakers visiting the site that had been in place for nearly three years.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Primary and secondary education is universal, though divided into multiple public school systems (state, state-religious, Haredi, and Arabic). School quality and resources are generally lower in mostly non-Jewish communities. In 2018, the Knesset approved a law to ban groups that are in favor of legal actions abroad against Israeli soldiers, or that otherwise undermine state educational goals by criticizing the military, from entering Israeli schools or interacting with students.

Israel's universities have long been centers for dissent and are open to all students, though security-related restrictions on movement limit access for West Bank and Gaza residents in practice. Universities have come under pressure from right-leaning groups and politicians in recent years.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

While private discussion in Israel is generally open and free, there are some restrictions on political expression. For example, the 2011 Boycott Law exposes Israeli individuals and groups to civil lawsuits if they advocate an economic, cultural, or academic boycott of the state of Israel or West Bank settlements.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 3 / 4

Protests and demonstrations are widely permitted and typically peaceful. However, some protest activities—such as desecration of the flag of Israel or a friendly country—can draw serious criminal penalties, and police have sometimes attempted to restrict peaceful demonstrations.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

In recent years the environment for nongovernmental organizations (NGOs) has deteriorated. A law that took effect in 2012 requires NGOs to submit financial reports four times a year on support received from foreign government sources. Under a 2016 law, NGOs that receive more than half of their funding from foreign governments must disclose this fact publicly and in any written or oral communications with elected officials. The measure mainly affected groups associated with the political left that oppose Israel's policies toward the Palestinians; foreign funding for right-leaning groups that support Jewish settlements in the West Bank, for example, more often comes from private sources.

A 2017 law bars access to the country for any foreign individuals or groups that publicly support a boycott of Israel or its West Bank settlements. The measure was criticized by civil society organizations as an obstacle to the activities of many pro-Palestinian and human rights groups. In November 2019, the Supreme Court upheld a deportation order that

authorities had issued the previous year against Human Rights Watch’s regional director, Omar Shakir, for allegedly supporting the boycott of Israel, and he was expelled. In a separate 2018 case, authorities sought to bar entry to a US student pursuing a graduate degree in Israel on the grounds that she had been involved with a proboycott organization in the past. The Supreme Court ruled that October that the 2017 law did not apply to the student, in part because it was meant to be preventive rather than punitive.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers may join unions and have the right to strike and bargain collectively. Most of the workforce either belongs to Histadrut, the national labor federation, or is covered by its social programs and bargaining agreements.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent and regularly rules against the government. Over the years, the Supreme Court has played an increasingly central role in protecting minorities and overturning decisions by the government and the parliament when they threaten human rights. The Supreme Court hears direct petitions from both Israeli citizens and Palestinian residents of the West Bank and Gaza Strip, and the state generally adheres to court rulings.

In the spring of 2019, reports emerged in Israeli media that Likud, as it sought to assemble a government, was circulating draft coalition agreements that included plans to strip the Supreme Court of its ability to override Knesset legislation. In response to the reports, Netanyahu stated that his commitment to a strong court system did not imply “an all-powerful court,” and that he was open to reforms that could have implications for the balance of power between the branches of government.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Although due process is largely guaranteed in ordinary cases, those suspected of security-related offenses are subject to special legal provisions. Individuals can be held in administrative detention without trial for renewable six-month terms. According to the human rights group B’Tselem, there were a total of 4,544 Palestinians from the occupied territories in Israeli Prison Service facilities at the end of December 2019, including 464 in administrative detention. Under criminal law, individuals suspected of security offenses can be held for up to 96 hours without judicial review under certain circumstances, and be denied access to an attorney for up to 21 days.

According to Defense for Children International (DCI) Palestine, 186 Palestinian children (aged 12–17) from the occupied territories were being held in Israeli military detention as of December 2019. Although Israeli law prohibits the detention of children younger than 12, some are occasionally held. Most Palestinian child detainees are serving sentences—handed down by a special military court for minors created in 2009—for throwing stones or other projectiles at Israeli troops in the West Bank; acquittals on such charges are very rare, and the military courts have been criticized for a lack of due process protections. East Jerusalem Palestinian minors are tried in Israeli civilian juvenile courts.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Israeli border communities receive occasional rocket and artillery fire from Syria and the Gaza Strip. Israeli security forces and civilians also face the ongoing threat of small-scale terrorist attacks, most often involving stabbings or vehicular assaults. Human rights

groups have sometimes accused police of using deadly force against stone throwers or perpetrators of stabbing and vehicular attacks when they did not pose a lethal threat.

The Supreme Court banned torture in a 1999 ruling, but said physical coercion might be permissible during interrogations in cases involving an imminent threat. Human rights organizations accuse the authorities of continuing to use some forms of physical abuse and other measures such as isolation, sleep deprivation, psychological threats and pressure, painful binding, and humiliation.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Arab or Palestinian citizens of Israel face de facto discrimination in education, social services, and access to housing and related permits. Aside from the Druze minority, they are exempted from military conscription, though they may volunteer. Those who do not serve are ineligible for the associated benefits, including scholarships and housing loans. The 2018 nation-state law downgraded Arabic from an official language of the country to a language with “special status,” though another clause said the change would not “affect the status given to the Arabic language before this law came into force,” suggesting that it would be a largely symbolic demotion. In December 2019, the Organisation for Economic Co-operation and Development (OECD) released a report that found a significant and growing gap between the abilities of Hebrew-speaking students and those of their Arabic-speaking peers in Israeli schools.

The 2018 nation-state law also declares that the state “views the development of Jewish settlement as a national value, and shall act to encourage and promote its establishment and strengthening.” The Jewish National Fund (JNF-KKL), which owns about 13 percent of the land in Israel, has effectively maintained a Jewish-only land-leasing policy thanks to a land-swap arrangement with the Israel Land Authority, which grants the JNF replacement property whenever an Arab bidder obtains a parcel of its land.

Many of Israel’s roughly 230,000 Bedouin citizens live in towns and villages that are not recognized by the state. Those in unrecognized villages cannot claim social services, are in some cases off the electricity grid, and have no official land rights, and the government routinely demolishes their unlicensed structures.

Israelis of Ethiopian origin, numbering around 130,000, suffer from discrimination—including in the criminal justice system—and lag behind the general population economically despite government integration efforts. In July 2019, Ethiopian Israelis staged several days of demonstrations against police brutality after the fatal shooting of a teenager of Ethiopian descent by an off-duty police officer.

Women are treated equally in criminal and civil courts and have achieved substantial parity within Israeli society, though economic and other forms of discrimination persist, particularly among Arab and religious Jewish communities. Arab women are far less likely to be employed than either Arab men or Jewish women.

Discrimination based on sexual orientation is illegal, though LGBT+ people continue to face bias in some communities. Gay and transgender Israelis are permitted to serve openly in the military.

Individuals who enter the country irregularly, including asylum seekers, can be detained for up to a year without charges. Asylum applications, when fully processed, are nearly always rejected. In recent years the authorities have pressured thousands of African migrants and asylum seekers who entered the country irregularly—mostly from Eritrea and Sudan—to agree to be repatriated or deported to a third country, such as Rwanda or Uganda. There have been few new irregular entries since a barrier along the border with Egypt was

completed in 2013, though there were about 32,000 asylum seekers in the country as of 2019.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Security measures can sometimes present obstacles to freedom of movement, though military checkpoints are restricted to the West Bank. Informal local rules that prevent driving on the Sabbath and Jewish holidays can also hamper free movement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights within Israel are effectively protected, and business activity is generally free of undue interference. Businesses face a low risk of expropriation or criminal activity, and corruption is not a major obstacle for private investors. However, Israel's general commitment to property rights has been called into question given its handling of unrecognized Bedouin villages and its settlement policies in the West Bank.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are generally guaranteed. However, since religious courts oversee personal status issues, women face some disadvantages in divorce and other matters. Many ultra-Orthodox Jewish communities attempt to enforce unofficial rules on gender separation and personal attire. Marriages between Jews and non-Jews are not recognized by the state unless conducted abroad, nor are marriages involving a Muslim woman and a non-Muslim man. Israel recognizes same-sex marriages conducted abroad. Nonbiological parents in same-sex partnerships are eligible for guardianship rights. A law adopted in 2018 extended surrogacy rights to women without a male partner but not to men without a female partner, effectively excluding gay men.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Israel remains a destination for human-trafficking victims, and African migrants and asylum seekers residing in the country are especially vulnerable to forced labor and sex trafficking. The government works actively to combat trafficking and protect victims. Israel's roughly 88,000 legal foreign workers are formally protected from exploitation by employers, but these guarantees are poorly enforced. About 18,000 foreigners work in the country illegally. Histadrut has opened membership to foreign workers and called on employers to grant them equal rights. Discrimination against and exploitation of Palestinians from the occupied territories working in Israel remains commonplace.

Italy

Population: 60,300,000

Capital: Rome

Freedom Status: Free

Electoral Democracy: Yes

Overview: Italy's parliamentary system features competitive multiparty elections. Civil liberties are generally respected but concerns about the rights of migrants as well as the endemic problem of corruption persist. Organized crime groups retain some ability to intimidate and influence politicians, especially at local levels.

KEY DEVELOPMENTS IN 2019

- In August, former deputy prime minister and interior minister (and leader of the right-wing political party the League), Matteo Salvini, withdrew his party's support of the coalition government and called for snap elections. Instead, the Five Star Movement, the opposition Democratic Party (PD), and the left-wing Free and Equals (LeU) formed a new coalition government.
- In December, several public and political officials were arrested for connections to and participation in the organized crime group 'Ndrangheta; they were among over 300 apprehended by police, the second largest police action against organized crime in Italy's history.

POLITICAL RIGHTS: 36 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Parliament and regional representatives elect the president, whose role is largely ceremonial but sometimes politically influential, for a seven-year term. The legitimacy of the presidential vote rests largely on the fairness of legislative elections. Sergio Mattarella, a former constitutional judge backed by the center-left Democratic Party, was elected president in 2015.

The president appoints the prime minister, who serves as head of government and is often, but not always, the leader of the largest party in the Chamber of Deputies, Italy's lower house. The prime minister proposes a Council of Ministers that requires confirmation by parliament.

Giuseppe Conte, an independent law professor who was not a member of parliament, became prime minister in June 2018 as part of the coalition agreement between the Five Star Movement and the League. After the dissolution of the coalition in August 2019, Conte was reinstated as prime minister of the new government formed by Five Star, PD, and LeU.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral parliament consists of the 630-member Chamber of Deputies and the 315-member Senate. Members of both houses are popularly elected for five-year terms, though the president can appoint five additional senators, and former presidents are also entitled to Senate seats.

The March 2018 elections were considered free and fair by international observers. The center-right coalition comprising Forward Italy (Forza Italia), the League, Brothers of Italy, and We with Italy–Union of the Center obtained 265 seats in the Chamber of Deputies and 137 in the Senate. The Five Star Movement took 227 seats in the chamber and 111 in the Senate, while the center-left coalition comprising the Democratic Party, the Popular Civic List, More Europe, and Italy Europe Together won 122 seats in the chamber and 60 in the Senate.

After months of negotiations in 2018, the League and the Five Star Movement formed a coalition government. In August 2019, after he implemented a series of high-profile,

antirefugee reforms, the popularity of Salvini's party, the League, was very high: polls suggested the League would win an outright parliamentary majority if new elections were held. Salvini dissolved the coalition government that month. Instead of calling for a new vote, President Mattarella approved a new coalition government of Five Star, the PD, and LeU to form in September. Matteo Renzi left the PD to create a new party, Italia Viva, which also supported the new coalition.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

While Italy's electoral framework and campaign finance regulations are complex, the elections they enable have consistently been deemed fair and credible.

In early 2017, the Constitutional Court struck down part of a 2015 electoral reform that was designed to encourage majorities and avoid postelection deadlock. The reform mandated a two-round system that awarded a supermajority of 340 seats in the lower house to a single party, or to the party that won more than 40 percent of the vote in a single election round. However, in November 2017, parliament adopted a new electoral law that introduced a mixed system in both houses, with 36 percent of seats allocated using the first-past-the-post method, and 64 percent using a proportional, party-list method. Unlike the 2015 measure, the new law encouraged coalition governments, as demonstrated by the 2018 election results.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are generally able to form and operate freely, and the political landscape features a high level of pluralism and competition. Since the beginning of the 1990s, politics have been characterized by unstable coalitions and the frequent emergence of new parties. In September 2019, Matteo Renzi, a prominent public figure, successfully formed a new political party, Italia Viva, after disagreements with his former party, PD.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Italy has a long record of frequent changes in the governing coalition, with multiple transfers of power since the early 1990s. The 2018 elections ended a period of leadership by the Democratic Party that began in 2013. However, one year later, the Democratic Party is once again in a coalition government after the fall of the first Conte government in August 2019.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

The public is generally free to make political choices without undue interference. However, organized crime groups retain some ability to intimidate and influence politicians, especially at the local level. In the Campania region, the Camorra crime group, while less widespread than other mafias in Italy, has an established network within the government's public administration.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Electoral laws contain provisions designed to encourage political participation by linguistic minorities. Women enjoy equal political rights under the law, though their interests are not always well represented in practice. Issues of concern to ethnic minorities play only a marginal role in national and local political agendas, and some municipal policies aggravate the exclusion of Roma.

Legal changes enacted at the end of 2018 tightened restrictions on citizenship and naturalization, forcing many applicants to wait several years for their documentation to be reviewed and introducing an Italian language fluency requirement in some cases.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are able to craft and implement policy without improper interference from unelected entities. Prime Minister Conte took office in 2018 without having won a seat in parliament. However, he was chosen as a compromise by the League and the Five Star Movement, which together commanded a legislative majority and generally was able to determine policies of government without improper interference.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption remains a serious problem despite long-term efforts to combat it, and ties between organized crime and public officials persist. A number of local and regional office-holders have been sentenced to prison on graft charges in recent years. A 2017 antimafia law was intended to make some anticorruption procedures more efficient; it also created a government department to oversee assets confiscated in anticorruption cases. Nevertheless, the problem persists. Interior Minister Luciana Lamorgese warned in an October meeting of Italy's antimafia commission that organized crime groups have become increasingly more sophisticated, and have infiltrated the government's administrative system and institutions, so as to hide illicit activities and cover up money trails.

In December 2019, Italian police arrested over 300 people on suspicion of membership in the organized crime group 'Ndrangheta. Among those arrested were several politicians and public officials, including a mayor, a police commander, and a political party official, in what was the second largest mafia bust in the country's history.

C3. Does the government operate with openness and transparency? 3 / 4

A 2013 legislative decree established greater transparency of information within public administration. The government regularly complies with public requests for information, though delayed responses have been reported.

CIVIL LIBERTIES: 53 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Freedom of the press is constitutionally guaranteed. Despite the rapid growth of the online news industry, traditional media still play a large role in news consumption. There are more than 100 daily newspapers, most of them locally or regionally based, as well as political party papers, free papers, and weekly publications. Concentration of ownership remains a major concern, but many viewpoints are available in the country's media overall. Internet access is generally unrestricted.

Scores of journalists have received temporary or long-term police protection in response to credible death threats, mostly from organized crime or extremist groups. In November

2019, journalist Mario De Michele was shot at while driving his car near the town of Aversa in southern Italy. The assailants are suspected to be members of the Camorra crime group. De Michele said he believes this incident, as well as another that took place just days before it, is connected to his investigation of the Camorra's activities.

In January 2019, two journalists were attacked by far-right extremists at an event commemorating the victims of a 1978 deadly attack.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is constitutionally guaranteed and respected in practice. There is no official religion; while the Roman Catholic Church receives certain benefits under a treaty with the state, other groups have access to similar benefits through their own accords. Some local governments have raised obstacles to the construction and recognition of mosques.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no major restrictions on people's ability to discuss controversial or sensitive topics in public without fear of surveillance or retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The freedom to assemble peacefully is guaranteed in the constitution and typically upheld in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) are generally free to organize and operate. However, the government has had tense relations with those involved in rescue operations in the Mediterranean Sea, where hundreds and sometimes thousands of migrants and refugees die each year as they attempt to reach Europe from North Africa. Five NGOs, including Doctors Without Borders (MSF), refused to sign a new code of conduct issued by the government in 2017, citing concerns about rules that would allow police to board their vessels and that could limit their ability to transfer migrants from their own vessels to other ships.

With new legislation adopted in June 2019, former interior minister Salvini enabled his ministry to fine ships up to €50,000 (\$57,000) for bringing asylum seekers into Italian ports; or even prevent them from entering Italian territory. In July, a boat operated by the Italian humanitarian group *Mediterranea Saving Humans* carrying 40 migrants from Libya seeking asylum was denied entry into Italian waters. This was the 21st confrontation between the Italian government and NGOs rescuing migrants at sea in recent years. Salvini then increased the maximum fine for ships entering Italian waters without authorization to €1 million (\$1.12 million) in early August and provided for the arrest of captains who ignore orders to stay away. These measures were rescinded by the second Conte government after its installment in September.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Trade unions are generally free to organize and operate. The constitution recognizes the right to strike but places restrictions on strikes by employees in essential sectors like transportation, sanitation, and health, as well as by some self-employed individuals, including lawyers, doctors, and truck drivers.

F. RULE OF LAW: 12 / 16

F1. Is there an independent judiciary? 3 / 4

The judiciary is generally independent, though the slowness of the judicial system remains a concern.

Former interior minister Salvini further escalated attacks on judges in June 2019, when he sought to have three magistrates be investigated. The judges had denied appeals from his ministry to reverse rulings that allowed asylum seekers to enroll in civic registries. Salvini took issue with their decisions and used social media to voice his feelings; his posts spurred a bevy of death threats hurled at the judges, and at one in particular, with whom Salvini had previously feuded.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process rights are largely upheld. However, judicial procedures are often characterized by lengthy delays; Italy has one of the lowest numbers of judges per capita in the European Union. The government has been criticized for denying detained migrants access to lawyers.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While the population is generally free from major threats to physical security, there have been reports of excessive use of force by police, particularly against people in the country illegally. Asylum seekers and undocumented migrants have been held in overcrowded and unhygienic conditions.

A 2017 law criminalized torture, though rights groups criticized it for defining torture narrowly and mandating a relatively short statute of limitations, which they identified as problematic in light of the delays that plague the justice system.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The law prohibits discrimination based on gender, race, sexual orientation, and other categories, and these protections are generally enforced. However, members of the Romany minority have unequal access to housing, and many live in segregated settlements that lack adequate infrastructure. LGBT+ people face societal discrimination and occasional acts of violence.

Migration to Italy by sea has decreased since 2017, and in late 2018, parliament approved legal changes that tightened conditions for granting asylum and humanitarian protection, extended possible detention of and eased deportation for irregular migrants, and reduced access to decentralized housing and integration services for asylum seekers. Salvini, in his capacity as interior minister, increased pressure on NGOs engaged in search-and-rescue operations in the Mediterranean and criminalized the transport of rescued migrants into Italian ports in August 2019. After the collapse of the League and Five Star Movement coalition in early September, which ousted Salvini from his position, the rescue of refugees in Italian waters was decriminalized. It was the first time in 2019 that refugees landed on

Italian shores, and Prime Minister Conte promised to roll back much of the anti-immigrant policies implemented by the previous government.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Individuals are generally free to travel and to change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal and regulatory framework supports property rights and the operation of private businesses, but corruption and organized crime can hinder normal business activity, as can onerous bureaucratic obstacles. Delays in court proceedings often undermine enforcement of protections for property rights.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

The law protects individual freedom on personal status issues such as marriage and divorce. Same-sex civil unions with nearly all the benefits of marriage are permitted, and courts have begun to recognize second-parent adoption rights for same-sex couples. Domestic violence is a persistent problem, though public awareness of the issue is increasing due to advocacy campaigns. In March, two men were cleared of rape charges after judges deemed the victim to be “too unattractive” to be a target.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The authorities generally enforce legal protections against exploitative working conditions. However, informally employed workers, including the many migrants and asylum seekers who have entered the country in recent years, are more vulnerable to abuses. The trafficking of women and girls for sexual exploitation also remains a concern, and the 2019 US State Department’s *Trafficking in Persons Report* noted that Italian government does not meet minimum standards for the elimination of trafficking. Despite the government actively working to identify and prosecute traffickers and fund services for victims, they have decreased law enforcement and protection efforts and trafficking rings and networks have become more sophisticated and violent. Italy also did not heed or adequately assess referrals of victims of trafficking from international NGOs and humanitarian organizations, returning victims to countries where they would be at high risk of further danger.

Jamaica

Population: 2,800,000

Capital: Kingston

Freedom Status: Free

Electoral Democracy: Yes

Overview: Jamaica’s political system is democratic, and features competitive elections and orderly rotations of power. However, corruption remains a serious problem, and long-standing

relationships between officials and organized crime figures are thought to persist. Violent crime remains a concern, as does harassment and violence against LGBT+ people.

KEY DEVELOPMENTS IN 2019

- In October, former education minister Ruel Reid was arrested and accused of corruption, fraud, and misappropriation of funds along with the president of publicly run Caribbean Maritime University (CMU). The cases against Reid, who lost his post over the allegations in March, and CMU's president were ongoing at year's end.
- The National Identification System (NIDS), introduced in 2017, was ruled unconstitutional by the Constitutional Court in April for infringing on Jamaicans' privacy. In November, Prime Minister Andrew Holness vowed to introduce revised legislation to relaunch NIDS in 2020.

POLITICAL RIGHTS: 34 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The British monarch is the ceremonial head of state and is represented by a governor general. The prime minister is the head of government; the position is appointed after elections by the governor general, and usually goes to the leader of the majority party or coalition. The prime minister's legitimacy rests largely on the conduct of legislative elections, which in Jamaica are generally free and fair. Jamaica Labour Party (JLP) leader Holness became prime minister after the party's narrow win in the 2016 election.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Jamaica's bicameral Parliament consists of a 63-member House of Representatives, elected for five years, and a 21-member Senate, with 13 senators appointed on the advice of the prime minister and 8 on the advice of the opposition leader. Senators also serve five-year terms.

In 2016, the opposition JLP won 32 lower-house seats, in a narrow victory over the incumbent People's National Party (PNP), which took 31. Organization of American States (OAS) monitors deemed the elections competitive and credible, but recorded instances of election-related violence ahead of the polls, and expressed concern about voter apathy, which was manifested in a historically low voter turnout of 48 percent.

In an April 2019 by-election, the ruling JLP won a lower-house seat in the northeastern parish of Portland from the PNP. Turnout stood at 53.7 percent, an improvement over the 43.9 percent figure in 2016.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Electoral laws are generally fair, but the 2016 OAS mission suggested various improvements, including strengthening campaign finance rules and making it easier for citizens to vote in areas outside their assigned polling station.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties form and operate without restriction. Although various smaller parties are active, politics at the national level are dominated by the social democratic PNP and the more conservative JLP.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties operate freely, and political power has alternated between the PNP and JLP.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Powerful criminal organizations can influence voters who live in areas under their control. These organizations have used intimidation or other tactics to ensure high voter turnout for particular candidates or parties in exchange for political favors.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women are underrepresented in politics. Of the 152 candidates contesting the 2016 election, 26 candidates, or 17.1 percent, were women. Eleven women were elected to the lower house in 2016, amounting to 17.5 percent of the body. The LGBT+ community experiences harassment and violence, and this impacts the ability of LGBT+ people to engage in political and electoral processes.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The elected prime minister and national legislative representatives determine the policies of the government. However, powerful criminal groups, as well as corruption in politics, can affect democratic policymaking.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Long-standing links between officials and organized crime figures persist. Government bodies continue to pursue corruption investigations, and cases frequently end in convictions. However, there are criticisms in the media and from nongovernmental organizations (NGOs) that authorities are reluctant to pursue some cases. Government whistleblowers are not well protected.

New legal efforts to fight corruption have been mounted in recent years. These include the approval of the Integrity Commission Act of 2017, which requires lawmakers and public officials to disclose their income, liabilities, and assets; the act also streamlined anticorruption laws and empowered a single commission to monitor compliance. The Integrity Commission began its work in 2018. In May 2019, the Integrity Commission announced that it sent six investigative reports to Parliament and supervised 500 government projects in its first year of operation, but no prosecutions were launched.

Legislation approved in 2018 mandated the establishment of an independent Major Organised Crime and Anti-Corruption Agency (MOCA). This agency previously existed, but was affiliated with the Jamaica Constabulary Force (JCF); the current body is autonomous. In late 2018, MOCA arrested five JCF members, and three were later charged with extortion and breaches of the Corruption Prevention Act.

Major anticorruption investigations continued throughout 2019. In a July report to the Senate, the Integrity Commission warned that managers at oil refining firm Petrojam spent J\$2.6 million (\$19,700) on birthday parties, and that Petrojam was unable to justify major outlays. The report was forwarded to the director of corruption prosecution, and remained under review at year's end. In September, MOCA accused two constables of corruption for allegedly soliciting a bribe; their cases remained pending at year's end.

In October 2019, former education minister Ruel Reid, two relatives, and CMU president Fritz Pinnock were arrested on suspicion of corruption, fraud, and the misappropriation of as much as J\$50 million (\$380,000) in public funds for their personal use. While a parliamentary appropriations committee subsequently declined to launch new probes into the case, Pinnock and Reid, who was forced to vacate his post and his Senate seat in March as the allegations surfaced, remained in custody at year's end.

C3. Does the government operate with openness and transparency? 2 / 4

An access to information law has been in effect since 2004, though it contains a number of exemptions. Legislative processes are often opaque.

In 2018, the government resisted calls to allow the Public Accounts Committee of Parliament (PAC), which was chaired by an opposition lawmaker, to discuss an audit of Petrojam that showed evidence of serious corruption and mismanagement. The audit was published that December and concluded that Petrojam contracts violated procurement rules.

CIVIL LIBERTIES: 44 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 4 / 4

The constitutional right to free expression is generally respected. Most newspapers are privately owned, and express a variety of views. Broadcast media are largely publicly owned, but espouse similarly pluralistic points of view. Journalists occasionally face intimidation, especially in the run up to elections.

In 2018, Reporters Without Borders (RSF) expressed concern over a proposed data-protection bill it said failed to “adequately distinguish gathering ‘data’ for journalistic activities from gathering data for regular commercial purposes.” The group said the bill, if it became law, could allow authorities to compel journalists investigated under its provisions to reveal their sources. The bill was still under consideration at the end of 2019.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally protected and generally respected in practice. While laws banning Obeah—an Afro-Caribbean shamanistic religion—remain on the books, they are not actively enforced.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government does not restrict academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Individuals are generally free to express their personal views on political or other sensitive topics. However, the presence of powerful criminal groups in some urban neighborhoods can discourage people from talking openly about such groups' activities.

In 2017, the House of Representatives passed the National Identification and Registration Act, which established the groundwork for a National Identification System (NIDS) that requires the collection of people's personal information. Privacy advocates expressed concern about possible overreach. In April 2019, the Constitutional Court ruled the NIDS unconstitutional, saying that the requirement to submit biometric data infringed on Jamaicans' privacy; in November, Prime Minister Holness vowed to introduce a revised bill in 2020.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is provided for by the constitution and is largely respected in practice. Protests are occasionally marred by violence or otherwise unsafe conditions, though several protests were held in 2019 without major incident.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights-and governance-related work? 4 / 4

Jamaica has a robust and vibrant civil society with many active community groups. However, some struggle financially or have difficulty attracting volunteers, negatively impacting their levels of engagement. Others are funded by the central government, but for the most part act autonomously. NGOs are well represented in the education, health, and environment sectors, and many provide support for the most marginalized groups in society.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Around 20 percent of the workforce is unionized, and antiunion discrimination is illegal. Labor unions are politically influential and have the right to strike. However, workers in essential services must undergo an arbitration process with the Ministry of Labor and Social Security before they may legally strike, and the definition of the work constituting "essential services" is broad. There are reports of private employers laying off unionized workers and then later hiring them as contract workers.

The Industrial Disputes Tribunal (IDT) is empowered to reinstate workers whose dismissals are found to be unjustified, although cases before the IDT often take much longer to settle than the 21 days stipulated by the law.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 3 / 4

Judicial independence is guaranteed by the constitution, and while the judiciary is widely considered independent, corruption remains a problem in some lower courts.

F2. Does due process prevail in civil and criminal matters? 2 / 4

A large backlog of cases and a shortage of court staff at all levels continue to undermine the justice system. Trials are often delayed for many years and at times cases are dismissed due to systemic failures. In order to reduce the backlog, the government passed the 2017 Criminal Justice (Plea Negotiations and Agreements) Act, which increased avenues for the resolution of cases outside of trial. Since its passage, prosecutors, judges, and government officials have noted an unwillingness from some defendants to consider plea deals; in June 2019, Chief Justice Bryan Sykes vowed to launch an information campaign to persuade defendants to consider plea agreements.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Killings by police remain a serious problem in Jamaica. According to the Independent Commission of Investigations, 86 people were shot and killed by security personnel in 2019. This represents a decline in reported shooting deaths by security forces; 168 people were killed in 2017, and 137 in 2018.

Gang and vigilante violence remain common. Kingston's insular "garrison" communities remain the epicenter of most violence and serve as safe havens for criminal groups. Jamaica is a transit point for cocaine, and much of the island's violence is the result of warfare between drug-trafficking organizations. A range of initiatives to address the problem have been undertaken by successive governments, but crime and violence remain deeply entrenched.

States of emergency were declared in the parishes of Clarendon, St. Andrew, St. Catherine, St. James, and Westmoreland for much of 2019, as part of the government's efforts to address violent crime. Despite these measures, the government reported a national tally of 1,326 murders in late December, an increase from the 1,256 murders recorded by the Jamaica Defence Force (JDF) in 2018.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Harassment of and violence against LGBT+ people remains a major concern and is frequently ignored by the police. Anti-LGBT+ discrimination is pervasive. A 2016 report published by J-FLAG (Jamaica Forum of Lesbians, All-Sexuals and Gays) found that 88 percent of survey respondents felt that male homosexuality was immoral, 83.7 percent felt the same for female homosexuality, and 83.5 percent felt bisexual relationships were immoral; these results represented an increase over the results of a 2011 survey.

While unequal treatment of LGBT+ people remains common, progress has been made in recent years. Legislation against sodomy, which is punishable by 10 years in prison with hard labor, was challenged in court in 2013. The claimant withdrew in 2014 after receiving death threats, but his representative, LGBT+ advocate Maurice Tomlinson, launched a new suit in 2015; in November 2019, Tomlinson testified to the Inter-American Commission on Human Rights (IACHR) that the government repeatedly moved to delay its consideration. In 2018, a parliamentary subcommittee proposed a national referendum on repealing Jamaica's anti-sodomy law, but the move was criticized by LGBT+ activists who felt legislators should scrap the law themselves; the referendum remained under consideration at the end of 2019.

In 2014, the government added a provision to the Offences Against the Person Act that criminalized the production, recording, or distribution of audio or visual materials promoting violence against any category of persons, including LGBT+ individuals.

Jamaica's first public pride event took place in 2015; while subsequent events have grown larger, pride events are still met with government reticence. A pride event scheduled in Montego Bay was cancelled in September 2019 after local officials denied the organizers access to a cultural center. Some high-profile politicians have also spoken out publicly in support of J-FLAG in recent years.

Women enjoy the same legal rights as men but suffer employment discrimination and tend to earn less than men for performing the same job.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Although there are constitutional guarantees of freedom of movement, political and communal violence frequently precludes the full enjoyment of this right. States of emergency that were enacted during much of 2019 restricted movement, with residents of affected areas facing road blocks, random searches, and identity checks. There are no formal restrictions on people's ability to change their place of employment or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 3 / 4

Jamaica has an active private sector and a powerful probusiness lobby. Individuals are free to establish businesses subject to legal requirements, which are not onerous. Recent reforms have included expediting the incorporation process, making electricity in Kingston more consistent, and easing the import process. However, corruption and crime can still hamper normal business activity. The World Bank's 2020 *Doing Business* report, published in October 2019, noted difficulties in paying taxes, registering property, and enforcing contracts.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Legal protections for women and girls are poorly enforced, and violence and discrimination remain widespread. There is no blanket ban on spousal rape, nor are there laws against sexual harassment. Child abuse, including sexual abuse, is widespread.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Residents of neighborhoods where criminal groups are influential are at a heightened risk of becoming victims of human traffickers. Because of the poverty in certain communities and high-profile tourism industry, child sex tourism is present in some of Jamaica's resort areas, according to local NGOs.

Japan

Population: 126,200,000

Capital: Tokyo

Freedom Status: Free

Electoral Democracy: Yes

Overview: Japan is a multiparty parliamentary democracy. The ruling Liberal Democratic Party (LDP) has governed almost continuously since 1955, with stints in opposition from 1993 to 1994 and 2009 to 2012. Political rights and civil liberties are generally well respected. Outstanding challenges include ethnic and gender-based discrimination and claims of improperly close relations between government and the business sector.

KEY DEVELOPMENTS IN 2019

- The LDP-led coalition retained 71 seats out of the 124 contested in July's elections to the upper house. The coalition now controls a comfortable majority of 141 seats, though it fell short of winning the two-thirds supermajority required to revise the constitution.

- Two candidates from the new Reiwa Shinsengumi party, both people with disabilities, were elected to the upper house. One became reportedly the world's first national legislator to have been diagnosed with amyotrophic lateral sclerosis (ALS) prior to their election.
- In February, the cabinet sent a memo to the press accusing a journalist of asking questions with "factual errors," while also denying any intent to restrict investigative journalism.
- Protracted legal proceedings against Nissan chief executive Carlos Ghosn, and his subsequent escape from prison and from Japan in December, prompted domestic and international scrutiny of the country's prisons and justice system.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Japan is a parliamentary democracy. The prime minister is the head of government and is chosen by the freely elected parliament. The prime minister selects the cabinet, which can include a limited number of ministers who are not members of the parliament. Japan's emperor serves as head of state in a ceremonial capacity.

Shinzō Abe has been prime minister since 2012, having previously served for a year in 2006–2007. In November 2019, he became Japan's longest-serving prime minister, having been in office for a total of 2,887 days.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The parliament, or Diet, has two chambers. The more powerful lower house, the House of Representatives, has 465 members elected to maximum four-year terms through a mixture of single-member districts and proportional representation. The upper house, the House of Councillors, has 245 members serving fixed six-year terms, with half elected every three years using a mixture of nationwide proportional representation and prefecture-based voting. The prime minister and his cabinet can dissolve the House of Representatives, but not the House of Councillors. The lower house can also pass a no-confidence resolution that forces the cabinet to either resign or dissolve the House of Representatives.

Legislative elections in Japan are free and fair. In July 2019, elections for upper-house seats were held, in which the LDP-led coalition retained 71 seats out of the 124 contested. In addition to the 70 uncontested seats it already held, the ruling coalition now controls a comfortable majority of 141 seats, although it is short of the two-thirds supermajority required to revise the constitution. The opposition Constitutional Democratic Party (CDP) won 17 seats, and smaller parties and independents captured the remainder.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Japan's electoral laws are generally fair and well enforced. Campaigning is heavily regulated, which typically benefits incumbents, although the rules are applied equally to all candidates. Malapportionment in favor of the rural districts from which the LDP draws significant support has been a persistent problem. In 2018, a new redistricting law was passed to increase the number of upper house seats allocated to an urban prefecture. Districts will be revised again in 2020 after the census is conducted.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Parties generally do not face undue restrictions on registration or operation. In 2017, liberal and left-leaning lawmakers who broke away from the opposition Democratic Party (DP) formed the CDP, which became the leading opposition party after that year's lower house elections. Some new parties gained seats in the 2019 upper-house elections, including the populist Party to Protect the People from the NHK, and the Reiwa Shinsengumi.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

While the LDP has governed for most of Japan's postwar history, there have been democratic transfers of power to and from alternative parties. Opposition parties are represented in the parliament and govern at the subnational level.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from improper interference by powerful interests that are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Citizens enjoy equal rights to vote and run in elections regardless of gender, ethnicity, religion, sexual orientation, or gender identity. Women remain underrepresented in government. In the latest upper house election in 2019, 28.1 percent of all candidates and 22.6 of winning candidates were women, both record highs in Japan. In May 2018, the Diet passed a nonbinding measure to promote gender-balanced assemblies, urging parties to nominate equal numbers of male and female candidates.

Two candidates from the new Reiwa Shinsengumi party, both people with disabilities, won seats in the 2019 upper house election. One of them became reportedly the world's first national legislator who had been diagnosed with Amyotrophic Lateral Sclerosis (ALS) prior to taking office.

Around 600,000 ethnic Koreans—mainly the multigenerational descendants of forced laborers brought to Japan before 1945—hold special residency privileges but not Japanese citizenship, and are therefore ineligible to participate in national elections. Most but not all are South Korean nationals, and they have the option of applying for Japanese citizenship.

C. FUNCTIONING OF GOVERNMENT: 12 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

Elected officials are free to govern without interference, though senior civil servants have some influence over policy.

C2. Are safeguards against official corruption strong and effective? 4 / 4

The prevalence of corruption in government is relatively low, and media coverage of political corruption scandals is widespread and vigorous. For instance, in August 2019, a junior minister for labor resigned after media reports linked him to a bribery scheme. The

media also reported in December that Tokyo prosecutors arrested a lower-house member from the LDP, who was suspected of receiving bribes from a Chinese company hoping to invest in the casino business in Japan. Prosecutors' search included some other LDP members.

Some government officials have close relations with business leaders, and retiring bureaucrats often quickly secure high-paying positions with companies that receive significant government contracts.

C3. Does the government operate with openness and transparency? 4 / 4

The government generally operates with openness and transparency. Access to information legislation allows individuals to request information from government agencies, but in practice the law has not always been implemented effectively. In January 2019, it was revealed that the Ministry of Health, Labor, and Welfare had used improper methods to collect wage and other data in the Monthly Labor Survey for nearly 15 years, resulting in the underpayment of benefits and compensation for millions of people. In November, it emerged that the Abe administration had invited mostly supporters to a state-funded cherry-blossom-viewing festival; an initial guest list for the party was allegedly shredded.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Freedom of the press is guaranteed in the constitution, and Japan has a highly competitive media sector. However, press freedom advocates have expressed concern about the Act on the Protection of Specially Designated Secrets, which took effect in 2014 and allows journalists to be prosecuted for revealing state secrets, even if that information was unknowingly obtained. A 2017 report by the UN special rapporteur on freedom of expression noted concern about pressure on the media from the government, and recommended the repeal of Article 4 of the Broadcast Act, which gives the government the power to determine what information is "fair" and thus acceptable for public broadcast. In February 2019, the cabinet sent a memo to the press accusing a journalist of asking questions with "factual errors," while denying there was any intent to restrict investigative journalism.

Under the traditional *kisha kurabu* (press club) system, institutions such as government ministries and corporate organizations have restricted the release of news to journalists and media outlets with membership in their clubs. In recent years, however, online media and weekly newsmagazines have challenged the daily papers' dominance of political news with more aggressive reporting.

In 2019, officials closed part of an art exhibition in Nagoya that addressed the sexual slavery of Asian women by the imperial Japanese army during World War II, saying the work had prompted threats of terrorism. It reopened on a limited basis in October.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is guaranteed by the constitution, and there are no substantial barriers to religious expression or the expression of nonbelief.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is constitutionally guaranteed and mostly respected in practice, but education and textbooks have long been a focus of public and political debate. While there is not a national curriculum or single official history text, the Ministry of Education's

screening process has approved textbooks that downplay Japan's history of imperialism and war atrocities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The government does not restrict private discussion. Some observers have expressed concern that antiterrorism and anticonspiracy legislation that went into effect in 2017 could permit undue surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected under the constitution, and peaceful demonstrations take place frequently. In 2019, protests were held on topics including the proposed relocation of the US base on Okinawa, climate change, sexual violence against women, and the government's pension policy.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) are generally free from undue restrictions and remained diverse and active in 2019.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Most workers have the legal right to organize, bargain collectively, and strike. However, public sector workers are barred from striking, and some, such as firefighters and prison staff, cannot form unions. Labor unions are active and exert political influence through the Japanese Trade Union Confederation and other groupings.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

Japan's judiciary is independent. For serious criminal cases, a judicial panel composed of professional judges and *saiban-in* (lay judges), selected from the general public, render verdicts.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Constitutional guarantees of due process are generally upheld. However, observers have argued that trials often favor the prosecution. There are reports that suspects have been detained on flimsy evidence, arrested multiple times for the same alleged crime, or subjected to lengthy interrogations that yield what amount to forced confessions. Police can detain suspects for up to 23 days without charge. Access to those in pretrial detention is sometimes limited.

New legislation adopted in 2017 added nearly 300 categories of conspiracy offenses to the criminal code in order to help unravel terrorist plots and organized crime networks. Critics of the changes raised concerns that they gave the government too much authority to restrict civil liberties.

Carlos Ghosn, the former chief executive of Nissan, was arrested four times between November 2018 and April 2019 on charges of financial wrongdoing, and spent several months in jail. In December 2019, he escaped house arrest and fled to Lebanon. The events prompted domestic and international criticism of Japan's legal and judicial system, with observers questioning the country's high conviction rates and prosecutors' dependence on confessions allegedly obtained by placing heavy pressure on defendants.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

People in Japan are generally protected from the illegitimate use of physical force and the threat of war and insurgencies. Violent crime rates are low. However, organized crime is fairly prominent, particularly in the construction and nightlife sectors; crime groups also run drug-trafficking and loansharking operations.

There are frequent reports of substandard medical care in prisons. Prisoners facing death sentences or accused of crimes that could carry the death penalty are held in solitary confinement, sometimes for years at a time. In 2019, the Ghosn case and Ghosn's escape from detention and from Japan prompted renewed attention to conditions within Japanese detention facilities, and their overall security.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Societal discrimination against Japan's estimated three million *burakumin*—descendants of feudal-era outcasts—and the indigenous Ainu minority is declining, but it can affect their access to housing and employment. Meant to promote people's understanding of the Ainu culture and reduce discrimination against the Ainu, new legislation in April 2019 for the first time officially recognized the Ainu as an "indigenous" people of Japan, though it was also criticized some for lacking an apology to the Ainu people. Japan-born descendants of colonial subjects (particularly ethnic Koreans and Chinese) also experience discrimination. A 2016 hate speech law calls on the government to take steps to eliminate discriminatory speech against ethnic minorities, but it does not carry any penalties for perpetrators.

LGBT+ people face social stigma and in some cases harassment. There is no national law barring discrimination based on sexual orientation or gender identity. In 2016, sexual harassment regulations for national public officials were modified to prohibit harassment on the basis of sexual orientation or gender identity. Employment discrimination and sexual harassment against women are common.

Very few asylum seekers are granted asylum in Japan. Japan also accepts a small number of refugees for third-country resettlement.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

There are few significant restrictions on internal or international travel, or on individuals' ability to change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Property rights are generally respected. People are free to establish private businesses, although Japan's economy is heavily regulated.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

While personal social freedoms are mostly protected, there are some limitations. The country's system of family registration, *koseki*, recognizes people as members of a family unit and requires married couples to share a surname, which usually defaults to the husband's last name. This can create legal complications for women as well as children born out of wedlock or to divorced parents, among others. There is no legal recognition of

same-sex marriage in Japan, though municipal and prefectural governments, such as Ibaraki Prefecture and Toshima Ward, passed local legislation allowing the registration of same-sex partnerships in 2019. Domestic violence is punishable by law, and protective orders and other services are available for victims, but such abuse often goes unreported.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Individuals generally enjoy equality of opportunity, and the legal framework provides safeguards against exploitative working conditions. However, long workdays are common in practice and have been criticized as harmful to workers' health.

Many workers are temporary or contract employees with substantially lower wages, fewer benefits, and less job security than regular employees.

Commercial sexual exploitation also remains a problem. Traffickers frequently bring foreign women into the country for forced sex work by arranging fraudulent marriages with Japanese men.

Jordan

Population: 10,400,000

Capital: Amman

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Jordan is a monarchy in which the king plays a dominant role in politics and governance. The parliament's lower house is elected, but the electoral system puts the opposition at a disadvantage, and the chamber wields little power in practice. The media and civil society groups are hampered by restrictive laws and government pressure. The judicial system lacks independence and often fails to ensure due process.

KEY DEVELOPMENTS IN 2019

- Mass demonstrations against unemployment, stagnant or declining public-sector salaries, and corruption became common during the year, with teachers launching a month-long strike over wages in September. The increase in dissent prompted authorities to arrest dozens of activists.
- The government continued to issue work permits to Syrian refugees in keeping with a 2016 European Union funding agreement, with more than 153,000 distributed by October, though the presence of some 655,000 registered and many more unregistered Syrian refugees placed serious strains on the country's public services.

POLITICAL RIGHTS: 12 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

King Abdullah II holds broad executive powers. He appoints and dismisses the prime minister and cabinet and may dissolve the bicameral National Assembly at his discretion. Omar al-Razzaz, a former World Bank economist and minister of education, was appointed prime minister in June 2018, replacing Hani al-Mulki, who resigned in the wake of mass

protests over proposed tax increases and hikes in fuel and electricity prices. Constitutional amendments adopted in 2016 empowered the king to make a number of other appointments, including the crown prince and a regent, without a royal decree countersigned by the prime minister or other cabinet ministers.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The king appoints the 65 members of the upper house of the parliament, the Senate. The lower house, the 115-seat House of Representatives, is elected for four-year terms or until the parliament is dissolved. Its members win office through races in 23 multimember districts, with 15 seats reserved for the leading women candidates who failed to capture district seats. Twelve of the district seats are reserved for religious and ethnic minorities.

In the 2016 elections for the House of Representatives, the first held under a new electoral system, the opposition Islamic Action Front (IAF)—the political arm of the Muslim Brotherhood in Jordan—participated after boycotting the previous two elections. It took 10 seats, and its allies won several more. However, as in past polls, most seats went to independents who are typically tribal figures and businesspeople and considered loyal to the monarchy. Vote buying and other forms of manipulation remained a problem.

Elections were held in 2017 for mayors, local and municipal councils, and 12 new governorate councils created under a 2015 decentralization law. However, 15 percent of the governorate council seats are appointed, and the councils have no legislative authority. A quarter of the seats in the Amman municipal council are also appointed by the government. As with the parliamentary elections, independent tribal candidates won the vast majority of seats, while the IAF and its allies won a plurality of the few seats captured by party-based candidates.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Elections are administered by the Independent Election Commission (IEC), which generally receives positive reviews from international monitors in terms of technical management, though irregularities continue to be reported. The 2016 reform to Jordan's election law introduced multiple-vote proportional representation for parliamentary elections, replacing a single nontransferable vote system that favored progovernment tribal elites over opposition-oriented political parties. The new law also redrew district lines in an attempt to mitigate acute malapportionment that has long placed urban voters at a severe disadvantage. However, even after the changes, rural and tribal voters, who make up the base of support for the regime, remain heavily overrepresented in the parliament. For example, 59,000 eligible voters in the district of Ma'an elect four members of parliament, whereas the first district of Zarqa, which is dominated by Jordanian citizens of Palestinian origin, has over 450,000 voters electing six parliament members. The legal framework for elections is unstable, with major changes often introduced just a month or two before polling day, causing confusion that can hinder campaigning and voting.

B. POLITICAL PLURALISM AND PARTICIPATION: 6 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Political parties based on ethnicity, race, gender, or religion are banned in Jordan. Parties must receive approval from the Ministry of Political and Parliamentary Affairs.

Authorities have reportedly intimidated individuals attempting to form political parties. The main opposition party, the IAF, is tolerated, although the offices of its parent organization, the Muslim Brotherhood, were forcibly shuttered in 2016 after the regime prevented it from holding internal elections. The previous year, the government licensed an offshoot group, the Muslim Brotherhood Society, and moved to invalidate the original organization's legal registration. The decision exacerbated preexisting divisions within the Muslim Brotherhood, which further weakened it politically.

The system favors tribally affiliated independents over political parties with specific ideologies and platforms, as does the patronage-based political culture. In the 2016 elections, only 215 of 1,252 candidates ran on behalf of specific parties, according to the IEC.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

The Islamist opposition holds only about 12 percent of the lower house, and the political system—including the overrepresentation of rural voters—limits the ability of any party-based opposition to make significant gains. Moreover, the constitutional authority of the monarchy means that no opposition force can win control of the executive branch by democratic means alone.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

While voters and candidates are generally free from overt threats or violence, they remain heavily influenced by tribal affiliations and the state-sponsored patronage networks that accompany them. Citizens' political participation is also constrained by the fact that many important positions are appointed rather than elected.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women have equal political rights, and female candidates have won some seats beyond the legal quotas set for the parliament and subnational councils, but cultural prejudices remain an obstacle to women's full participation in practice. Five women won parliamentary seats outside the quota system in 2016, and four won off-quota seats on governorate councils in 2017. Women performed better at the municipal and local levels, but none won mayoral posts.

Nine seats in the House of Representatives are reserved for Christians and three for ethnic Circassians and Chechens together. Christians are not permitted to contest nonreserved seats. Citizens of Palestinian origin, who tend to live in urban areas, make up a majority of the overall population but remain underrepresented in the political system.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The king dominates policymaking and the legislative process. The appointed government submits all draft legislation to the House of Representatives, which may approve, reject, or amend bills, though they require approval from the appointed Senate and the king to become law. Groups of 10 or more lawmakers can propose legislation, but the House must then refer it to the government before it can return to the chamber as a draft law. Among other royal prerogatives, the king unilaterally appoints the heads of the armed forces, the intelligence service, and the gendarmerie.

C2. Are safeguards against official corruption strong and effective? 2 / 4

The government has undertaken some efforts to combat widespread corruption, and the Integrity and Anticorruption Commission is tasked with investigating allegations. However, successful prosecutions—particularly of high-ranking officials—remain rare. Anticorruption efforts are undermined by a lack of genuinely independent enforcement institutions and restrictions on investigative journalism and civil society activism.

C3. Does the government operate with openness and transparency? 1 / 4

Laws governing access to government information are vague, lack procedural detail, and contain sweeping exceptions. Officials are not required to make public declarations of their income and assets. The National Assembly does not exercise effective or independent oversight of the government's budget proposals. Activists and journalists who attempt to investigate state or royal finances are subject to arrest on defamation and other charges.

CIVIL LIBERTIES: 25 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

Jordan's media laws are restrictive, vague, and arbitrarily enforced. Various statutes penalize defamation, criticism of the king or state institutions, harming Jordan's relations with foreign states, blasphemy, and any content considered to lack objectivity. Government gag orders and informal instructions to media outlets regarding news coverage are common. News websites face onerous registration requirements that, if not met, can serve as a justification for blocking.

Journalists rarely face serious violence or significant jail time for their work, but they often practice self-censorship. In January 2019, the Court of Appeals confirmed the conviction of Nidal Salameh, a journalist for the Gerasa News website, who was sentenced to three months in prison for violating the Press and Publications Law and the Cybercrime Law through a 2015 article about a private hospital. In May 2019, two journalists with the television station Al-Urdun al-Youm were detained after the station broadcast a segment that criticized the head of the gendarmerie. The two were released on bail but faced charges of slander.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is the state religion. The government monitors sermons at mosques for political, sectarian, or extremist content and issues prescribed texts and themes. Muslim clerics require government authorization to preach or dispense religious guidance. Many Christian groups are recognized as religious denominations or associations and can worship freely, though they cannot proselytize among Muslims. While converts from Islam are not prosecuted for apostasy, they face bureaucratic obstacles and harassment in practice. Unrecognized religious groups are allowed to practice their faiths but suffer from a number of disadvantages stemming from their lack of legal status. Atheists and agnostics are required to list a religious affiliation on government documents.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Intelligence services reportedly monitor academic events and campus life, and administrators work with state officials to scrutinize scholarly material for politically sensitive content.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Open discussion of topics such as politics, the monarchy, religious affairs, and security issues is inhibited by the threat of punishment under the various laws governing expression. The telecommunications law requires companies to enable the tracking of private communications upon the issuance of a court order, and authorities are allowed to order surveillance of people suspected of terrorism. Many Jordanians hold a long-standing belief that government agents routinely listen to their phone calls and monitor their online activities. A number of the activists and protesters arrested during 2019 were charged with offenses related to social media posts in which they criticized the government.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Jordanian law limits free assembly. Authorities require prior notification for any demonstration or event and have broad discretion to disperse public gatherings. At times, the Interior Ministry cancels planned public events without advance notice or explanation. Violations of the law on assembly can draw fines and jail time. Security forces have in the past engaged in violent confrontations with protesters.

Coalitions of local activists known simply as the *hirak* (movement) mounted numerous demonstrations against unemployment, stagnant or declining public-sector salaries, and corruption during 2019, criticizing the government's performance and calling for political and other reforms. The authorities often responded with arrests of key organizers, who faced charges such as insulting the monarch and undermining the political regime.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

While many local and international nongovernmental organizations (NGOs) are able to operate in the country, there are significant restrictions on civil society. The Ministry of Social Development has the authority to deny registration and requests for foreign funding, and can disband organizations it finds objectionable. The ministry has broad supervisory powers over NGO operations and activities, and board members must be vetted by state security officials. In practice, these regulations are applied in an opaque and arbitrary manner.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Workers have the right to form unions, but only in 17 designated industries, and the groups must obtain government approval and join the country's semiofficial union federation, the General Federation of Jordanian Trade Unions (GFJTU). The right to strike is limited by requirements for advance notice and mediation, and participants in an illegal strike are subject to dismissal. No new trade unions have been allowed to form in Jordan since 1976. Although the kingdom has agreed to many of the International Labour Organization's fundamental conventions, it has failed to ratify the Freedom of Association and Protection of the Right to Organise Convention of 1948.

In 2013, a dozen unofficial trade unions formed a federation, the Jordanian Federation of Independent Trade Unions (FITU). Lacking official status, they are not allowed to establish headquarters, collect fees from their members, or engage in collective bargaining. They also face heavy pressure from the GFJTU and governmental bodies to cease their activities and shut down.

Teachers began the longest public-sector strike in the country's history in September, persisting for a full month until a deal was reached in October. They secured raises of between 35 and 75 percent for various educational posts.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary's independence is limited. Under the 2016 constitutional amendments, the king unilaterally appoints the entire Constitutional Court and the chair of the Judicial Council, which nominates judges for the civil court system and is made up mostly of senior members of the judiciary. Judges of both the civil and the Sharia (Islamic law) courts—which handle personal status matters for Muslims—are formally appointed by royal decree.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Police can hold suspects for up to six months without filing formal charges, and governors are empowered to impose administrative detention for up to one year. In practice, the authorities often ignore procedural safeguards against arbitrary arrest and detention, holding individuals incommunicado or beyond the legal time limits. Criminal defendants generally lack access to counsel before trial, impairing their ability to mount a defense. Despite a constitutional prohibition, courts allegedly accept confessions extracted under torture.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Torture and other mistreatment in custody are common and rarely draw serious penalties. Prison conditions are generally poor, and inmates reportedly suffer from beatings and other abuse by guards. Terrorist attacks remain a threat to physical security. In November 2019, Jordanian authorities said they had disrupted a plot to attack US and Israeli targets in the country earlier in the year; two suspects who were allegedly inspired by the Islamic State militant group went on trial that month.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Women face discrimination in law and in practice. For example, women's testimony is not equal to men's in Sharia courts, and certain social benefits favor men over women. Jordanians of Palestinian origin are often excluded from jobs in the public sector and security forces, which are dominated by East Bank tribes. Discrimination against LGBT+ people is prevalent and includes the threat of violence, though consensual same-sex sexual activity is not specifically prohibited by law. The authorities have denied registration to NGOs that support the rights of LGBT+ people.

According to the United Nations, there were more than 740,000 registered refugees in Jordan as of December 2019, including more than 655,000 from Syria, though the government has reported that the true figure may be double that number. Jordan does not accept refugees and asylum seekers for permanent settlement but typically allows those in the country to remain while UN agencies seek to place them in third countries. Most refugees lack access to work permits and instead work informally. In 2018, authorities started to grant legal status to refugees living outside of camps without permits, which reduced their risk of arrest and offered more employment and educational opportunities. Also that year, however, the government rescinded eligibility for subsidized health care for refugees living outside of camps. As of October 2019, Jordan had issued more than 153,000 of the 200,000 work permits for Syrian refugees called for in a 2016 European Union aid agreement.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4**

Jordanians generally enjoy freedom of domestic movement and international travel. Refugees, however, face impediments to their ability to travel and change employers, and there have been reports of employers confiscating the passports of foreign migrant workers. Women cannot pass citizenship to their children, making it difficult for people with noncitizen fathers to access jobs, education, and health care without a special identity card that is often difficult to obtain.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The legal framework generally supports property rights for citizens, but women do not have equal access to property under Sharia-based inheritance rules. Private business activity is hampered by obstacles such as corruption and the abuse of political or other connections.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Personal social freedoms are limited by the country's conservative culture and specific laws. The government does not recognize marriages between Muslim women and non-Muslim men. Matters such as marriage and divorce are handled by religious courts, which place women and converts from Islam at a disadvantage and restrict some interfaith marriages. However, modest legal improvements have been enacted in recent years. In 2017, the parliament adopted legislation to better regulate the processing of domestic violence complaints. Other laws enacted that year abolished a penal code provision that allowed rapists to avoid punishment by marrying their victims. Reduced sentences are still possible for those who murder a spouse caught committing adultery, and spousal rape is not a crime.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Migrant workers are especially vulnerable to exploitative labor practices. Labor rights organizations have raised concerns about poor working conditions, forced labor, and sexual abuse in Qualifying Industrial Zones, where mostly female and foreign factory workers process goods for export. Rules governing matters such as the minimum wage, working hours, and safety standards are not well enforced, particularly in certain sectors like agriculture and construction, and among migrant workers. The influx of Syrian refugees has exacerbated the situation by expanding the pool of laborers willing to work in the informal sector for low wages. According to official data from 2016, the number of child laborers in the country had doubled since 2007.

Kazakhstan

Population: 18,500,000

Capital: Nur-Sultan

Freedom Status: Not Free

Electoral Democracy: No

Overview: President Nursultan Nazarbayev ruled Kazakhstan from 1990 to 2019, when he stepped down, though he still maintains significant influence over the country. Parliamentary and presidential elections are neither free nor fair, and major parties exhibit continued political loyalty to the government. The authorities have consistently marginalized or imprisoned genuine opposition figures. The dominant media outlets are either in state hands or owned by government-friendly businessmen. Freedoms of speech and assembly remain restricted, and corruption is endemic.

KEY DEVELOPMENTS IN 2019

- In March, Nursultan Nazarbayev abruptly resigned as president, giving no specific reason for his decision. Senate chairman Kasym-Zhomart Tokayev became acting president and won a full term in a snap election in June.
- Demonstrators called for a credible presidential poll in nationwide protests in June; authorities responded by dispersing them and arresting thousands of participants. However, security forces were relatively tolerant of protests that were not held by opposition parties.
- In July, authorities briefly introduced an invasive surveillance tool that intercepted mobile phone users' data and broke the encryption of email and messaging services, before reversing course and removing the tool in August.

POLITICAL RIGHTS: 5 / 40

A. ELECTORAL PROCESS: 1 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

According to the constitution, the president, who holds most executive power, is directly elected for up to two five-year terms. However, President Nazarbayev's special status as Kazakhstan's "first president" exempts him from term limits. In July 2018, Nazarbayev signed a decree making him chairman of the Security Council for life. The decree gave the Security Council significant constitutional powers, which could allow Nazarbayev to maintain power even if he vacates the presidency.

Nursultan Nazarbayev resigned as president in March 2019 after nearly 30 years in power, in favor of Senate chairman Kasym-Zhomart Tokayev, who was appointed acting president. Tokayev then won a five-year term in the June election with 71 percent of the vote, while Amirzhan Kusanov of the Ult Tagdyry party won 16.2 percent and Daniya Yespayeva of Ak Zhol won 5.1 percent. Other candidates earned 7.7 percent of the vote.

The 2019 presidential election was not credible. President Tokayev benefited from the support of the ruling Nur Otan party, state media, and his predecessor, while none of his opponents were considered genuine competitors. Observers from the Organization for Security and Co-operation in Europe (OSCE) noted incidents of ballot box stuffing, the falsification of ballots, and the use of identical voter signatures on election day.

Despite his resignation, former president Nazarbayev still wields significant power in Kazakhstan. He remains leader of Nur Otan, holds the lifelong chair of the Security Council, and is responsible for the appointment of ministers and key officials, with the exception of the foreign, interior, and defense portfolios.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The upper house of the bicameral Parliament is the 49-member Senate, with 34 members chosen by directly elected regional councils and 15 appointed by the president. The

senators, who are officially nonpartisan, serve six-year terms, with half of the elected members up for reelection every three years. The lower house (Mazhilis) has 107 deputies, with 98 elected by proportional representation on party slates and 9 appointed by the Assembly of the People of Kazakhstan, which ostensibly represents the country's various ethnic groups. Members serve five-year terms.

Legislative elections do not meet democratic standards. Irregularities including ballot box stuffing, group and proxy voting, and manipulation of voter lists have been reported, and the ruling party benefits from a blurred distinction between it and the state. In the 2016 Mazhilis elections, Nur Otan took 84 of the 98 elected seats, winning 82.2 percent of the popular vote. Ak Zhol and the Communist People's Party, which are both considered loyal to the government, each secured 7 seats, with 7.2 percent and 7.1 percent of the vote respectively. No genuine opposition party was able to win representation.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Kazakhstan's legal framework is not sufficient to ensure free and fair elections, and safeguards that do exist are not properly enforced. Electoral laws make it difficult for opposition parties to obtain parliamentary representation. Parties must clear a 7 percent vote threshold to enter the Mazhilis, and are barred from forming electoral blocs, preventing them from pooling votes and campaign resources. Presidential candidates must also pass a Kazakh language test with unclear evaluation criteria. Moreover, the Assembly of the People of Kazakhstan is appointed by the president at his discretion, giving the executive branch influence over the nine Mazhilis members chosen by the assembly.

Election laws introduced in 2017 imposed further restrictions on who can become a presidential candidate, requiring at least five years of experience in public service or elected positions and the submission of medical records. The latter rule raised the possibility that candidates could be arbitrarily disqualified for health reasons. These legal changes also banned self-nomination of presidential candidates, effectively excluding independents and requiring a nomination from a registered party or public association.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The ability of political parties to organize is heavily restricted by the 2002 Law on Political Parties. To register, a party must have 40,000 documented members, and parties based on ethnic origin, religion, or gender are prohibited. The registration process is onerous, and officials have broad discretion to delay or deny party registration in practice. In December 2019, President Tokayev proposed reforms to this legislation, which would reduce the minimum number of party members to 20,000. However, critics suggested this would change little, as the Ministry of Justice would maintain control of the party registration process and could make arbitrary rulings on applications.

Opposition parties have been banned or marginalized through laws against extremism; their leaders have faced criminal charges, and their followers in Kazakhstan have had their activities restricted. In September 2019, 100 people were arrested for taking part in unsanctioned rallies organized by the banned opposition party Democratic Choice of Kazakhstan (DVK), which is funded and led by exiled banker Mukhtar Ablyazov. Ablyazov fled Kazakhstan in 2012 after he was accused of fraud; he denied the charges, saying he was politically targeted because of his own political leanings.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Kazakhstan experienced its first peaceful transfer of power through an election in 2019, though it was neither free nor fair. Nazarbayev stood down as president in March, and acting president Tokayev won an election in June. Only one opposition candidate, Amirzhan Kosanov, earned over 10 percent of the vote in June.

Opposition parties are similarly locked out of gaining power or influence through legislative elections. The ruling Nur Otan party holds a preponderance of seats in the Mazhilis, and the second- and third-largest parties in the body are considered loyal to Nur Otan.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

While voters and candidates are not subject to undue influence by the military or foreign powers, the political system is dominated by a small group of elites surrounding Nazarbayev and his family. The country's politics are shaped largely by competition among these elites for resources and positions.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The legal ban on parties with an ethnic, religious, or gender focus—combined with the dominance of Nur Otan—limits the ability of women and minority groups to organize independently and advocate for their interests through the political system. Women currently hold 27 percent of the seats in the Mazhilis and less than 11 percent of the seats in the Senate. The language test for presidential candidates also presents an obstacle for non-Kazakh minorities, as well as many Kazakhs.

C. FUNCTIONING OF GOVERNMENT: 1 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

Government policies are determined by the executive branch, which is not freely elected, irrespective of the constitutionally defined roles of the executive, judiciary, and legislature. Parliament does not serve as an effective check on the executive, and instead largely provides formal approval for the government's legislative initiatives.

However, changes to the constitution adopted by Parliament and the president in 2017 shifted some powers from the president to the Mazhilis. The amendments gave Parliament greater influence over the choice of prime minister and cabinet members, and authority to dismiss them. They also limited the president's ability to rule by decree.

President Tokayev has also been forced to share power with former president Nazarbayev, who retains significant influence by leading the ruling Nur Otan party and by holding powerful official positions.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is widespread at all levels of government. Corruption cases are often prosecuted at the local and regional levels, but charges against high-ranking political and business elites are rare, typically emerging only after an individual has fallen out of favor with the leadership. Journalists, activists, and opposition figures are often prosecuted for supposed financial crimes.

The extent of corruption within Kazakhstan was demonstrated in July 2019, when the country's anticorruption agency issued an arrest warrant for Talgat Ardan, the former

chairman of an authority responsible for building a light rail line in Nur-Sultan. The agency opened investigations into several other unnamed individuals connected to the railway project in October 2019, days after President Tokayev criticized the project in a speech.

C3. Does the government operate with openness and transparency? 0 / 4

The government and legislature offer little transparency on their decision-making processes, budgetary matters, and other operations. The media and civil society do not have a meaningful opportunity to provide independent commentary and input on pending laws and policies. A law on public access to government information was adopted in 2015, but it is poorly implemented in practice. Officials' asset and income declarations are not publicly available.

CIVIL LIBERTIES: 18 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 0 / 4

Media independence is severely limited in Kazakhstan. While the constitution provides for freedom of the press, most of the media sector is controlled by the state or government-friendly owners, and the government has repeatedly harassed or shut down independent outlets. Self-censorship is common.

Legislation introduced in 2018 requires journalists to verify the accuracy of information prior to publication by consulting with relevant government bodies or officials, obtaining consent for the publication of personal or otherwise confidential information, and acquiring accreditation as foreign journalists if they work for foreign outlets.

Libel is a criminal offense, and the criminal code prohibits insulting the president and other officials. In September 2019, newspaper editor Amangeldy Batyrbekov was sentenced to 27 months in prison in the southern town of Saryaghash for insulting a local education official on Facebook. Batyrbekov's wife said he would appeal the ruling.

The authorities also use internet blackouts to restrict access to media outlets. The government employed this technique to limit access to social media platforms in May 2019, when opposition groups called for a protest to coincide with World War II victory celebrations that month.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The constitution guarantees freedom of worship, and some religious communities practice without state interference. However, activities by unregistered religious groups are banned, and registered groups are subject to close government supervision. The government has broad authority to outlaw organizations it designates as "extremist."

The 2011 Law on Religious Activities and Religious Associations prohibited the distribution of religious literature outside places of worship, required the approval of all religious literature by the state, and prohibited unregistered missionary activity, among other provisions. In 2018, Parliament considered amendments that would have further restricted religious education, proselytizing, and the publication of materials, but these amendments were recalled in January 2019.

Local officials continue to harass groups defined as "nontraditional," including Protestant Christians, Jehovah's Witnesses, and Muslims who do not adhere to the government-approved version of Islam. According to Forum 18, a nongovernmental organization (NGO) that tracks religious freedom in Eurasia, the authorities launched 160 prosecutions against individuals and groups for unsanctioned religious activity in 2019. In one high-profile case,

eight Muslims were handed sentences ranging from five to eight and a half years for holding a religious discussion that security services considered terroristic and inciteful in nature.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom remains constrained by political sensitivities surrounding certain topics, including the former president, his inner circle, and relations with Russia. Self-censorship on such topics is reportedly common among scholars and educators. In 2018, a new law was passed giving universities greater freedom to choose the content of their academic programs.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Authorities are known to monitor social media, and users are regularly prosecuted on charges such as inciting social and ethnic hatred, insulting government officials, and promoting separatism or terrorism. The media law that came into force in 2018 also made it impossible for internet users to leave anonymous comments online, further limiting free expression.

Authorities stepped up their efforts to surveil and block access to material it deemed inappropriate in 2019. In July, mobile service providers instructed their customers to install encryption software on mobile phones that would allow security services to intercept data traffic and circumvent email and messaging applications' encryption. The government claimed the encryption software was required in order protect citizens from online fraud and hacker attacks. Those who did not install the software faced difficulties in accessing the Internet, particularly social networking sites.

Several lawyers sued Kazakhstan's mobile service operators in response, saying that restricting access to users who did not comply was illegal. In early August, the State Security Committee called the encryption rollout a test, and allowed users to remove the software and use data services as usual. Later that month, a state-controlled internet service provider (ISP) began intercepting users' traffic, and actively viewed their online activity after breaking encryption protocols.

The capital city of Nur-Sultan saw the rollout of facial recognition technology in its public transport system in October 2019, when Kazakhstani company IPay announced that their FacePay system would be used in city buses. Political activists expressed alarm at the move, warning that the use of facial recognition in public transport could herald its use as a tool for surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12 (+1)

E1. Is there freedom of assembly? 1 / 4 (+1)

Despite constitutional guarantees, the government imposes tight restrictions on freedom of assembly. Any potential public gathering requires permission from the local government administration 10 days in advance. Permits are routinely denied for antigovernment protests, and police frequently break up unsanctioned gatherings. Organizers and participants, including individuals who call for unauthorized protests on social media, are subject to fines and jail terms.

Unsanctioned protests were nevertheless commonplace in 2019. President Tokayev's election in June sparked large nationwide protests, with demonstrators calling the snap election rigged. Authorities, which did not sanction the demonstrations, detained nearly 4,000 people, fined 305 protesters, and handed short jail sentences to 677 protesters over five days.

After Tokayev won the presidency, the government's response to unsanctioned protests was inconsistent. Authorities refrained from detaining a human rights campaigner who held a demonstration in Almaty in late July 2019 and tolerated an August march calling for constitutional reform. However, authorities swiftly responded to a September rally held by opposition DVK activists, and made 100 arrests in Nur-Sultan. Authorities in Nur-Sultan were also swift to arrest protesters criticizing Chinese investment in Kazakhstan that same month.

Protests held on December 16, the country's independence day, were relatively peaceful. A demonstration held in a square in the city of Almaty was allowed to proceed for several hours before it was dispersed. While a group of 40 people were eventually arrested when they attempted to cross a police barricade, most of the detainees were released within hours. Police were less tolerant of a protest in Nur-Sultan, where 50 protesters who approached the presidential palace were arrested. Later that month, President Tokayev announced a suite of reforms meant to ease restrictions on assembly; these pending proposals include an end to approval requirements ahead of public rallies.

Score Change: The score improved from 0 to 1 because the new administration allowed individuals and small groups to stage public demonstrations, though the overall environment remains restrictive.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

NGOs continue to operate but face government harassment when they attempt to address politically sensitive issues. There are extensive legal restrictions on the formation and operation of NGOs, including onerous financial rules and harsh penalties for noncompliance. Organizations can incur fines and other punishments for vaguely defined offenses like interfering with government activities or engaging in work outside the scope of their charters.

In July 2019, the Court of Appeals upheld the Justice Ministry's decision not to register Feminita, an NGO that advocates for members of LGBT+ community and disabled people, because it violated these restrictions. However, the ministry, which originally denied Feminita's registration in 2017, provided no guidance on how the organization failed to comply with the law.

Prominent civil society activists also face criminal prosecution and imprisonment in retaliation for their work. Serikzhan Bilash, an activist who publicly opposed the Chinese government's treatment of ethnic Kazakhs and Uighurs, was arrested for his activities in March 2019 and was charged with extremist speech. Bilash was freed by an Almaty court in August after pleading guilty and promising to end his activities. Bilash was also prohibited from leaving the city for three months after the trial's end.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Workers have limited rights to form and join trade unions or participate in collective bargaining. The government is closely affiliated with the largest union federation and major employers, while genuinely independent unions face repressive actions by the authorities. The country's major independent trade union body, the Confederation of Independent Trade Unions (KNPRK), was dissolved in 2017, and key leaders were later sentenced to prison for protesting the group's termination. Subsequent efforts to register the group have been denied. Kazakhstan's restrictions on union activity gained the attention of the International Labor Organization (ILO), which criticized the country's stance in a June 2019 statement.

In July, union leader Erlan Baltabai was found guilty of embezzlement by a court in Shymkent and sentenced to seven years in prison. Baltabai, who claimed the charges were politically motivated, was pardoned by President Tokayev in August, but was given a five-month prison term in October for failing to pay a required fine.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is effectively subservient to the executive branch, with the president nominating or directly appointing judges based on the recommendation of the Supreme Judicial Council, which is itself appointed by the president. Judges are subject to political influence, and corruption is a problem throughout the judicial system.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Police reportedly engage in arbitrary arrests and detentions, and violate detained suspects' right to assistance from a defense lawyer. Prosecutors, as opposed to judges, are empowered to authorize searches and seizures. Defendants are often held in pretrial detention for long periods. Politically motivated prosecutions and prison sentences against activists, journalists, and opposition figures are common.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Conditions in pretrial detention facilities and prisons are harsh. Police at times use excessive force during arrests, and torture is widely employed to obtain confessions, with numerous allegations of physical abuse and other mistreatment documented each year. In July 2019, five prison officers working at a prison near Almaty were arrested and charged with torturing inmates, after graphic footage revealed their activities. Terrorist violence within the country is rare, though some Kazakhstanis have traveled abroad to support the Islamic State militant group.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

While the constitution guarantees equality before the law and prohibits discrimination based on gender, race, and other categories, it does not explicitly prohibit discrimination based on sexual orientation or gender identity. Major segments of society face discrimination in practice. Traditional cultural biases limit economic and professional opportunities for women, and the law offers no protection against sexual harassment in the workplace. Members of the sizable Russian-speaking minority have complained of discrimination in employment and education.

The LGBT+ community continues to face societal discrimination, harassment, and violence, despite the decriminalization of same-sex relations in 1998. However, Human Rights Watch (HRW) noted one positive development; in July 2019, the Supreme Court ruled that a lesbian couple's privacy was violated when another individual filmed them kissing and posted the video online.

The government is known to detain ethnic Kazakhs fleeing neighboring China, even though they are subject to discrimination, torture, and restrictions on movement there. Several refugees who fled to Kazakhstan were convicted of illegally crossing the border in 2019, even though they had requested asylum. In June 2019, Sairagul Saytbay, a woman who crossed the border from China the year before, fled the country to seek refugee status

in Sweden, abandoning her asylum claim in Kazakhstan after she was convicted of illegally crossing the border.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Kazakhstani citizens can travel freely but must register their permanent residence with local authorities. New rules that went into effect in 2017 under the pretext of fighting terrorism require citizens to register even temporary residences lasting more than a month with local authorities or face fines. The change increases the ability of the authorities to monitor internal movement and migration, but critics also suggested that it would lead to corruption and create a black market for false registration documents.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

While the rights of entrepreneurship and private property are formally protected, they are limited in practice by bureaucratic hurdles and the undue influence of politically connected elites, who control large segments of the economy.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

NGOs continue to report instances of early and forced marriage, particularly in rural areas. Women are also encouraged to support large families; those who raise at least six children receive a medal from the government, along with tax breaks and modest monthly benefits.

Domestic violence is a serious problem that often goes unpunished, as police are reluctant to intervene in what are regarded as internal family matters. The Union of Crisis Centers of Kazakhstan, a network of 16 local NGOs, reported that these crimes occurred in one out of every eight families in the country as recently as 2018. The Committee on the Elimination of Discrimination against Women (CEDAW), a UN body, warned that domestic violence had been effectively decriminalized when it released a report on the country's policies in October 2019.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Migrant workers from neighboring countries often face poor working conditions and a lack of effective legal safeguards against exploitation. Both migrants and Kazakhstani workers from rural areas are vulnerable to trafficking for the purposes of forced labor and prostitution in large cities. The authorities reportedly make little effort to assist foreign victims of trafficking.

Kenya

Population: 52,600,000

Capital: Nairobi

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Kenya holds regular multiparty elections. However, pervasive corruption and brutality by security forces remain serious problems. The country’s media and civil society sectors are vibrant, even as journalists and human rights defenders remain vulnerable to restrictive laws and intimidation.

KEY DEVELOPMENTS IN 2019

- The Somalia-based terrorist group Al-Shabaab claimed responsibility for a two-day attack on a hotel and office complex in Nairobi in January, in which more than 20 people were killed.
- The Building Bridges Initiative—founded by President Uhuru Kenyatta and opposition leader Raila Odinga and intended to address problems that led to past political violence and disputed elections—released its findings in November. Its wide-ranging recommendations included introducing a prime minister and reducing the size of the cabinet, as well as measures aimed at encouraging whistleblowers and boosting local development.
- Several prominent political figures were arrested on corruption charges during the year, including Finance Minister Henry Rotich, and the governor of Nairobi County, Mike Mbuvi, known as “Sonko.”
- In February, several members of the ruling Jubilee Coalition publicly attacked the sitting deputy president, William Ruto, suggesting widening rifts within the grouping.

POLITICAL RIGHTS: 19 / 40

A. ELECTORAL PROCESS: 6 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The president and deputy president, who can serve up to two five-year terms, are directly elected by majority vote; they are also required to win 25 percent of the votes in at least half of Kenya’s 47 counties.

President Kenyatta was reelected in October 2017 in a disputed election, the rerun of which was boycotted by the main opposition candidate, Raila Odinga, on account of a lack of electoral reforms. The first presidential election, held that August, was annulled the following month by the Supreme Court, which ruled that vote-counting procedures by the Independent Electoral and Boundaries Commission (IEBC) had been severely flawed, and that a rerun should be held. (The count had returned a solid victory by Kenyatta, which many analysts had predicted.) The main opposition coalition, the National Super Alliance (NASA), threatened to boycott the rerun unless a number of reforms were implemented at the IEBC. Some of these reforms were not met, prompting a boycott of the rerun by Odinga, who urged his supporters not to participate in the poll.

The final results showed that Kenyatta won the rerun with 98.3 percent of the vote. Turnout for the rerun was just 38.8 percent—much lower than turnout for the August polls, which reached nearly 80 percent. Odinga continued to harshly criticize the election process after the rerun, and Kenyatta began his final term facing a significant legitimacy crisis.

Violence and intimidation marred the 2017 election period. Chris Msando, the IEBC member in charge of the vote-counting system, was murdered days ahead of the August vote, with his body showing signs of torture. In the weeks between the annulled election and the rerun, one IEBC commissioner fled Kenya for the United States, prompting the IEBC chairman to assert that the body could not guarantee a free election given the atmosphere of intimidation. Police in Nairobi and Kisumu used excessive force in an attempt to quell

sometimes-violent opposition protests. Several dozen people were reportedly killed by police in the capital alone, according to Human Rights Watch (HRW).

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The bicameral Parliament consists of the 349-seat National Assembly and the 67-seat Senate. In the National Assembly, 290 members are directly elected from single-member constituencies. A further 47 special women representatives are elected from the counties, and political parties nominate 12 additional members according to the share of seats won. The Senate has 47 elected members representing the counties, 16 special women representatives nominated by political parties based on the share of seats won, and four nominated members representing youth and people with disabilities. Both houses have speakers who are ex-officio members.

In 2017, Kenyatta's Jubilee Coalition secured majorities in both the National Assembly and the Senate, and stakeholders broadly accepted the results. Irregularities and violations were reported, but they were not systematic and did not harm or benefit any specific party.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The IEBC is mandated with conducting free and fair elections, and operates under a robust electoral framework. However, the IEBC faces frequent allegations of favoritism toward the incumbent Jubilee Coalition, and in 2017 its members experienced violence and intimidation severe enough to prompt its chairman to declare that he could not guarantee the integrity of the presidential rerun. After the annulment of the first presidential election in 2017, the National Assembly approved controversial measures mandating that if a candidate withdraws from a rerun election, the other candidate would automatically win the poll. The amendments additionally limited the Supreme Court's power to annul election results. The measures took effect a few days after the rerun was held.

In May 2018, after a public reconciliation, Kenyatta and Odinga formed the Building Bridges Initiative (BBI). Under the initiative, a task force was convened, and entrusted with studying public opinion on the problems that plague Kenyan politics such as ethnic strife, corruption, and political dysfunction, and ultimately producing recommendations for reform. The BBI report was launched in November 2019; its recommendations were geared toward changing some structures of the government in advance of 2022 elections, and included introducing a prime minister and reducing the size of the cabinet, among other measures aimed at encouraging whistleblowers and boosting local development.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Citizens are free to organize into political parties. Kenyan parties represent a range of ideological, regional, and ethnic interests, but are notoriously weak, and are often amalgamated into coalitions designed only to contest elections. Under the Political Parties Act, parties that receive at least 5 percent of the votes cast in a national election are eligible for public funds.

In 2019, the Registrar of Political Parties announced that 30 new parties had been granted preliminary registration since the 2017 elections.

A March 2018 rapprochement between Kenyatta and Odinga helped deescalate political tensions somewhat, though little has been done to bring to justice the perpetrators of political violence that took place in the previous years.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Opposition parties and candidates are competitive in Kenyan elections, and the 2017 polls saw a high number of incumbents voted out of office. However, Odinga's decision to boycott the rerun election in protest of a lack of reforms at the IEBC left Kenyatta's opponents without a viable candidate to vote for, effectively guaranteeing Kenyatta's reelection.

Politics have been unstable since March 2018, when Kenyatta and Odinga publicly reached a truce in an event that became popularly known as "the handshake." Some analysts say the handshake dealt a blow to the foundations of both the ruling Jubilee Coalition and the opposing NASA, because each party's opposition to the other had served as a key factor in keeping them each united. Odinga was later named African Union High Representative for Infrastructure Development in October 2018, a role that distanced him from national politics. In February 2019, several Jubilee members publicly attacked the sitting deputy president, William Ruto, and his qualifications to serve in executive office, suggesting widening rifts in the ruling coalition.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

People's political choices are mostly free from undue influence by powerful, democratically unaccountable actors. However, ethnicity remains the most salient organizing principle in Kenyan politics, and two ethnic groups—the Kikuyu and Kalenjin—have dominated the presidency since independence.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The 2010 constitution was intended to reduce the role of ethnicity in elections, and fiscal and political devolution, implemented in 2013, has served to generate more intraethnic competition at the county level. Nevertheless, the ongoing politicization of ethnicity at the national level hinders effective representation of different segments of Kenya's diverse population, limits voter choice, and impedes meaningful policy debates.

The stipulation that all voters possess a National Identity Card hinders historically marginalized groups from obtaining greater access to the political process, particularly the nearly seven million pastoralists from the upper Rift Valley and the North Eastern Province. There are significant implicit barriers to the participation of non-Christian and LGBT+ people in national politics.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The ability of elected officials to set and implement policy is undermined by corruption and other dysfunction. Although the 2010 constitution reduced the powers of the executive branch and improved the oversight role of Parliament, corruption limits the independence of the legislative branch, and in practice, Parliament is generally subordinate to the president.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption continues to plague national and county governments in Kenya, and state institutions tasked with combating corruption have been ineffective. The Ethics and Anti-Corruption Commission (EACC) lacks prosecutorial power and has been largely unsuccessful in pursuing corruption cases. The EACC's weakness is compounded by shortcomings at the Office of the Director of Public Prosecutions (ODPP) and within the judiciary.

However, following the April 2018 appointment of Noordin Haji as the Director of Public Prosecutions (DPP), the ODPP stepped up anticorruption investigations, arresting and charging a number of high-profile officials. In July 2019, Finance Minister Henry Rotich was arrested on corruption charges, marking the first time that a sitting minister had been arrested in the country's history. Additionally, the prominent governor of Nairobi County, Mike Mbuvi, known as "Sonko," was charged with a multimillion dollar corruption scandal relating to property acquisition and money laundering in December.

C3. Does the government operate with openness and transparency? 2 / 4

Elaborate rules govern public finance in Kenya, but enforcement is often lacking. Parliament's Budget and Appropriations Committee effectively delegates the budget process to the Treasury, and the legislature has demonstrated limited willingness to ensure that the Treasury respects budget-making procedures. When budget information is made available, it is generally released long after the planning stages during which stakeholders could offer input.

Many of the central government's expenditures are not disclosed. While the number of budgeting documents published by county governments increased somewhat in 2019, the availability of financial information still fell below levels that would allow for adequate public participation in local-government budgetary processes.

CIVIL LIBERTIES: 29 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16****D1. Are there free and independent media? 2 / 4**

Kenya has one of the more vibrant media landscapes on the African continent, with journalists actively working to expose government corruption and other wrongdoing. However, several laws restrict press freedom, and the government and security forces harass journalists, leading to self-censorship in some cases. The Kenyan Union of Journalists stated that 2019 was characterized by increased use of "frivolous" defamation charges against journalists, physical attacks, and other infringements of journalists' rights.

Journalists risk harassment and attacks in connection with their work, and these incidents are rarely investigated by police. In June 2019, Kenyan Television Network journalists were attacked with stones by high school students and their principal, who then burned the journalists' vehicle. In this case, the principal was arrested and charged with property damage, arson, and inciting violence. The journalists had been investigating the disappearance of a student, who has since reappeared; the principal allegedly directed other students to remove the journalists from school premises.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The government generally respects the constitutional guarantee of freedom of religion. However, counterterrorism operations against the Somalia-based Shabaab militant group have left Muslims exposed to state violence and intimidation. Shabaab militants have at times specifically targeted Christians in Kenya.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom in Kenya is traditionally robust. However, student union elections have led to allegations of fraud, and violent protests. In addition, there is evidence that ethnic considerations have influenced university hiring, leaving the staff of some institutions with significant ethnic imbalances.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

The relatively unfettered freedom of private discussion in Kenya has suffered somewhat from state counterterrorism operations and intimidation by security forces and ethnically affiliated gangs. The government in recent years has used its broadly defined surveillance powers to monitor mobile phone and internet communications.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees the freedom of assembly. However, the law requires organizers of public meetings to notify local police in advance, and in practice police have regularly prohibited gatherings on security or other grounds, and violently dispersed assemblies that they had not explicitly banned.

In June 2019, police tear gassed and violently dispersed a protest organized in Nairobi to express solidarity with the prodemocracy movement in Sudan, and arrested the deputy director of the Kenya Human Rights Council (KHRC) on grounds of organizing an illegal protest, even though the group had obtained a permit. In November, police used disproportionate force against Kiambu University students protesting a lack of security on campus.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Kenya has an active nongovernmental organization (NGO) sector, but civil society groups have faced growing obstacles in recent years, including repeated government attempts to deregister hundreds of NGOs for alleged financial violations. The government has still not implemented the Public Benefits Organizations (PBO) Act, which was passed in 2013 to improve the regulatory framework for NGOs and offer greater freedom for them to operate.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The 2010 constitution affirmed the rights of trade unions to establish their own agendas, bargain collectively, and strike. Unions are active in Kenya, with approximately 40 unions representing nearly two million workers. However, labor leaders sometimes experience intimidation, notably in the wake of strike actions. A number of strikes have taken place in the past several years, including those organized by medical workers and university staff.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary is generally considered to be independent, but judicial procedures are inefficient. The government has occasionally refused to comply with court orders. In 2018, it refused to release opposition politician and Odinga supporter Miguna Miguna and halt his deportation as ordered, and to end the shutdown of several television stations.

After the High Court annulled the first 2017 presidential election, members of the ruling Jubilee Coalition threatened and intimidated judges. In June 2018, President Kenyatta

signed an appropriations bill that reduced the budget for the judiciary to \$143 million, compared to \$173 million the previous year. Some critics claim that the budget cut was retaliation for the 2017 election annulment.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutional guarantees of due process are poorly upheld. There remains a significant backlog of court cases. The police service is thoroughly undermined by corruption and criminality.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The Islamist militant group Al-Shabaab continued to pose a security threat in 2019. Al-Shabaab claimed responsibility for a two-day terrorist attack on the DusitD2 hotel and office complex in the Westlands area of Nairobi in January 2019, which left more than 20 people dead.

Violence against suspects and detainees by security forces, including extrajudicial killings, remains a serious concern, and abuses are rarely punished. According to the Deadly Force Database kept by the *Daily Nation*, about 189 people were killed by police in the period between October 1, 2018, through September 30, 2019. An average of 16 people were killed each month, a decline from the 21 a month during the previous year. Further deaths are believed to have gone unreported. Some officers posted photos of executed victims on social media. Extrajudicial killings have been especially prevalent in low-income areas in Nairobi.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Consensual same-sex sexual activity is criminalized under the penal code, with a maximum penalty of 14 years in prison. In May 2019, the High Court dismissed a challenge to the law. LGBT+ people to face discrimination, abuse, and violent attacks. Reports of police abuses against refugees and asylum seekers continue.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

While the constitution provides protections for freedom of movement and related rights, they are impeded in practice by security concerns and ethnic tensions that lead many residents to avoid certain parts of the country.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Organized crime continues to threaten legitimate business activity in Kenya. Political corruption and ethnic favoritism also affect the business sector and exacerbate existing imbalances in wealth and access to economic opportunities, including public-sector jobs. Forced evictions without compensation are prevalent in low-income areas, particularly in Nairobi.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The constitution recognizes marriage as a union between two people of the opposite sex, but otherwise does not place explicit restrictions on social freedoms. Polygamy is legal,

and approximately 10 percent of the married population are in polygamous marriages. Rape and domestic violence remain common and are rarely prosecuted.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Kenya remains an unequal society, with wealth generally concentrated in towns and cities. The arid and semiarid north and northeastern parts of the country have particularly high poverty rates.

Refugees and asylum seekers from neighboring countries, particularly children, have been vulnerable to sex trafficking and forced labor in Kenya, though Kenyan children are also subject to such abuses. Kenyan workers are recruited for employment abroad in sometimes exploitative conditions, particularly in the Middle East.

Kiribati

Population: 100,000

Capital: Tarawa

Freedom Status: Free

Electoral Democracy: Yes

Overview: Kiribati is a multiparty democracy that holds regular elections and has experienced peaceful transfers of power between competing groups. Civil liberties are generally upheld, though outstanding problems include a ban on same-sex sexual activity and some forms of gender discrimination.

KEY DEVELOPMENTS IN 2019

- In October, a report into the 2018 *Butiraoi* ferry disaster, which resulted in 95 deaths, was released. However, the government restricted the dissemination of the report, which noted the vessel's poor condition and the regular inebriation of crewmembers.
- In November, the Boutokan te Koaua Party (BTK) lost its parliamentary majority after lawmakers defected to the Kiribati First Party, which opposed the September decision to diplomatically recognize China instead of Taiwan. The opposition-controlled parliament rejected the government's proposed budget later that month.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is elected through a nationwide popular vote and may serve up to three four-year terms. Three to four presidential candidates are nominated by the legislature from among its members, and cabinet members must also be members of the legislature. The president can be removed through a no-confidence vote, but this also triggers general elections.

Taneti Maamau of the Tobwaan Kiribati Party (TKP) was elected president in 2016, taking 60 percent of the vote in a free and fair contest. His two opponents—Rimeta Beniamina and Tianeti Ioane, both of the BTK—received 39 percent and 1 percent, respectively.

Incumbent president Anote Tong of the BTK was ineligible to run again, having reached his three-term limit.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral House of Assembly (Maneaba ni Maungatabu) has 46 members, 44 of whom are elected through a two-round runoff system from 26 constituencies. An appointed member is selected by representatives of people originally from the island of Banaba (Ocean Island) who now live on Fiji's Rabi Island, having been displaced by phosphate mining during the 20th century. The attorney general holds a seat ex officio.

A free and fair legislative election was held in late 2015, with a runoff round in early 2016. The BTK took 26 seats, while two parties that merged to form the TKP after the election won 19.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The constitution and legal framework provide for democratic elections, and balloting is well administered in practice. Losing candidates and parties typically accept the final outcome of elections, and rarely raise accusations of malfeasance.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no constraints on the formation of or competition between political parties. The country's parties are relatively loose alliances that lack formal platforms and are subject to periodic mergers and reconfigurations. Geographic and ancestral ties continue to play an important role in political affiliation.

Kiribati First, which opposed the government's September 2019 decision to switch its diplomatic recognition from Taiwan to China, was formed in November; 13 parliamentarians joined the party that month, denying the BTK its legislative majority.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Kiribati has a history of smooth and democratic transfers of power between government and opposition parties, with the most recent change in executive leadership occurring in 2016.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

There are no significant constraints on the choices of voters and candidates imposed by forces not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

All citizens enjoy full political rights. However, women's political participation is somewhat inhibited in practice by traditional social norms. Only three women hold seats in the legislature.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The president and cabinet are able to both form and implement their policy agenda without undue interference, while the legislature provides oversight and a check on executive authority. The government's ability to enact policy depends on its ability to win legislative approval, which weakened in 2019. In November, after the BTK lost its majority, legislators rejected the government's proposed budget.

C2. Are safeguards against official corruption strong and effective? 3 / 4

While there is virtually no large-scale corruption in Kiribati, petty graft and nepotism in public appointments remain problems.

C3. Does the government operate with openness and transparency? 3 / 4

Kiribati lacks comprehensive regulations on public asset disclosure for officials, access to government information, and other transparency matters. In 2017, a former president told lawmakers that he was denied access to basic data on the production of copra, a coconut product, despite multiple requests. Later that year, the president signed a new law, the Kiribati Audit Act, which strengthened the autonomy of the Audit Office and established an independent board to oversee its work. (The office previously reported to the Finance Ministry.) The law also laid out enforcement mechanisms and broadened the Audit Office's mandate, allowing more thorough assessments of budgets, expenditures, and government performance.

The government responded to the 2018 *Butiraoi* ferry disaster, which killed 95 people, with opacity. After receiving public criticism over its failure to release a report on the incident, the government vowed in 2018 to make the report public after the completion of a police investigation. The report was issued in October 2019, but authorities only allowed individuals to read it under strict supervision; the report attributed the ferry disaster to the vessel's poor condition and noted that the crew was regularly inebriated.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

While the market does not support a large and diverse media sector, there are no significant restrictions on the flow of news and information, which is often disseminated informally; however, foreign journalists can perform their roles in Kiribati only after receiving a permit. In October 2019, a group of Australian journalists was restricted to a Tarawa hotel after the government claimed they arrived without the requisite permit. The journalists, who visited Kiribati to report on the government's decision to end its recognition of Taiwan, were instructed to leave the country on their previously scheduled return trip.

A small number of private news and media outlets operate freely. Wave TV, which launched in March 2019, was reportedly the first to produce content locally. Foreign radio services are available.

A deal was signed in 2018 with the Asian Development Bank (ADB) to provide high-speed internet to Kiribati via undersea cable, potentially expanding access to media outlets.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution guarantees freedom of religion. Religious organizations of a certain size are required to register with the government, but there are no penalties for failing to do

so. On two islands in the southern part of the archipelago that have overwhelmingly Protestant populations, members of small religious minorities are discouraged from engaging in public worship or proselytizing, though only a few dozen people are believed to be affected.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The school system is free of political indoctrination, and religious education by various denominations is available in public schools but not mandatory. There are no restrictions on academic freedom in the country, which hosts a campus of the Fiji-based University of the South Pacific as well as a teachers' college and technical training centers.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The government does not impose constraints on freedom of speech or the expression of personal views.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally protected and generally upheld in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

There are no undue constraints on nongovernmental organizations (NGOs). The Kiribati Association of Non-Governmental Organisations (KANGO) serves as an umbrella group for some 39 local NGOs, including church-based groups and health associations.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers have the right to organize unions, strike, and bargain collectively. The Kiribati Trade Union Congress (KTUC), an affiliate of the International Trade Union Confederation (ITUC), includes unions and associations representing nurses, teachers, fishermen, and seafarers.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judicial system is modeled on English common law, and the courts are independent in practice. The chief justice is appointed by the president on the advice of the cabinet and the Public Service Commission (PSC); other High Court judges are appointed by the president on the advice of the chief justice and the PSC. Judges cannot be removed unless a special tribunal and the legislature find evidence of misbehavior, or an inability to perform their functions.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Due process guarantees are typically respected during arrests, initial detentions, and trials. Detainees have access to lawyers, and defendants are usually granted bail while awaiting trial.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Police brutality is uncommon, and procedures for punishing such abuse are effective. Prison conditions are not considered harsh or inhumane. Kiribati has no army, relying on

Australia and New Zealand to provide defense assistance under bilateral agreements. The use of traditional communal justice systems, which can include corporal punishment, is increasingly rare.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women face legal discrimination on some issues as well as societal bias that limits their access to employment in practice. Citizenship laws favor men over women, for example by allowing fathers but not mothers to confer citizenship on children.

Same-sex sexual activity is a criminal offense, though the ban is rarely enforced; discrimination in employment based on sexual orientation is prohibited.

In 2018, Kiribati launched its first national disability action plan. The plan, which runs through 2021, aims to help Kiribati implement the UN Convention on the Rights of Persons with Disabilities, to which it became a signatory in 2013.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no significant constraints on freedom of movement, though in the past village councils have used banishment as a punishment for wrongdoing.

Kiribati is considered among the world's most environmentally vulnerable countries as a result of climate change and associated rising sea levels, which will affect coastal regions. The effects will likely have a detrimental impact on farming, fishing, and people's access to fresh water and could ultimately make the country uninhabitable. As a result, the government has begun to develop a relocation plan to help citizens "migrate with dignity."

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The government operates a system of land registration and generally upholds property rights. Land is owned on either an individual or a kinship basis, and inheritance laws pertaining to land favor sons over daughters. The World Bank has reported some bureaucratic obstacles to private business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Same-sex marriage is not permitted. Domestic violence is criminalized but remains a serious and widespread problem despite government efforts to combat it. Cultural norms deter formal complaints and police interventions.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

There are few economic opportunities in Kiribati, with most citizens engaged in subsistence agriculture. Although forced labor and other exploitative working conditions are uncommon, local women and girls are vulnerable to commercial sexual exploitation, often involving the crews of visiting ships.

In 2015, Kiribati adopted the Occupational Safety and Health Act, which restricted children and adolescents from a list of professions considered dangerous. That same year, it adopted the Employment and Industrial Relations Act, which set the minimum employment age for most work at 14 years and the minimum age for "hazardous" work at 18.

Kosovo

Population: 1,800,000

Capital: Priština

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Kosovo holds credible and relatively well-administered elections, but its institutions remain weak, and rampant corruption has given rise to deep public distrust in the government. Journalists face serious pressure, and risk being attacked in connection with their reporting. The rule of law is inhibited by executive interference in the judiciary.

KEY DEVELOPMENTS IN 2019

- Kosovo held a snap election in October, after Prime Minister Ramush Haradinaj resigned to answer a war crimes tribunal summons in July and the parliament dissolved itself in August. Nationalist party Vetëvendosje (Self-Determination) and the Democratic League of Kosovo (LDK) emerged as the two largest parties, and were holding talks on forming a government at year's end.
- In August, the border police allowed visitors from Serbia to travel into Kosovo using identity cards, in line with a European Union (EU)-backed agreement that was originally finalized in 2011. Travelers were previously required to present passports.
- In April, the parliament amended a law governing nongovernmental organizations (NGOs), allowing foreigners to found NGOs in Kosovo and shortening the registration process for new organizations.

POLITICAL RIGHTS: 25 / 40 (+1)

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair? 3 / 4

Kosovo's prime minister, who serves as head of government, is indirectly elected for a four-year term by at least a two-thirds majority of the unicameral Assembly. Prime Minister Haradinaj, a former guerrilla fighter and leader of the Alliance for the Future of Kosovo (AAK), resigned in July 2019 to answer a summons from the Kosovo Specialist Chambers (KSC), a tribunal investigating war crimes committed during Kosovo's 1998–99 war for independence. The parliament dissolved itself in August, and a snap election was held in October. The Central Election Commission (CEC) verified the results, which showed no party winning a majority, in November; talks to form a new government between the top two parties, Vetëvendosje and the LDK, were underway at year's end.

The president, who serves as head of state, is elected to a five-year term by a two-thirds majority of the Assembly. President Hashim Thaçi was elected in 2016.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The unicameral Assembly contains 120 seats and members are elected to four-year terms; 100 are directly elected by proportional representation, while 10 seats are reserved for Serbs and another 10 are reserved for members of other ethnic communities.

The October 2019 election was marked by a relatively high turnout of 44.6 percent. Vetëvendosje and the LDK emerged as the two largest parties, respectively winning 26.3 percent and 24.5 percent of the vote. While the election was considered credible by local and EU observers, vote-counting issues were noted, along with incidents of voter intimidation in Serb areas.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The CEC, which administers elections, is generally transparent and fair. The CEC was largely successful in organizing the October 2019 snap election, and was able to provide real-time electoral updates on its website. However, the CEC was unable to fully update voter rolls, which contained some deceased voters.

Some postal ballots from voters residing in Serbia did not arrive by mail, as required, but were delivered by Serbian officials instead; the CEC declared over 3,700 ballots invalid for this reason. In addition, 26 CEC officials had allergic reactions after opening ballot envelopes from Serbia; staff wore protective clothing to count the remaining votes.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

A proliferation of parties competes in Kosovo. However, political parties sometimes face intimidation and harassment that can negatively impact their ability to operate. The Serb List has been accused of harassing rival parties and creating an environment where voters fear supporting alternatives.

In 2018, Oliver Ivanović, a moderate Serb politician in northern Kosovo and leader of the Freedom, Democracy, Justice Party, was assassinated in North Mitrovica. Milan Radoičić, the vice president of the Serb List, was named as a suspect and fled to Serbia to escape prosecution that year. In December 2019, prosecutors indicted six individuals in Ivanović's murder, who were identified only by their initials; three were already in custody.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4 (+1)

Opposition parties have a reasonable chance of gaining power through elections. Vetëvendosje and the LDK appeared to defeat the governing PANA coalition, which included the AAK, PDK, and Social Democratic Initiative (NISMA), in the October 2019 snap election. However, they did not form a government by year's end.

Candidates competing in Serb areas from parties other than the Serb List encountered intimidation during the 2019 election campaign. Three ethnic Serb parties and alliances that competed against the Serb List did not win enough votes to enter the parliament.

Score Change: The score improved from 3 to 4 because two opposition parties won a majority of seats in the October 2019 snap election, demonstrating a lack of political or administrative obstacles for opposition movements.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Serbia continues to exert influence on the platform of the Serb List, as well as the political choices of ethnic Serbs generally. EU election monitors noted that the Serbian

government and Serb List officials explicitly directed ethnic Serbs in Kosovo to vote for the party during the 2019 election campaign.

Major political figures in Kosovo, including President Thaçi and former premier Haradinaj, have links to organized crime, which plays a powerful role in politics and influences the positions of key leaders.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

While several political parties compete for the votes of ethnic Serbs, the population is not fully integrated into the electoral process or Kosovo's institutions. Seven minority groups are officially recognized and politically represented through parliamentary quotas.

Kosovo has the largest participation of women in its parliament among western Balkan countries, thanks to gender quotas enshrined in the constitution. One of Kosovo's largest parties, the LDK, nominated a woman, Vjosa Osmani, as its prime ministerial candidate in 2019. However, women have historically been underrepresented in politics. Many women in rural areas have been disenfranchised through the practice of family voting, in which the male head of a household casts ballots for the entire family. Kosovar political parties are also legally required to abide by a 50 percent gender quota for their candidate lists, but no party met the requirement in 2019.

The LGBT+ community is politically marginalized, and its interests are not represented in Kosovar politics.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The lengthy deadlock before the formation of a coalition government in 2017 highlighted the dysfunction and instability that troubles the political system, and Haradinaj lacked influence over cabinet ministers from coalition parties once it was formed. Kosovo was again without a new government at the end of 2019, as the two largest parties were negotiating to form a coalition after the October election.

Serbia still maintains influence in northern Kosovo, where Kosovar institutions do not have a strong presence. In recent years, the government has advanced the decentralization process, granting self-rule to Serb enclaves in the southern part of Kosovo; this weakened parallel structures run by the Serbian government in those areas. A 2015 agreement between Kosovo and Serbia laid the groundwork for the Community of Serb Municipalities, a body intended to promote the interests of Serbs, which includes a proposed legislature for the Serb community. The establishment of the community remains at an impasse, however; parties including Vetëvendosje consider it a threat to Kosovo's sovereignty.

Turkey has also exerted influence in Kosovo; it reportedly pressured the government to arrest and extradite six Turkish nationals who taught at local schools linked to the Gulenist movement in 2018.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a serious problem, and the institutional framework to combat it is weak. The mandates of Kosovo's four main anticorruption bodies overlap, and they have difficulty coordinating their efforts. Authorities have shown little commitment to prosecuting high-level corruption, and when top officials are prosecuted, convictions are rare. While political parties publicly committed themselves to fighting corruption during the 2019

election campaign, many politicians who were previously implicated in corrupt behavior remained on the ballot.

C3. Does the government operate with openness and transparency? 2 / 4

Despite the adoption of the Law on Access to Public Documents in 2010, which was intended to make government documents available upon request, government institutions frequently deny those requests with little or no justification. Courts are slow to respond to complaints from those denied government information due to persistent backlogs in the judicial system.

The government has made a number of key decisions with limited transparency and without consulting the Assembly in recent years. The Kosovo Civil Society Consortiums for Sustainable Development (KOSID), a consortium of local nongovernmental organizations (NGOs) alleged that it illegally withheld an environmental consent document for a new coal plant in a March 2019 lawsuit. That suit was still pending at year's end.

CIVIL LIBERTIES: 30 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 2 / 4

The constitution guarantees press freedom and a variety of media outlets operate in Kosovo, including the publicly operated Radio Television Kosovo (RTK). However, the government and business interests exert undue influence on editorial lines, including at RTK. Journalists report frequent harassment and intimidation. However, no attacks on journalists were reported in 2019.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The constitution guarantees religious freedom. However, the Law on Freedom of Religion prevents some religious communities from registering as legal entities, a designation that would allow them to more easily buy and rent property, access burial sites, establish bank accounts, and carry out other administrative activities. Tensions between Muslims and Orthodox Christians occasionally flare up, though interreligious relations are generally peaceful.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Kosovo's higher education system is subject to political influence. In July 2019, three universities that were established between 2009 and 2015 lost their accreditation due to the poor quality of their curriculums and administrative failures. PDK officials were involved in establishing these schools, and members of parties in the outgoing ruling coalition were installed in some leadership positions.

In 2017, the education minister dismissed the board and acting director of the Kosovo Accreditation Agency (KAA), which accredits the country's universities. The European Association for Quality Assurance in Higher Education (ENQA) ruled that the dismissals were improper and potentially compromised the independence of the KAA in 2018; the ENQA revoked the KAA's membership altogether in September 2019.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Individuals are largely free to express their political views without fear of retribution. In recent years, space has opened for discussion on sensitive topics such as ethnic relations,

Roma communities, and LGBT+ matters, though some people are still uncomfortable discussing these issues.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12**E1. Is there freedom of assembly? 3 / 4**

Freedom of assembly is generally respected, though demonstrations are occasionally restricted for security reasons. A number of demonstrations were held without incident in 2019.

However, witnesses claimed that police in a southern village used tear gas against protesters, including children, during an October demonstration against a hydroelectric power plant. Witnesses claimed that police deployed tear gas after children ducked under police tape; three people were arrested, but were later released.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

NGOs function freely, though the courts can ban groups that infringe on the constitutional order or encourage ethnic hatred. NGOs occasionally experience pressure to curtail criticism of the government. Despite this pressure, many NGOs continue to criticize the authorities, and NGOs have largely been able to engage in advocacy work without interference. Funding for NGOs remained an issue in 2019, as international sources of support have declined in recent years.

In April 2019, the parliament amended the Law on Freedom of Association in NGOs, allowing foreigners to serve as founders of Kosovar NGOs and shortening the time period for the registration of new organizations.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The constitution protects the right to establish and join trade unions, but employers frequently do not respect collective bargaining rights. It is difficult to form a private-sector union because employers often intimidate workers to prevent them from organizing. As a result, few private-sector unions exist in Kosovo.

F. RULE OF LAW: 6 / 16**F1. Is there an independent judiciary? 1 / 4**

Political interference in the judiciary, particularly from the executive branch, remains a problem. Widespread judicial corruption also negatively impacts the branch's independence. Resource constraints and a lack of qualified judges hinder the performance of the judiciary.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Prosecutors and courts remain susceptible to political interference and corruption by powerful political and business elites, undermining due process. In 2018, state prosecutor Elez Blakaj resigned his post after receiving numerous threats while pursuing a case related to fraud in the pension system for veterans. Lawmaker Shkumbin Demaliaj, who was indicted in the pension case, was charged with threatening Blakaj in 2018; he was placed under house arrest and released later that year. Demaliaj remained in the parliament at the end of 2019.

Although the law states that defendants should not be detained before trial unless they are likely to flee or tamper with evidence, judges often order suspects detained without cause. Lengthy pretrial detentions are common due to judicial inefficiency and resource constraints.

In April 2019, Kosovo repatriated 110 people who previously lived in territory controlled by the Islamic State (IS) militant group. While they are provided with public services and legal counsel, individuals within this group have also been subject to detention or house arrest upon their return.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Although the EU brokered an agreement in 2015 between Kosovo and Serbia to disband the Serb Civilna Zastita (Civil Protection) security force in northern Kosovo, there have been reports that the force is still operating illegally. Prison conditions have improved in recent years, but violence and poor medical care remain problems. The police sometimes abuse detainees in custody.

In October 2019, prosecutors reopened an investigation into the death of Vetëvendosje activist Astrit Dehari, who was accused of attacking the Assembly building in 2016. Dehari died in detention that year, and his death was ruled a suicide; prosecutors launched their probe, which was ongoing at the end of 2019, after his family commissioned a report from a Swiss forensic institute that concluded Dehari did not die by suicide.

A number of former Kosovo Liberation Army (KLA) members—including former prime minister Haradinaj—have been accused of war crimes, yet hold or have recently held high-level government positions. The government previously attempted to stop the work of a war crimes court based in the Hague through efforts to repeal or renegotiate the 2015 law establishing its existence. Some former KLA members have been convicted by other courts.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Kosovo's Roma, Ashkali, and Gorani populations face discrimination in education, employment, and access to social services. Attacks on Serbs were once common in Albanian areas, and perpetrators were rarely prosecuted, but these incidents have become less prevalent in recent years.

LGBT+ people face social pressure to hide their sexual orientation or gender identity and face obstacles in making legal changes on the latter. In October 2019, Priština hosted its third pride parade; unlike in past years, President Thaçi did not attend, nor did major party leaders.

Women experience discrimination in employment, particularly in regard to hiring for high-level positions in government and the private sector.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16 (+1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4 (+1)

Freedom of movement and residence is somewhat impaired in Kosovo, especially for those living in Serb areas. The government refuses to accept travel documents issued by the Serbian government that show towns in Kosovo as the place of residence, hindering travel for many Serbs. Meanwhile, Serbs living in Kosovo do not benefit from Serbia's visa waiver agreement with the EU, making travel with a Serbian passport relatively difficult for those living in the enclaves. Kosovars have also been hindered from traveling to Bosnia and Herzegovina by the need for visas in recent years.

In August 2019, border police allowed travelers from Serbia to enter Kosovo using identity cards, abiding by a EU-backed bilateral agreement originally agreed in 2011; passports were previously required. The ability to change residence has also become easier within Kosovo, due to the introduction of a new document management system.

Score Change: The score improved from 2 to 3 due to Kosovo authorities' loosening of administrative requirements for travelers from Serbia, as well as new administrative systems that ease the burden on Kosovars changing their residency information.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The legal framework on property rights is poorly outlined, and those rights are inadequately enforced in practice. While the law states that inheritance must be split equally between male and female heirs, strong patriarchal attitudes lead to pressure on women to relinquish their rights to male family members. Property reclamation by displaced persons is hindered by threats of violence and resistance to accepting returnees from local communities.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence remains a problem despite the government's five-year strategy that was launched in 2017 to address the issue. Domestic violence is considered a civil matter unless the victim is physically harmed. When criminal cases are referred, prosecutions and convictions are rare. Rape is illegal, but spousal rape is not addressed by the law. Courts often give convicted rapists sentences that are lighter than the prescribed minimum.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Equal opportunity is inhibited by persistently high levels of unemployment. Kosovo is a source, transit point, and destination for human trafficking, and corruption within the government enables perpetrators. Children are at particular risk of exploitation by traffickers, who can force them to beg or engage in sex work.

Kuwait

Population: 4,200,000

Capital: Kuwait City

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Kuwait is a constitutional emirate ruled by the Sabah family. While the monarchy holds executive power and dominates most state institutions, the elected parliament plays an influential role, often challenging the government. Partly due to friction between lawmakers and the executive, government reshuffles and snap parliamentary elections have been frequent since 2011. State authorities have constrained freedoms of speech and assembly in recent years.

KEY DEVELOPMENTS IN 2019

- In January, a well-known journalist was briefly detained under the cybercrimes law after recordings of her discussing alleged government corruption were circulated on the messaging platform WhatsApp.
- In July, some 15 activists for the rights of stateless people—known as *bidoon*—were arrested on charges that included illegal assembly. In August the activists

began a 12-day hunger strike to protest both their own treatment and the persistent human rights abuses against bidoon more generally.

- In November, the cabinet resigned over corruption allegations that led to a public feud in which the outgoing defense minister—the emir’s son—accused the outgoing interior minister, also a member of the ruling family, of embezzling state funds. Both were excluded from the new cabinet, and the Justice Ministry banned media coverage of the case as it was addressed by the law enforcement system.

POLITICAL RIGHTS: 13 / 40

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The emir, the hereditary head of state, chooses the prime minister and appoints cabinet ministers on the prime minister’s recommendation. At least one cabinet minister must be an elected member of parliament. The parliament can remove cabinet ministers through a vote of no confidence, and the emir can respond to a similar vote against the prime minister either by forming a new cabinet or by dissolving the parliament and holding elections.

The current emir, Sabah al-Ahmad al-Jaber al-Sabah, took office after the death of his half-brother in 2006, and appointed another half-brother, Sheikh Nawaf al-Ahmad al-Jaber al-Sabah, as crown prince. Jaber al-Mubarak al-Hamad al-Sabah served as prime minister from 2011 to November 2019, when the government resigned in response to corruption allegations and a possible no-confidence vote against the interior minister. The outgoing foreign minister, Sheikh Sabah al-Khalid al-Sabah, became the prime minister of the new cabinet. All prime ministers and most senior cabinet ministers have been members of the ruling family.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The 50-member National Assembly (parliament) is elected by popular vote on a formally nonpartisan basis. The emir may appoint up to 15 cabinet ministers who were not elected members of the assembly, and these are considered additional ex-officio members, though no ministers can take part in confidence votes. The parliament in theory serves four-year terms. However, the emir and the Constitutional Court have the power to dissolve the assembly, which has occurred four times since 2011. Most dissolutions come in response to serious disputes between the appointed government and lawmakers, and the timing of elections is effectively determined by the executive for political reasons. Kuwaiti elections are relatively competitive, but they are not typically observed by independent, well-established monitoring organizations, and corruption and nepotism in campaigns remain a concern.

The most recent dissolution of parliament took place in October 2016. In the ensuing November elections, opposition factions—including Islamist, nationalist, and liberal blocs—won 24 of the 50 seats. Approximately 70 percent of eligible voters turned out. The next election was scheduled for October 2020.

In March 2019, by-elections were held to replace two lawmakers who were sentenced in absentia to jail terms in 2018 for their role in 2011 protests against the prime minister at the time. Turnout for the by-elections was 42 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Elections are administered by the Interior Ministry rather than an independent institution, and the electoral system lacks transparency, as evidenced by an opaque voter

registration process. The emir has used his extensive powers to implement changes to electoral laws in close proximity to elections. In October 2012, he issued a decree two months ahead of elections that reduced the number of candidates elected in each district from four to one; opposition forces claimed that the move was designed to reduce their strength.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Formal political parties are banned, and while parliamentary blocs are permitted, the prohibition on parties inhibits political organization and the sharing of resources among like-minded candidates.

Politicians have some space to criticize the government, but those who challenge the emir's authority have faced criminal charges. In July 2018 the Cassation Court ordered the imprisonment of a group of opposition figures, including two sitting and several former lawmakers, on long-contested charges related to the storming of the parliament building during 2011 protests calling for the resignation of the prime minister. One of the former lawmakers who was imprisoned, prominent opposition leader Musallam al-Barrak, had completed a two-year prison term in 2017 on separate charges of insulting the emir.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

The constitutional system does not allow democratic transfers of power at the executive level. Opposition blocs are able to gain representation in the parliament, but after their victory in early 2012 was controversially annulled, they boycotted elections in late 2012 and 2013; since the changes to the electoral laws in 2012 they have not held a majority.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The hereditary emir and the ruling family frequently interfere in political processes, including through the harassment of political and media figures, and the government impedes the activities of opposition parliamentary blocs.

Since 2014, dozens of people, including journalists, activists, and clerics, have been stripped of citizenship for criticizing the government. However, the government has slowed its use of citizenship revocation as a form of political reprisal, and in 2017 it reinstated the citizenship of a number of people who had it revoked.

In the absence of political parties, major tribes hold their own informal and technically illegal primary elections to unite their members behind certain parliamentary candidates, who then typically use their public office to generate economic benefits for members of their tribe.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The electorate consists of men and women over 21 years of age who have been citizens for at least 20 years and who have a Kuwaiti father. Most members of state security agencies are barred from voting. About 70 percent of the country's residents are noncitizens; citizenship, normally transmitted by a Kuwaiti father, is extremely difficult to obtain for those without at least one Kuwaiti parent, and cannot be granted to non-Muslims. More than 100,000 residents, known as bidoon, are stateless.

The Shiite Muslim minority makes up about a third of the citizen population but is not well represented in the political system. Shiite candidates won six seats in the 2016 parliamentary elections, down from eight in the previous elections.

Women have had the right to vote and run for office since 2005, and one woman was elected to the parliament in the 2016 elections. Entrenched societal attitudes hamper more active participation by women in the political process, and the interests of women are poorly represented in practice. Neither the political groupings nor the tribes generally promote women's participation as candidates. Societal and legal discrimination against LGBT+ people prevents them from playing any open role in political affairs.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

While some laws initiated by elected members of parliament are adopted and implemented, policymaking authority is concentrated in the hands of the hereditary emir and his appointed government. The emir has repeatedly used his power to dissolve the National Assembly when it imposes checks on the executive. He can also veto legislation and issue executive decrees when the assembly is not in session.

Interactions between the executive and legislature are increasingly affected by succession-related rivalries within the ruling family, as both the emir and the crown prince are over 80 years old. Powerful members of the family are able to put pressure on rivals who are government ministers by cultivating allies in the parliament who can question them and scrutinize their performance.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is pervasive in Kuwait. An Anti-Corruption Authority began operating in 2015, and it has referred some cases for prosecution, but in general its activities appear insufficient given the perceived scale of the problem.

In 2018 the parliament approved legislation meant to regulate conflicts of interest among public officials, but in April 2019 the Constitutional Court ruled it unconstitutional on the grounds that it failed to precisely define what amounted to a conflict of interest.

Allegations of malfeasance lodged by lawmakers against government ministers have been at the heart of the country's recurring political crises. Members of the ruling elite regularly disregard parliamentary calls for accountability and often obstruct elected officials' efforts to investigate graft and abuse of power. In November 2019, the finance minister and the minister of public works both resigned after facing heavy criticism from the parliament over alleged mismanagement and misuse of public funds. When lawmakers started to question the interior minister, Sheikh Khaled al-Jarrah al-Sabah, on similar issues and called for a no-confidence vote, the entire cabinet resigned. Shortly afterward, the emir's son Sheikh Nasser Sabah al-Ahmad al-Sabah, who was the outgoing defense minister, accused Sheikh Khaled of embezzling public funds. The Justice Ministry said the embezzlement case would be handled by the courts but banned media discussion of the matter. All of the former ministers at the center of the affair were excluded from the new government.

C3. Does the government operate with openness and transparency? 2 / 4

Transparency on government spending is inadequate, and there are few mechanisms that encourage officials to disclose information about government operations. Kuwait does

not have any legislation guaranteeing the right to access public information. The State Audit Bureau provides some oversight on revenue and expenditures, reporting to both the government and the National Assembly, though not necessarily to the public.

CIVIL LIBERTIES: 23 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

The authorities limit press freedom. Kuwaiti law assigns penalties for the publication of material that insults Islam, criticizes the emir, discloses information considered secret or private, or calls for the regime's overthrow. Journalists also risk imprisonment under a restrictive 2016 cybercrimes law that criminalizes the dissemination of similar content online. Journalist Aisha al-Rasheed was detained for several days in January 2019 over recordings posted on social media and the messaging platform WhatsApp in which she discussed government corruption.

Thousands of books are banned in the country for political or moral reasons, and the government has instructed internet service providers to block certain websites on similar grounds. A 2014 telecommunications law created the Commission for Mass Communications and Information Technology, granting the regulator sweeping powers to monitor, block, and censor online material. Foreign media outlets operate relatively freely in Kuwait.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is the state religion, and blasphemy is a punishable offense. The government appoints Sunni imams and oversees their sermons. Shiite Muslims have their own religious institutions, including Sharia (Islamic law) courts, though the government does not permit training of Shiite clerics in the country. Several Christian churches are officially registered, and other non-Muslim religious minorities are generally permitted to practice their faiths in private; they are forbidden from proselytizing.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom is impeded by self-censorship on politically sensitive topics, as well as by broader legal restrictions on freedom of expression, including the prohibitions on insulting the emir and defaming Islam.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Freedom of expression is curtailed by state surveillance and the criminalization of some forms of critical speech, especially if it touches on the emir or the rulers of friendly states. The cybercrimes law that took effect in 2016, for example, imposes prison sentences of up to 10 years as well as fines for online speech that criticizes the emir, judicial officials, religious figures, or foreign leaders.

Activists and other individuals are often summoned for questioning over their online comments, and some have been prosecuted. In 2018, a court sentenced blogger Abdullah al-Saleh to five years' imprisonment in absentia for "insulting" the United Arab Emirates.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is constrained in practice. Organizers must notify officials of a public meeting or protest, and those who participate in unauthorized protests are subject to prison terms or, for noncitizens, deportation. Nevertheless, some peaceful protests have been allowed without a permit.

In July 2019 the authorities arrested some 15 advocates for the rights of bidoon after they took part in a protest triggered by the recent suicide of a young stateless man who was denied civil documents that are required to study or work. They were charged with calling for and attending unauthorized protests, as well as “misuse of cell phones.” In August the arrested activists began a 12-day hunger strike to protest both their own treatment and the persistent human rights abuses against bidoon more generally.

In November, days before the government’s resignation over corruption allegations, hundreds of people gathered outside the parliament building to protest graft and other governance problems.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

The government restricts the registration and licensing of nongovernmental organizations (NGOs), forcing many groups to operate without legal standing. Representatives of licensed NGOs must obtain government permission to attend foreign conferences, and critical groups may be subject to harassment. The government closed down the Kuwait chapter of Transparency International in 2015.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Private-sector workers who are Kuwaiti citizens have the right to join labor unions and bargain collectively, and a limited right to strike, but labor laws allow for only one national union federation. Noncitizen migrant workers, who form most of the labor force, do not enjoy these rights and can face dismissal and deportation for engaging in union or strike activity. Civil servants and household workers are also denied such rights; most citizen workers are public employees and do not have the right to strike. Migrant workers have from time to time participated in risky illegal labor actions to protest nonpayment of wages and other abuses. In March 2019 the Kuwait Trade Union Federation opened an office to provide migrant workers with advice and assistance on legal disputes.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 1 / 4

Kuwait lacks an independent judiciary. The emir has the final say on judicial appointments, which are proposed by a Supreme Judicial Council made up of senior judges as well as the attorney general and deputy justice minister, and the executive branch approves judicial promotions. Judges who are Kuwaiti citizens are appointed for life, while noncitizens receive contracts for up to three years, reflecting a wider tendency to keep noncitizens employed on precarious short-term contracts. The courts frequently rule in favor of the government in cases related to politics.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Arbitrary arrests and detentions sometimes occur despite legal safeguards. Authorities may detain suspects for four days without charge. Noncitizens arrested for minor offenses are subject to detention and deportation without due process or access to the courts. In July 2019, authorities arrested eight Egyptians and deported them to Egypt, alleging that they were members of the Muslim Brotherhood and were wanted in their home country

for terrorism offenses. In December, another Egyptian expatriate deemed to belong to the Muslim Brotherhood was also deported to Egypt.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Kuwait is generally free from armed conflict, no major terrorist attacks have been reported since 2015, and there are relatively low levels of criminal violence. However, while the constitution prohibits torture and other forms of cruel and unusual punishment, these protections are not always upheld. Detainees, especially bidoon, continue to experience torture and beatings in custody. Overcrowding and unsanitary conditions are significant problems at prisons and deportation centers.

In 2017, the government carried out its first execution in four years, and a total of seven people were executed by hanging that year. Human Rights Watch has reported violations of due process in capital cases.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Despite some legal protections from bias and abuse, women remain underrepresented in the workforce and face unequal treatment in several areas of law and society. Women account for a majority of university students, but the government enforces gender segregation in educational institutions. LGBT+ people face societal discrimination, and the penal code prescribes prison sentences for sex between men and “imitating the opposite sex.”

Officials consider the country’s more than 100,000 bidoon to be illegal residents, and they lack the protections and benefits associated with citizenship. They often live in poor conditions and have difficulty accessing public services and obtaining formal employment. The law provides for a process through which bidoon may try to prove their Kuwaiti nationality, but it is opaque and largely ineffective. Noncitizen migrant workers are also excluded from the legal protections granted to citizens on a variety of topics.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

For the most part, Kuwait does not place constraints on the movement of its citizens, but migrant workers often face de facto restrictions on freedom of travel and residence. The labor sponsorship system limits migrant workers’ freedom to change jobs without permission from their existing employer, though a 2016 policy allows some categories of migrant workers to do so after three years.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Kuwaiti law allows citizens and foreign nationals, but not bidoon, to own private property. Although the law permits the establishment of businesses, bureaucratic obstacles sometimes slow the process. Companies are legally prohibited from conducting business with citizens of Israel.

Sharia-based inheritance rules, particularly those pertaining to Sunni families, put women at a disadvantage.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Personal status laws favor men over women in matters of marriage, divorce, and child custody. For example, Sunni women must have the approval of a male guardian in order to marry, and they are only permitted to seek a divorce when deserted or subjected to domestic violence. Domestic abuse and spousal rape are not specifically prohibited by law, and rapists can avoid punishment if they marry their victims.

Article 153 of the penal code classifies crimes in which a man kills a close female relative whom he has caught in “an unsavory sexual act” as misdemeanors, punishable by at most three years in prison. Such incidents are rare but not entirely unknown; a local civil society campaign, Abolish 153, seeks to eliminate the penal code provision.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Foreign household workers and other migrant workers are highly vulnerable to abuse and exploitation, often forced to live and work in poor or dangerous conditions for low pay. Many employers reportedly confiscate their household workers’ passports, subject them to excessive working hours, and restricted their movements outside the home. A 2015 law strengthened the rights of such domestic workers, including the right to paid leave and limits on working hours, but implementation remains problematic.

International media reports during 2019 highlighted a number of cases in which recruiting agents held female migrant workers for ransom, demanding money from their families before they could return home. Other workers have been repatriated from Kuwait by the state labor bureau after being refused payment or otherwise harassed or abused by their employers. At least two domestic workers from the Philippines were reported to have been murdered during the year.

Kyrgyzstan

Population: 6,500,000

Capital: Bishkek

Freedom Status: Partly Free

Electoral Democracy: No

Overview: After two revolutions that ousted authoritarian presidents in 2005 and 2010, Kyrgyzstan adopted a parliamentary form of government. Governing coalitions have proven unstable, however, and corruption remains pervasive. In recent years, the ruling Social Democratic Party of Kyrgyzstan (SDPK) has consolidated power, using the justice system to suppress political opponents and civil society critics.

KEY DEVELOPMENTS IN 2019

- Former president Almazbek Atambayev was arrested on corruption and abuse of power charges in August. Officers were initially repelled by his supporters, and one was killed during the initial raid; Atambayev surrendered after a day, and remained in custody at year’s end.
- News articles published in May and November implicated former customs official Raimbek Matraimov and his family in a money-laundering scheme that siphoned as much as \$700 million over several years. The news sparked protests in Bishkek in November, but prosecutors did not pursue a case against the family.

POLITICAL RIGHTS: 12 / 40**A. ELECTORAL PROCESS: 4 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4**

The directly elected president, who shares executive power with a prime minister, serves a single six-year term with no possibility of reelection. The 2017 presidential election was marked by inappropriate use of government resources to support Sooronbay Jeenbekov of the SDPK, who served as prime minister under his predecessor, Atambayev. There were also reports of voter intimidation, including pressure on public-sector employees. Jeenbekov defeated 10 other candidates, securing 54 percent of the vote amid 56 percent turnout. Omurbek Babanov of the Respublika party placed second with about 33 percent.

President Jeenbekov dismissed Prime Minister Sapar Isakov in 2018, after Isakov's cabinet lost a no-confidence vote in the parliament, which was considered a move to purge several of Atambayev's closest allies in the government. The parliament then approved SDPK member Mukhammedkaliy Abylgazyev to serve as the prime minister of a coalition government.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The unicameral parliament consists of 120 deputies elected by party list in a single national constituency to serve five-year terms. No single party is allowed to hold more than 65 seats. Organization for Security and Co-operation in Europe (OSCE) observers found that the 2015 parliamentary elections were competitive and that the 14 registered parties offered voters a wide range of options. However, the monitoring group noted significant procedural problems, flaws in the rollout of a new biometric registration system, inadequate media coverage, and widespread allegations of vote buying. Civil society groups and media reports raised concerns that the SDPK had used state resources and pressure on public employees to enhance its position. Six parties cleared the 7 percent vote threshold to secure representation. The SDPK led the voting with 38 seats, followed by Respublika–Ata Jurt (28), the Kyrgyzstan party (18), Onuguu-Progress (13), Bir Bol (12), and Ata Meken (11).

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The Central Commission for Elections and Referenda exhibited political bias during the 2017 presidential election, according to international observers. Amendments to the election law that were enacted ahead of the poll made it more difficult for nongovernmental organizations (NGOs) to field observers and appeal decisions by election officials.

A 2016 referendum on constitutional amendments was conducted hastily, with little transparency or opportunities for public debate on the package of proposed changes, which ultimately won adoption. Administrative resources were reportedly used to support a “yes” vote, and state employees faced pressure to participate in the effort.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4**

Citizens have the freedom to organize political parties and groupings, especially at the local level. However, in addition to the national threshold—raised to 9 percent in August

2019—parties must win at least 0.7 percent of the vote in each of the country’s nine regional divisions to secure seats in the parliament, which discourages locally organized groups from participating in national politics.

Political parties are primarily vehicles for a handful of strong personalities, rather than mass organizations with clear ideologies and policy platforms. Although the 2015 election featured several new parties, almost all were the result of splits or mergers among the factions in the previous parliament, meaning the actual roster of deputies changed very little.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

The 2010 constitutional reforms aimed to ensure political pluralism and prevent the reemergence of an authoritarian, superpresidential system. Since 2012, however, observers noted that the ruling party has consolidated power and used executive agencies to target political enemies. Opposition members and outside observers have accused the SDPK of attempting to improperly influence electoral and judicial outcomes. Constitutional amendments approved in 2016 included measures that made it more difficult to bring down a sitting government or withdraw from a coalition, effectively solidifying the position of the SDPK.

In recent years, opposition leaders have faced politically motivated criminal investigations and prosecutions. Presidential runner-up Babanov was accused of “incitement to inter-ethnic violence” based on remarks made at a campaign rally with ethnic Uzbeks in 2017. In 2018, authorities investigated Babanov over allegations of planning riots and a seizure of power; that case was dropped later that year, though the criminal probe from 2017 remained open. Babanov resigned from the parliament and fled Kyrgyzstan; he returned in August 2019 and was questioned by authorities over his 2017 activity. In December, Babanov resigned as Respublika leader.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

While largely free from military domination, Kyrgyzstani politics are subject to the influence of organized crime and economic oligarchies. Political affairs are generally controlled by a small group of elites who head competing patronage networks.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Ethnic minority groups face political marginalization. Politicians from the Kyrgyz majority have used ethnic Uzbeks as scapegoats on various issues in recent years, and minority populations remain underrepresented in elected offices, even in areas where they form a demographic majority.

Women enjoy equal political rights and have attained some notable leadership positions, but they are also underrepresented, having won 19 percent of the seats in the last parliamentary election despite a 30 percent gender quota for party candidate lists. New legislation enacted in August 2019 extended the 30 percent gender quota to local municipal councils.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Unresolved constitutional ambiguities regarding the division of power among the president, the prime minister, and the parliament—combined with the need to form multiparty

coalitions—have contributed to the instability of governments in recent years. The prime minister has been replaced nearly a dozen times since 2010.

President Jeenbekov worked to consolidate control of the government and the SDPK, while former president Atambayev attempted to maintain his influence during 2019. Atambayev, who still served as party chairman, attempted to withdraw the party from the governing coalition in March; Jeenbekov’s supporters formed the “SDPK Without Atambayev” group in response. In April, the parliament voted to prohibit former presidents from holding state posts or participating in political parties, and stripped Atambayev of immunity from prosecution in June.

Authorities stormed Atambayev’s home in August to arrest him after he ignored multiple subpoenas, but were initially repelled by supporters present in the compound; one officer was killed during the initial raid. Atambayev surrendered a day later and remained in custody at year’s end, facing charges including corruption, along with murder over the outcome of the August raid, leaving Jeenbekov in firm control of the government.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is pervasive in politics and government. Political elites use government resources to reward clients—including organized crime figures—and punish opponents. A new anticorruption office within the State Committee of National Security (GKNB) was formed in 2012, but it has primarily been used to target the administration’s political enemies in the parliament and municipal governments. Former premiers Isakov and Jantoro Satybaldiyev, who were aligned with Atambayev, were arrested on corruption charges in 2018; both were convicted, and received prison sentences in December 2019.

News articles published between May and November 2019 implicated former customs official Raimbek Matraimov and his family in a money-laundering and tax evasion operation that siphoned as much as \$700 million out of Kyrgyzstan between 2011 and 2016. Later in November, a Chinese Uighur businessperson, Aierken Saimaiti, who collaborated in the operation and served as a source for the articles, was murdered in the Turkish city of Istanbul. The articles sparked protests in Bishkek, but prosecutors declined to investigate Matraimov at year’s end.

C3. Does the government operate with openness and transparency? 2 / 4

Kyrgyzstan’s laws on access to public information are considered relatively strong, but implementation is poor in practice. Similarly, although public officials are obliged to disclose information on their personal finances, powerful figures are rarely held accountable for noncompliance or investigated for unexplained wealth. Oversight of public contracts is inadequate; corruption scandals in recent years have often centered on procurement deals or sales of state assets.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -1 / 0

Southern Kyrgyzstan has yet to fully recover from the ethnic upheaval of 2010, which included numerous documented instances of government involvement or connivance in violence against ethnic Uzbeks in the region, with the aim of tipping the political and economic balance in favor of the Kyrgyz elite. Many Uzbek homes and businesses were destroyed or seized. While intimidation has continued and little has been done to reverse the outcomes

of the violence, some steps have been taken to restore Uzbek-language media in the region, and fears of further unrest have eased over time.

CIVIL LIBERTIES: 27 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16

D1. Are there free and independent media? 2 / 4

The media landscape is relatively diverse but divided along ethnic lines, and prosecutions for inciting ethnic hatred have tended to focus on minority writers despite the prevalence of openly racist and anti-Semitic articles in Kyrgyz-language media. A 2014 law criminalized the publication of “false information relating to a crime or offense” in the media, which international monitors saw as a contradiction of the country’s 2011 decriminalization of defamation. The law assigns penalties of up to three years in prison, or five years if the claim serves the interests of organized crime or is linked to the fabrication of evidence.

Journalists have separately faced arrest, government raids, and court action in 2019. In August, immediately following Atambayev’s arrest, authorities raided and seized the assets of Aprel (April) TV, an outlet owned by the former president; it remained off the air at year’s end. In December, the Matraimov family sued Radio Free Europe/Radio Liberty (RFE/RL)-affiliated Radio Azattyk, correspondent Ali Toktakunov, and news sites 24.kg and Kloop.kg, which reported on their alleged money-laundering operation, for libel. A Bishkek court seized their assets later that month, but the decision was reversed at the family’s request; the family’s case was ongoing at year’s end.

News sites also faced service disruptions in 2019; Kloop.kg and news site Cactus were targeted with distributed denial-of-service (DDoS) attacks after reporting on the Matraimovs’ activities in December. Visitors of several other websites reported difficulty accessing articles on the Matraimovs that month.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

All religious organizations must register with the authorities, a process that is often cumbersome and arbitrary. Groups outside the traditional Muslim and Orthodox Christian mainstream reportedly have difficulty obtaining registration, and the 2009 Law on Religion deems all unregistered groups illegal. Organizations such as the Jehovah’s Witnesses often face police harassment. The government also monitors and restricts some Islamic groups, including the nonviolent Islamist movement Hizb ut-Tahrir and Yakyn Inkar, which practices strict asceticism.

Nevertheless, some unregistered religious communities have been able to practice their faiths without state intervention, and the authorities have investigated and punished relatively rare acts of violence against religious figures or minorities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The government does not formally restrict academic freedom, though teachers and students have reportedly faced pressure to participate in political campaigns and voting, including in the 2017 presidential election.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion is generally free in the country, and prosecutions of individuals for the expression of personal views on social media are rare. However, state and local

authorities regularly raid homes where they believe members of banned groups like Hizb ut-Tahrir or certain religious minorities, such as Jehovah's Witnesses, meet to discuss their beliefs.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12 (+1)

E1. Is there freedom of assembly? 2 / 4 (+1)

A 2012 law allows peaceful assembly, and small protests and civil disobedience actions, such as blocking roads, take place regularly. Nevertheless, domestic and international watchdogs have voiced concerns over violations of assembly rights, including arrests and other forms of interference. Intimidation by counterprotesters, especially far-right groups, remains a threat.

Despite these circumstances, several major rallies took place without major incident in 2019. In July, Atambayev supporters rallied in Bishkek after the parliament stripped him of immunity. In November, several hundred people protested in Bishkek over the revelation of a money-laundering operation involving former customs official Matraimov.

Score Change: The score improved from 1 to 2 because major political protests took place without interference.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

NGOs participate actively in civic and political life, and public advisory councils were established in the parliament and most ministries in 2011, permitting improved monitoring and advocacy by NGOs. However, human rights workers, including those who support ethnic Uzbek victims, face threats, harassment, and physical attacks. Ultranationalists have harassed US and European NGOs as well as domestic counterparts that are perceived to be favored by foreign governments and donors.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Kyrgyzstani law provides for the formation of trade unions, which are generally able to operate without obstruction. However, parliamentarians considered legislative amendments that would limit their ability to organize and would force them to affiliate with the Federation of Trade Unions of Kyrgyzstan (FTUK), which would serve as the country's only national union. The amendments, which were introduced in April 2019, remained under consideration at year's end.

Strikes are prohibited in many sectors. Legal enforcement of union rights is weak, and employers do not always respect collective-bargaining agreements.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is not independent and remains dominated by the executive branch. Corruption among judges is widespread. In February 2019, the GKNB announced corruption charges against seven judges, including three sitting Supreme Court justices; the judges were accused of issuing rulings that favored organized criminal groups.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Defendants' rights, including the presumption of innocence, are not always respected, and evidence allegedly obtained through torture is regularly accepted in courts.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

There are credible reports of torture during arrest and interrogation, in addition to physical abuse in prisons. Most such reports do not lead to investigations and convictions. Few perpetrators of the violence against the Uzbek community in southern Kyrgyzstan in 2010 have been brought to justice.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Legal bans on gender discrimination in the workplace are not effectively enforced. Traditional biases also put women at a disadvantage regarding education and access to services. Ethnic minorities—particularly Uzbeks, who make up nearly half of the population of the city of Osh—continue to face discrimination on economic, security, and other matters. Uzbeks are often targeted for harassment, arrest, and mistreatment by law enforcement agencies based on dubious terrorism or extremism charges. Same-sex sexual activity is not illegal, but discrimination against and abuse of LGBT+ people at the hands of police are pervasive. Ultranationalist groups have also engaged in intimidation of LGBT+ activists.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The government generally respects the right of unrestricted travel to and from Kyrgyzstan, though journalists and human rights activists sometimes face bans and other obstacles. Barriers to internal migration include a requirement that citizens obtain permits to work and settle in particular areas of the country.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The misuse of personal connections, corruption, and organized crime impair private business activity. The ethnic violence of 2010 has affected property rights in the south, as many businesses, mainly owned by ethnic Uzbeks, were destroyed or seized.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Cultural constraints and inaction by law enforcement officials discourage victims of domestic violence and rape from contacting the authorities. Legislation enacted in 2017 aimed to broaden the definition of domestic abuse and improve both victim assistance and responses from law enforcement bodies, but the law is weakly enforced.

The practice of bride abduction persists despite the strengthening of legal penalties in 2013, and few perpetrators are prosecuted.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The government does not actively enforce workplace health and safety standards. Child labor is restricted by law but reportedly occurs, particularly in the agricultural sector. The trafficking of women and girls into forced prostitution abroad is a serious problem. Police have been accused of complicity in the trafficking and exploitation of victims. Kyrgyzstani men are especially vulnerable to trafficking for forced labor abroad.

Laos

Population: 7,100,000

Capital: Vientiane

Freedom Status: Not Free

Electoral Democracy: No

Overview: Laos is a one-party state in which the ruling Lao People's Revolutionary Party (LPRP) dominates all aspects of politics and harshly restricts civil liberties. There is no organized opposition and no truly independent civil society. News coverage of the country is limited by the remoteness of some areas, repression of domestic media, and the opaque nature of the regime. Economic development has led to a rising tide of disputes over land and environmental issues. In recent years, a wide-ranging anticorruption campaign has had some positive impact.

KEY DEVELOPMENTS IN 2019

- Laotian authorities continued their anticorruption drive during the year, reportedly targeting over one thousand officials and state employees with punishments ranging from party discipline to reeducation. Few of the accused individuals faced judicial trials, however.
- In November, police detained eight prodemocracy activists who planned a protest in Vientiane. The activists reportedly cancelled their event after participants came under surveillance in advance of the demonstration.
- Prodemocracy activists and protesters went missing during the year; in August, Laotian activist Od Sayavong disappeared in Bangkok, while a Laotian citizen who protested in front of the Lao embassy in Bangkok disappeared after returning to Laos in November. Dozens of participants who aimed to attend the cancelled Vientiane rally in November were also reported missing at year's end.

POLITICAL RIGHTS: 2 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Laos is a one-party communist state and the ruling Lao People's Revolutionary Party (LPRP)'s 61-member Central Committee, under the leadership of the 11-member Politburo, makes all major decisions. The LPRP vets all candidates for election to the National Assembly, whose members elect the president and prime minister.

The LPRP selected new leaders through an opaque process at a party congress in 2016. After that year's tightly controlled National Assembly elections, lawmakers chose Bounnhang Vorachith to serve as president, and Thongloun Sisoulith to serve as prime minister.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

National Assembly elections are held every five years, but are not free or fair, and international observers are not permitted to monitor them. The LPRP won 144 of 149 seats in the 2016 legislative elections, with the remainder going to carefully vetted independents.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral laws and framework are designed to ensure that the LPRP, the only legal party, dominates every election and controls the political system.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The constitution makes the ruling LPRP the sole legal political party, and grants it a leading role at all levels of government.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Although the LPRP is the only legal party, National Assembly candidates are not required to be members. However, all candidates must be approved by National Assembly-appointed committees.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The authoritarian one-party system in Laos excludes the public from any genuine and autonomous political participation.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The right to vote and run for office are guaranteed in the constitution, but due to the one-party system, no portion of the population may exercise full political rights and electoral opportunities. Nominal representatives of ethnic minorities hold positions in the Politburo, Central Committee, and National Assembly, but they are limited in their ability to advocate for policies that benefit minorities. Women hold 27.5 percent of the National Assembly's seats, but their presence in the legislature similarly does not guarantee that the interests of women are represented in politics.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

None of the country's nominally elected officials are chosen through free and fair contests, and major policy decisions are reserved for the LPRP. In recent years the government has more frequently passed laws, rather than decrees, to govern, though due to the choreographed nature of elections the representatives approving these bills cannot be said to be enacting the will of the electorate.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption by government officials is widespread. Laws aimed at curbing graft are not well enforced, and government regulation of virtually every facet of life provides many opportunities for bribery and fraud.

However, Prime Minister Thongloun has initiated an anticorruption drive since taking office in 2016. After taking office, he empowered the State Audit Organization (SAO) to conduct financial and budget investigations. The SAO has since uncovered several instances

of misappropriated state funds and unreported expenditures, and some LPRP officials have apparently returned money that they stole to the national treasury.

Anticorruption efforts continued in 2019; in March, the Transport Ministry's inspection unit reported over 1,000 cases of corruption by employees stretching back to 2018, and that 850 were disciplined. By May, at least 200 officials were disciplined for activities including corruption, drug trafficking, and embezzlement. Punishments varied, and included acts of party discipline, demotion, and in some cases, "reeducation." Relatively few of the officials suspected of corruption were pursued through judicial means. The National Assembly has also become more rhetorically assertive on the matter, with members criticizing corruption, bribery, and the lack of judicial independence in a session broadcast in mid-June.

The prime minister placed a ban on export timber in 2016, in an effort to crack down on illegal logging and extensive deforestation. In 2017, he restricted some mining and fruit plantation operations that were accused of causing environmental damage and being conduits for graft. Two provincial governors were fired, one in late 2017 and one in early 2018, over alleged links to graft in the timber trade. Despite these efforts, illegal timber exports have continued; 21 of the government employees who were disciplined for corruption in 2019 were involved in the trade.

C3. Does the government operate with openness and transparency? 1 / 4

There are no access to information laws in Laos. However, the 2012 Law on Making Legislation increased legislative transparency by requiring bills proposed at the central and provincial levels to be published for comment for 60 days and, once passed, to be posted for 15 days before coming into force.

A 2014 asset declaration program has helped identify corrupt government officials. The prime minister has repeatedly promised to make government more transparent to the citizenry, although he has been unclear about how he will do so.

Authorities have also withheld information about a 2018 dam collapse, which resulted in 43 deaths according to the authorities. The government received a report on the incident in March 2019, which blamed the collapse on substandard construction; however, it remained private at year's end.

CIVIL LIBERTIES: 12 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 0 / 4

Authorities use legal restrictions and intimidation tactics against state critics, and as a result, self-censorship is widespread. The state owns nearly all media, though some independent outlets, primarily entertainment magazines that steer clear of political commentary, have emerged in recent years. Coverage of the catastrophic 2018 dam collapse was suppressed, particularly within Laos.

In July 2019, news outlets that disseminate material through social media networks were ordered to register with the government, which threatened fines and prison sentences for those who did not comply; the Information Ministry claimed the move was meant to arrest the spread of "fake news."

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Religious freedom is guaranteed in the constitution, but in practice is constrained, in part through the LPRP's control of clergy training and supervision of Buddhist temples. There have been multiple cases in recent years of Christians being briefly detained or

sentenced to jail for unauthorized religious activities, or pressured by authorities to renounce their faith. A ban on public proselytizing is generally enforced, and authorities make efforts to monitor the importation of religious materials. Three Americans who distributed religious literature in northern Laos were detained in April 2019 and deported.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

University professors cannot teach or write about politically sensitive topics, though Laos has invited select foreign academics to teach courses in the country.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Government surveillance of the population has been scaled back in recent years, but security agencies and LPRP-backed mass organizations continue to monitor for public dissent, which is punishable under a variety of laws. As a result, there is little space for open and free private discussion of sensitive issues. The government attempts to monitor social media usage for content and images that portray Laos negatively, courts hand down heavy sentences in response to the posting of such material. In November 2019, a court sentenced a Laotian citizen to five years in prison for criticizing the government in a Facebook post.

Nevertheless, a Chinese railway construction project that has displaced citizens and prompted the government to take on debt, the 2018 dam collapse, and other projects that have forced people off their land have been controversial enough to prompt some criticism of the government among ordinary people.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Although protected in the constitution, the government severely restricts freedom of assembly. Protests are rare, and those deemed to be participating in unsanctioned gatherings can receive lengthy prison sentences. The government occasionally allows demonstrations that pose little threat to the LPRP.

In 2017, Laos's government arrested 15 villagers in Xékong Province for protesting against alleged land grabs. While five were released without explanation, nine were detained for two years and received two- to six-year prison sentences in June 2019. One protester was subsequently released in July.

In November 2019, police detained eight activists who planned a prodemocracy protest in Vientiane; six were released, while the whereabouts of the remaining two were unclear at year's end. The organizers reportedly cancelled the event after potential participants were placed under state surveillance.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Alongside LPRP-affiliated mass organizations, there are some domestic nongovernmental welfare and professional groups, but they are prohibited from pursuing political agendas. Registration and regulatory mechanisms for nongovernmental organizations (NGOs) are onerous and allow for arbitrary state interference. A new decree on associations, which came into force in 2017, mandates that NGOs secure government approval for their initiatives and funding, among other new restrictions.

Human rights and prodemocracy activists are also at risk of unexplained disappearance. In August 2019, prodemocracy activist Od Sayavong disappeared in Bangkok, where he resided. In November 2019, Phetphouthon Philachane, a Laotian citizen who demonstrated in front of the Laotian embassy in Bangkok earlier in the year, disappeared after returning to Laos. Both were still missing at year's end. Scores of participants in a cancelled November 2019 prodemocracy rally also went missing; their whereabouts were similarly unknown at year's end.

The 2012 disappearance of prominent antipoverty activist Sombath Somphone remained unsolved in 2019.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Most unions belong to the official Lao Federation of Trade Unions. Strikes are not expressly prohibited, but workers rarely stage walkouts. Collective bargaining is legally permitted, but rarely exercised by workers, as workers who try to engage in collective bargaining are usually punished.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 0 / 4

The courts are wracked by corruption and subject to LPRP influence. Major decisions are often made secretly.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Due process rights are outlined in the law, but these rights are routinely denied. Defendants are often presumed guilty, and long procedural delays in the judicial system are common. Appeals processes are often nonexistent or delayed, sometimes indefinitely. Searches without warrants occur and arbitrary arrests continue. Villagers are encouraged to settle noncriminal disputes in local mediation units, which are outside the formal judicial system.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Security forces often illegally detain suspects. Prison conditions are substandard, with reports of inadequate food and medical facilities.

Prisoners are also subject to torture; a group of villagers from Xékong Province, who were detained after their 2017 protest, were reportedly tortured while in detention. One villager died in prison in 2018, though authorities claimed his death was a suicide. A villager from Salavan Province, who was detained in 2011, died in custody in May 2019, with neighbors fearing he was tortured.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Equal rights are constitutionally guaranteed, but are not upheld in practice. Discrimination against members of ethnic minority tribes is common. The Hmong, who fielded a guerrilla army allied with US forces during the Vietnam War, are particularly distrusted by the government and face harsh treatment. Asylum for refugees is protected by law, but not always granted.

There have been multiple violent attacks, including murders, of Chinese nationals in Laos in recent years.

While same-sex sexual acts are legal and violence against LGBT+ people is rare, no legislation provides explicit protection against discrimination based on sexual preference or gender identity.

Gender-based discrimination and abuse are widespread. Discriminatory traditions and religious practices have contributed to women's limited access to education, employment opportunities, and worker benefits.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The dominance of the LPRP over most aspects of society can effectively restrict individuals' ability to choose their place of residence, employment, or education. Freedom of movement is sometimes restricted for ethnic Hmong. Security checkpoints in central Laos can hamper travel, though the military has in recent years reduced controls in the region.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

All land is owned by the state, though citizens have rights to use it. However, in recent years land rights have become an increasing source of public discontent. Construction began on a high-speed rail line from China through Laos at the end of 2016, resulting in the displacement of over 4,000 families; many villagers remain uncertain of what kind of compensation they will receive.

Villagers who live on or near the sites of planned dams on the Mekong River are increasingly caught up in land disputes, and are often forced to leave their homes. As many as 465 families in Louangphabang Province were reportedly displaced in July 2019, as construction proceeded on one of the dams. Apparent deficiencies revealed by the catastrophic dam collapse in southern Laos in 2018, which killed dozens of people and left thousands homeless, have not prompted the government to reevaluate dam-building projects. Many survivors of the 2018 collapse are living in resettlement camps, and are still awaiting compensation.

Foreign investors are subject to expropriation of joint ventures without due process in Laotian courts.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Social freedoms can be restricted, especially for women and children. In 2016, a survey supported by the UN and the World Health Organization (WHO) revealed that nearly a third of women in Laos had experienced domestic violence. Abortion is illegal and only permitted when the mother's life is at risk. Underage marriage is permitted with parental permission.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Trafficking in persons, especially to Thailand, is common, and enforcement of antitrafficking measures is hindered by a lack of transparency and weak rule of law. The building of new roads through Laos in recent years has aided trafficking operations.

Children as young as 12 years old may be legally employed in Laos. Inspections of workplaces, including those for industries considered hazardous, are required by law but do not take place regularly.

Latvia

Population: 1,900,000

Capital: Riga

Freedom Status: Free

Electoral Democracy: Yes

Overview: Latvia developed into a democracy after regaining independence in 1991. Elections are regarded as free and fair, and freedoms of assembly and association are generally respected in practice. However, corruption remains a major problem affecting politics, the judiciary, and the wider criminal justice system. The country's ethnic Russians face discrimination.

KEY DEVELOPMENTS IN 2019

- In January, Unity party leader Krišjānis Kariņš successfully formed a five-party coalition government. European Court of Justice (ECJ) judge Egils Levits was selected as president by the Saeima (parliament) in May.
- The government moved to combat money laundering and corruption throughout the year; in June, the Saeima passed legislation strengthening Latvia's banking regulator, and the government devoted more funding to anticorruption and auditing offices in September. In December, the Saeima voted to allow port facilities in Riga and Ventspils to come under public administration after businessperson Aivars Lembergs, who was linked to the Ventspils facility, was sanctioned by the United States over corruption allegations.
- In October, the Saeima passed legislation that will grant automatic citizenship to Latvian-born children of noncitizens in 2020.

POLITICAL RIGHTS: 37 / 40 (+2)

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The Saeima elects the president, who may serve up to two four-year terms. The prime minister is nominated by the president and approved by the parliament. Māris Kučinskis of the Union of Greens and Farmers (ZZS) became prime minister in 2016 and served as a caretaker after the October 2018 legislative election, while coalition talks took place. Then president Raimonds Vējonis nominated Jānis Bordāns of the New Conservative Party (JKP) and Aldis Gobzems, leader of Who Owns the State? (KPV LV), to form a government, but neither of them secured a coalition. Kariņš was nominated in January 2019 and successfully formed a government.

In May 2019, the Saeima selected ECJ judge Egils Levits to succeed Vējonis as president.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The Latvian constitution provides for a unicameral, 100-seat Saeima, whose members are elected to four-year terms. The 2018 parliamentary election was viewed as competitive and credible, and stakeholders accepted the results.

That election saw a significant loss by all three previously governing parties—the ZZS, the center-right Unity, and the conservative National Alliance—which jointly took 32 seats. The opposition Harmony party, which mainly defends the interests of Latvia’s ethnic Russians, took 23 seats, one fewer than in the previous election. Newly founded movements took the remaining 45: the populist KPV LV and the right-wing JKP each took 16 seats, and the liberal coalition Development/For! (LA/KP) took the remaining 13. Unity leader Kariņš successfully formed a coalition with the National Alliance, JKP, a majority of KPV LV lawmakers, and LA/KP in January 2019.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

In general, the electoral framework is implemented fairly by the Central Election Commission (CEC) and regional and local election administrations.

The president has traditionally been elected through a closed vote but in late 2018, the outgoing Saeima amended the constitution to make future balloting open. Levits was the first president to be selected through an open ballot.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Latvia’s political parties organize and compete freely. However, Latvian political candidates cannot run as independents, and those who belonged to communist or pro-Soviet organizations after 1991 may not hold public office. Parliamentary elections often result in the entry of new political parties to the Saeima.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties compete freely and have a realistic chance of increasing their power through elections. However, Harmony and its predecessors, mostly supported by Latvia’s Russian-speaking population, have never been invited to participate in forming a government.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4 (+1)

Politically influential businesspeople have affected Latvians’ ability to freely make political choices in recent years. In 2017, transcripts of these individuals discussing efforts to replace government officials and influence media outlets were released during the so-called Oligarch Talks scandal.

The ZZS is closely affiliated with Aivars Lembergs, who was implicated in the 2017 scandal, but its coalition was defeated in 2018. Since then, the government has subsequently worked to bolster its own authority. In June 2019, the Saeima passed legislation to strengthen the banking regulator, the Financial and Capital Market Commission (FKTK). In September, it earmarked additional funding to combat money laundering and to bolster existing audit and anticorruption offices. In December, the Saeima amended existing legislation to place port facilities in Riga and Ventspils under public administration. Earlier that month, the United States sanctioned Lembergs, who served as the mayor of Ventspils and administered its port through his business holdings, over allegations of corruption.

Authorities and other observers continue to express concern about the presence of disinformation and Russian propaganda in Latvian media, and other attempts by Russia to influence domestic politics.

Score Change: The score improved 3 to 4 because the 2018 election and subsequent government decisions have reinforced an apparent decline in influence among politically connected businesspeople.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Over 200,000 of Latvia's registered residents are stateless, and most of them are ethnic Russians. They may not vote, hold public office, work in government offices, or establish political parties. In October 2019, lawmakers adopted previously rejected legislation that will automatically grant citizenship to Latvian-born children of noncitizens beginning in 2020.

Women won 31 percent of seats in the Saeima in the 2018 election, up from 19 percent previously.

LGBT+ people are poorly represented in Latvian politics, and parties have been reticent to address LGBT+ issues. However, the Saeima currently includes two openly LGBT+ members, foreign minister Edgars Rinkēvičs and LA/KP lawmaker Marija Golubeva, who won her seat in 2018.

C. FUNCTIONING OF GOVERNMENT: 10 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4 (+1)

While elections are held on time and elected representatives are duly seated, Latvian governments are fragmented and often short-lived. Business groups have historically exploited this to influence their decisions, though the current government has since worked to bolster its authority by strengthening institutions and combating money laundering.

Score Change: The score improved from 3 to 4 because the new government has pursued various policies meant to reduce improper influence by private interests, and has generally operated without interference from unelected entities.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Latvian anticorruption and auditing bodies have historically been subject to politicization attempts, funding shortfalls, and a dearth of qualified personnel. However, the Corruption Prevention and Combating Bureau (KNAB) remained active in 2019; in September it raided the offices of several construction firms over allegations that the firms bribed public officials and manipulated bidding processes between 2015 and 2018.

Latvian authorities and courts also dealt with several ongoing corruption cases in 2019. Lembergs was scheduled to face trial over corruption allegations, but in October, a Riga court delayed the proceedings to 2020 to allow his lawyer to review the case. Meanwhile, longtime central bank governor Ilmārs Rimšēvičs was charged with bribery in 2018 and money laundering in May 2019. His trial began in November, but the Riga District Court stayed the case in late December, sending it to the ECJ to rule on Rimšēvičs's potential immunity from prosecution. The national government also grappled with a procurement scandal within Riga's municipal government, which was revealed in late 2018. In April

2019, environmental minister Juris Pūce suspended mayor Nils Ušakovs, and the Saeima was considering legislation that would dissolve the city's council at year's end.

C3. Does the government operate with openness and transparency? 3 / 4

The legislative framework for ensuring openness and transparency of the government is extensive. However, there is a notable lack of transparency in functioning of state companies, and in public procurement processes.

CIVIL LIBERTIES: 52 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

While Latvian media outlets publicize a wide range of political views in both Latvian and Russian, government offices, courts, and politically connected businesspeople sometimes interfere with media outlets' and reporters' work. In late 2018, the National Electronic Mass Media Council (NEPLP), Latvia's media regulator, abruptly dismissed the chairperson of publicly operated Latvian Television (LTV) along with a board member. In April 2019, the Latvian Association of Journalists (LŽA) called on prosecutors to investigate the decision, and the regulator's chief resigned over the matter in September.

Libel remains a criminal offense.

Authorities have occasionally restricted Russian radio and news websites, citing concerns about propaganda in some of these cases. In November 2019, the NEPLP suspended the broadcast of nine Russian-language television channels because their owner, Russian businessperson Yuri Kovalchuk, was subject to European Union (EU) sanctions.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is generally respected. However, Latvia's small Muslim population has faced social pressure in the wake of a 2015 refugee crisis.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Recent years have seen lawmakers begin to place some limitations on academic instruction. In 2015, the Saeima adopted a law mandating that schools provide children a "moral education" that coincides with the values of the constitution, including traditional views of marriage and family life. A law that took effect in 2017 enabled the firing of teachers found to be "disloyal to the state."

Authorities in 2018 endeavored to discourage or eliminate the use of minority languages in schools and universities, with the measures generally viewed as targeting Russian-language instruction. The Saeima amended the Education Law to phase out the use of minority languages in public and private high schools, and significantly reduce their use in primary schools. Lawmakers approved a measure that prevented private and public higher education institutions from offering programs conducted in Russian and other minority languages, with an exception granted for philology. The Kariņš government publicly committed to maintain these policies in 2019.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is generally open and free. The public display of Soviet and Nazi symbols is banned.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by law and generally respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

The government does not restrict the activities of nongovernmental organizations (NGOs). However, advocacy by NGOs is increasingly viewed as partisan activity.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers may establish trade unions, strike, and engage in collective bargaining.

F. RULE OF LAW: 12 / 16

F1. Is there an independent judiciary? 3 / 4

While judicial independence is generally respected, inefficiency, politicization, and corruption within the judicial system persist. EU polling has previously shown significant distrust of the courts among the general public and companies alike. In a 2019 survey conducted by European Network of Councils for the Judiciary, 46 percent of polled judges in Latvia reported that the government did not respect their independence.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The legal system is overburdened and hampered by corruption and inefficiency. By law, legal aid must be provided to people who cannot retain their own, but this is inconsistently enforced. Suspects are sometimes interrogated without the presence of a lawyer. Lengthy pretrial detention remains a concern.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Latvia has one of the EU's highest prison population rates. Prisons continue to suffer from overcrowding, conditions are poor, and abuses of detainees and prisoners by law enforcement agents has been reported.

According to statistics agency Eurostat, Latvia had the EU's second-highest intentional homicide rate in 2017, the last year this data was available.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Latvia lacks a specific law guaranteeing gender equality, but gender equality has featured in policy plans promulgated since 2004. A 2019 World Bank report noted that Latvia was one of six countries that guaranteed gender equality on employment and business matters, but a pay gap also persists. Members of Latvia's Roma minority face discrimination in schools and workplaces. Latvian laws do not offer specific protection against discrimination on the basis of sexual orientation (except in employment) or gender identity.

According to the International Convention on the Elimination of All Forms of Racial Discrimination, the country's strict language policies have set the stage for discrimination against minorities in the public and private spheres.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Citizens and noncitizens may travel freely within the country and internationally.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Years of reform efforts have created an environment in which people may freely establish businesses and own property, though corruption can impede business activities.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Domestic violence is not frequently reported, and police do not always take meaningful action when it is. Same-sex marriage was banned in 2005, and Latvia is one of six EU member states that do not recognize same-sex partnerships.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

About 27 percent of Latvia's population was at risk of social exclusion or poverty in 2019, according to Eurostat. The shadow economy is extensive, and informal workers are vulnerable to labor abuses and being drawn into criminal operations.

However, the Latvian economy has rebounded since the 2008–09 financial crisis, which inflicted severe economic hardship. Unemployment declined to 6.4 percent by the end of 2019, from 17.3 percent in 2009 and a record high of 21.3 percent in 2010. GDP per capita reached 69 percent of the EU average in 2018, from 52 percent in 2009. The monthly minimum wage rose by €50 (\$57), to €430 (\$490) in 2018.

The US State Department's 2019 *Trafficking in Persons* report noted that Latvians are vulnerable to sex trafficking, brokered marriages, domestic servitude, and forced labor. Latvia maintains an assistance mechanism for trafficking survivors, but the State Department also noted that prosecutors have relatively little success in convicting traffickers.

Lebanon

Population: 6,900,000

Capital: Beirut

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Lebanon's political system ensures representation for its many sectarian communities, but suppresses intracommunity competition and impedes the rise of cross-sectarian or secularist parties. Residents enjoy some civil liberties and media pluralism, but grapple with the government's inability to address pervasive corruption and inconsistent support for the rule of law. Lebanon has also struggled to support the refugees who make up over a quarter of its population, with refugees from Syria facing especially difficult circumstances as they face unemployment, restrictions on movement, and the risk of refoulement.

KEY DEVELOPMENTS IN 2019

- Prime Minister Saad Hariri resigned at the end of October, in the wake of massive antigovernment protests that erupted earlier that month when the government proposed an increase in the value-added tax (VAT) and implemented a new fee for mobile messaging services. The movement was marked by violent clashes between protesters and security forces resulting in dozens of injuries.
- The government introduced strict new curfews limiting the movement of Syrian refugees, as well as a stringent permit system restricting their access to employment. In May, authorities deported nearly 3,000 refugees, despite concerns that they could be detained and tortured in Syria.

POLITICAL RIGHTS: 14 / 40**A. ELECTORAL PROCESS: 5 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4**

The president, who is elected to a six-year term by the parliament, appoints the prime minister after consulting with the parliament. The president and prime minister choose the cabinet, which holds most formal executive power. According to long-standing de facto agreements on sectarian power-sharing, the president must be a Maronite Christian, the prime minister must be a Sunni Muslim, and the speaker of the National Assembly must be a Shiite Muslim.

Recently, the presidency was vacant for two years due to a lack of political consensus on a successor to Michel Suleiman, whose term expired in 2014. In October 2016, lawmakers finally elected former military commander Michel Aoun as president, who nominated Saad Hariri as prime minister that November. The parliament approved Hariri's unity cabinet, which included representatives of most major factions, the following month. While this ended the country's long deadlock, these decisions were carried out by a parliament whose electoral mandate had expired in 2013, undermining their democratic legitimacy.

Aoun named Hariri to the premiership again shortly after the 2018 parliamentary elections, and a new cabinet was formed in January 2019. Hariri resigned in October, after widespread anticorruption protests swept the country. In December, Aoun named Hassan Diab, a former education minister and a vice president at the American University of Beirut (AUB), to succeed Hariri. Diab was still negotiating to finalize his government's formation at the end of 2019.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Parliamentary elections were originally due in 2013, but disagreement over electoral reforms led the parliament to extend its own term until late 2014. Citing security concerns associated with the Syrian conflict, lawmakers in 2014 extended their mandate again, this time until June 2017. That month, the parliament adopted a new electoral law that introduced proportional representation and preferential voting, and scheduled elections for May 2018. Lebanese citizens then voted for the 128-member National Assembly for the first time since 2009—ending the five-year period in which the incumbent legislature had operated with no electoral mandate.

The May 2018 election saw Hezbollah maintain its National Assembly seats, while its allies posted gains. Christian parties also gained seats, mainly at the expense of Saad Hariri and the Future Movement party he led. Although the elections were conducted peacefully

and were free and fair in many respects, vote buying was rampant and the electoral framework retained a number of fundamental structural flaws linked to the sectarian political system. Turnout was less than 50 percent, and was even lower in some Sunni areas of Beirut, reflecting an apparent lack of confidence in Hariri among many Sunni voters.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Elections in Lebanon are overseen by the Interior Ministry rather than an independent electoral commission. Parliamentary seats are divided among major sects under a constitutional formula that does not reflect their current demographic weight. No official census has been conducted since the 1930s. The electoral framework is somewhat inclusive and supports pluralism, but it is the product of bargaining among established leaders and tends to entrench the existing sectarian and communalist political system.

The 2017 electoral law introduced proportional representation and preferential voting, and improved opportunities for diaspora voting. However, the districts were still drawn along communal lines, with most featuring a strong confessional majority. Meanwhile, the mechanisms for seat allocation favor incumbent parties. The 2017 law sharply raised registration fees for candidates as well as spending caps for campaigns, and allowed private organizations and foundations to promote coalitions and candidates, which increased advantages accorded to wealthier groups and individuals. As under past electoral laws, members of security services, and citizens who have been naturalized for less than 10 years, cannot participate in elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Citizens are free to organize in different political groupings, and the system features a variety of competing parties in practice. While parties do rise and fall to some extent based on their performance and voters' preferences, most of Lebanon's political parties are vehicles for an established set of communal leaders who benefit from patronage networks, greater access to financing, and other advantages of incumbency.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

Lebanese politics are largely dominated by a group of military veterans, former militia leaders, and power brokers who gained prominence during the 1975–90 civil war that engulfed the country. Under the country's prevailing power-sharing system, these parties do not consistently behave as opposition groups; consolidation of power among political elites also hampers intraparty competition. The National Assembly introduced a new electoral system in 2017 that included proportional representation, reduced the number of seats, and lessened the sectarian nature of Lebanese elections. Nevertheless, the political parties and alliances that existed before this reform have maintained their positions.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

A variety of forces that are not democratically accountable—including entrenched patronage networks, religious institutions, armed nonstate actors such as Hezbollah, and competing foreign powers—use a combination of financial incentives and intimidation to

exert influence on Lebanese voters and political figures. The 2018 elections saw a number of credible allegations of vote buying, as well as analyses pointing to the role of establishment parties' patronage networks in mobilizing or incentivizing voters.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Lebanon officially recognizes 18 religious communities, and the political system ensures that nearly all of these groups are represented, though not according to their actual shares of the population. Individuals who are not or do not wish to be affiliated with the recognized groups are effectively excluded. Moreover, the country's large refugee population, including Palestinian refugee camp residents and Syrians who fled their country's civil war, are not eligible to acquire citizenship and have no political rights.

Women have many of the same political rights as men, but they are marginalized in practice due to religious restrictions, institutionalized inequality, political culture, and societal discrimination. Neither the 2017 parliamentary electoral law nor informal understandings regarding power-sharing include rules to guarantee women's participation in politics. While few women serve in the parliament as a result, more female candidates participated in the 2018 election than in previous contests; 111 women registered and 86 ran as candidates when the vote was held. However, only six women were elected. Four women held cabinet rank in the caretaker government by the end of 2019, with one serving as the country's first female interior minister.

LGBT+ people living in Lebanon have little political representation. However, LGBT+ rights have found more proponents in national politics in recent years; nearly 100 parliamentary candidates publicly called for the decriminalization of same-sex relations during the 2018 parliamentary election.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

When the government is able to develop policies, they tend to be the result of negotiation among the country's dominant political figures, regardless of formal titles and positions; meanwhile, the legislature generally facilitates these policies rather than serving as an independent institutional check on the government. The authority of the government is also limited in practice by the power of autonomous militant groups like Hezbollah and states with interests in Lebanon.

The elections of a president, parliament, parliament speaker, and prime minister since 2016 eased the country's political deadlock. The Hariri-led government struggled with disagreements over policy, and was unable to meet for several weeks in the summer after a June 2019 skirmish that killed several ministerial aides. Hariri resigned in late October, after antigovernment protests swept the country. Negotiations to finalize his successor's cabinet were still ongoing at the end of the year.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is endemic. Political and bureaucratic corruption is widespread, businesses routinely pay bribes and cultivate ties with politicians to win contracts or avoid unfavorable state actions, anticorruption laws are loosely enforced, and patronage networks generally operate unchecked. State expenditures remain irregular, with few mechanisms for effective oversight. Institutions such as the Central Inspection Bureau and Supreme Disciplinary Board remain woefully underfunded and understaffed.

An example of corruption at the highest levels of government was unearthed in October 2019, as protests spread throughout Lebanon. State prosecutors accused former prime minister Najib Mikati, his son, and his brother of making illicit gains from a subsidized housing loan program. The Mikatis were accused of colluding with Bank Audi, Lebanon's largest bank, to receive a subsidized loan even though they were too wealthy to qualify. Mikati has claimed his innocence, saying the charges are politically motivated. The pending trial against Mikati will mark the first prosecution under Lebanon's illicit gains law.

Electricity of Lebanon (EdL) has been particularly affected by endemic corruption, and can meet only half the country's demand for electrical power due to the destruction of power plants during the civil war and subsequent mismanagement.

C3. Does the government operate with openness and transparency? 1 / 4

While the National Assembly approved an access to information law in 2017, it is not fully implemented, and government documents remain difficult to obtain in practice. Officials often negotiate behind closed doors, outside of state institutions, and with little regard for formal procedures. There are few practical opportunities for civil society groups to influence pending policies or legislation, though they and the media are able to discuss proposals that have been made public.

CIVIL LIBERTIES: 30 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

Press freedom is constitutionally guaranteed but inconsistently upheld. Arbitrary and capricious standards and excessive enforcement undercut an otherwise open aspect of the semidemocratic system. While the country's media are among the most open and diverse in the region, nearly all outlets depend on the patronage of political parties, wealthy individuals, or foreign powers, and consequently practice some degree of self-censorship. Books, movies, plays, and other artistic works are subject to censorship, especially when the content involves politics, religion, sex, or Israel. It is a criminal offense to criticize or defame the president or security forces. Authorities use these laws and rules to harass and detain journalists who criticize politicians, government officials, and powerful nonstate actors. Journalists who are detained are often forced to sign pledges to refrain from writing content viewed as defamatory by the government.

While harassment is often used as a tactic to intimidate the press, the government has also resorted to raids and prosecutions in 2019. In May, the Beirut offices of daily newspaper *Al-Akhbar* were raided by security forces, after it published leaked diplomatic cables between the foreign ministry and its US embassy. In September, newspaper *Nida al-Watan* was sued for criminal defamation after it published an article covering Hezbollah leader Hassan Nasrallah's ties to Iranian Supreme Leader Ali Khamenei. The article included a photograph of President Aoun while satirically referring to Lebanon as the "Khamenei Republic."

While no journalists were killed in Lebanon in 2019, individuals and organizations were subjected to acts of violence. In February, cable television station Al-Jadeed was attacked by unknown assailants who threw a hand grenade into its Beirut headquarters, though no one inside was injured. The television station reported that the attack took place after it aired a comedy show that caricatured clergy belonging to the Druze religious sect. The station's Druze employees received anonymous threats before the grenade attack.

The protests that began in October 2019 and continued through the year served as backdrop for continued harassment and interference against journalists. *Al-Akhbar*, a newspaper linked to Hezbollah, saw the resignations of three senior staff members in November,

after the newspaper's managers forced them to adhere to an editorial line that opposed the protests. Cable television station Al-Jadeed was banned by cable television providers active in areas controlled by Hezbollah, after it criticized militia leader Hassan Nasrallah in the autumn. Dima Sadek, a journalist at television network Lebanese Broadcasting Corporation International (LBCI), resigned in late November after CEO Pierre Daher suspended her. Sadek claimed that Daher would not allow her back on the air unless she refrained from commenting on protests through social media.

Artists who cover subjects deemed controversial by the government or major religious groups face government interference. In July 2019, organizers of the Byblos International Festival cancelled a planned concert featuring Mashrou' Leila—a band with an openly gay vocalist—after Christian religious groups criticized the band and social media users threatened acts of violence. Band members were interrogated by the security forces ahead of the event, and were forced to censor their own social media output.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution protects freedom of conscience, and the state does not typically interfere with the practice or expression of religious faith or nonbelief. While blasphemy is a criminal offense, enforcement varies and is generally lax. Individuals may face societal pressure to express faith or allegiance to a confessional community. Leaders and members of different communities discourage proselytizing by other groups.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally unimpaired. Individuals are mostly free to select subjects for research and disseminate their findings. However, various laws and customary standards—including restrictions on defamation, blasphemy, and work or opinions related to Israel—deter open debate on certain issues. The state does not engage in extensive political indoctrination through education, though religious and other nonstate entities do seek to reinforce communal identities and perspectives.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion and expression of personal views are somewhat uninhibited. Even so, the authorities monitor social media and other communications. Individuals sometimes face arrests, short detentions, or fines if they criticize the government, the military, foreign heads of state, or other powerful entities. Lebanese authorities monitor the communications of prominent individuals, including politicians, dissidents, and journalists. They also detain, interrogate, intimidate, and sometimes prosecute and jail those who voice overt criticism of politicians, security services, and the presidency.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

The authorities generally respect the right to assemble, which is protected under the constitution, and demonstrators have been able to mount protests against government dysfunction and lack of services in recent years; a number of such events took place without major incident.

However, a broad-based antigovernment movement began to coalesce in October, when the government announced new taxes on the use of WhatsApp and other mobile messaging

services, and publicized a proposal to increase VAT in 2022. The announcements came as Lebanon was grappling with the impacts of currency restrictions, as a shortage of US dollars forced banks to impose daily limits on withdrawals in September. The protests soon spread throughout the country, with demonstrators calling for a crackdown against rampant corruption, improvements to basic services, and an end to the sectarian political system. The government announced reforms several days after the protests spread nationally; their proposals included a rollback of the mobile messaging tax, a plan to privatize the telecommunications sector, and cuts to legislators' salaries. Prime Minister Hariri resigned at the end of the month, but the protests continued unabated.

While the cabinet attempted to defuse the protests by offering reforms, the authorities and militia groups also responded with force. Riot police used rubber bullets and tear gas in an effort to disperse a protest in downtown Beirut during a mid-October demonstration, and were observed assaulting and arresting peaceful protesters. Police resorted to the same tactics against a group of protesters approaching the Grand Serail, which houses the parliament and the prime minister's office, that same month. Demonstrators in central Beirut were also attacked by Hezbollah supporters, who entered their camp and set fire to their tents on the same day as Hariri's resignation. One of the most violent incidents took place in mid-December, when 54 people were injured after security forces used rubber bullets and tear gas during a demonstration in Beirut. Despite these disproportionate actions by security forces and militia groups, protests continued throughout the country as the year came to a close.

In September 2019, the organizers of Beirut's pride event were forced to cancel their opening concert after clerics filed a public complaint against the event. Beirut's pride events had already been targeted by the authorities in May, when one of its organizers was interrogated by security forces. The organizers were forced to cancel events including a discussion on sexual health, a poetry reading, and a legal literacy workshop.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

NGOs tend to operate freely in Lebanon, though they must comply with the Law on Associations, which has not been thoroughly updated since 1909, and other applicable laws relating to labor, finance, and immigration. NGOs must also register with the Interior Ministry, which may oblige them to undergo an approval process and can investigate a group's founders, officers, and staff.

LGBT+ interests are well-represented in civil society; Helem (dream), a NGO that addresses LGBT+ issues, has operated in Lebanon since 2004. The Arab Foundation of Freedoms and Equality (AFE) also advocates for LGBT+ rights in Lebanon.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Individuals may establish, join, and leave trade unions and other professional organizations. However, the Labor Ministry has broad authority over the formation of unions, union elections, and the administrative dissolution of unions. The state regulates collective bargaining and strikes, and many unions are linked to political parties and serve as tools of influence for political leaders. Public employees, agricultural workers, and household workers are not protected by the labor code and have no legal right to organize, though they have formed unrecognized representative organizations.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 1 / 4

Lebanon's judiciary is not independent. Political leaders exercise significant influence over judicial appointments, jurisdiction, processes, and decisions, which are also affected by corruption and undue influence of other prominent people.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process is subject to a number of impediments, including violations of defendants' right to counsel and extensive use of lengthy pretrial detention. Due process guarantees are particularly inadequate in the country's exceptional courts, including the military courts, whose judges do not require a background in law and are authorized to try civilians and juveniles in security-related cases. In practice, military courts have asserted jurisdiction over cases involving human rights activists and protesters in addition to those focused on alleged spies and militants.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Armed militias, terrorist groups, and criminal organizations continue to undermine security in Lebanon. Hezbollah is especially capable, with the ability to enact its own security and defense policies.

Residents living in southern Lebanon have lived with the risk of land-mine detonation since the 1975–90 civil war; Israel commonly deployed land-mines when it launched incursions into the country in 1978 and 1982, and militias used landmines during the civil war. At the height of the conflict, 400,000 land-mines were buried near the border with Israel. The UN Interim Force in Lebanon (UNIFIL) has worked to remove these mines since 2006, along with the Mines Advisory Group (MAG), a UK-based NGO. MAG removed over 12,000 land-mines in the country by the spring of 2019.

Prisons and detention centers are badly overcrowded and poorly equipped, and the use of torture by law enforcement, military, and state security personnel remains pervasive despite inconsistent efforts to stop the practice. The government's attempts to address this issue have progressed slowly; in late 2016, the parliament established the National Preventative Mechanism against Torture (NPM), and gave the National Human Rights Institute (NHRI) the responsibility to enact this protocol. In 2017, the parliament passed antitorture legislation, expanding on a criminal statute that narrowly prohibited the use of violence to extract confessions. However, the NPM's five members, who are charged with overseeing this legislation's implementation, were only named in March 2019, and funding for the NPM remained unallocated by the end of the year.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The country's legal system is meant to protect members of recognized confessional communities against mistreatment by the state, but groups have engaged in discriminatory behavior toward one another in practice—and people who do not belong to a recognized community have difficulty obtaining official documents, government jobs, and other services.

Women face discrimination in wages, benefits, and societal standards and practices and are barred from certain types of employment.

LGBT+ people face both official and societal discrimination and harassment. In 2018, an appeals court ruled that same-sex intercourse was not illegal, though a criminal code statute barring same-sex relations remains in force. LGBT+ people who violate this law risk a one-year prison sentence, despite the appeals court ruling.

Anywhere from 1 to 1.5 million Syrian refugees reside in Lebanon, according to the Lebanese government and the Office of the UN High Commissioner for Refugees (UNHCR). Syrian refugees have faced arbitrary arrests and other forms of harassment, and most live in poverty due in part to limitations on refugees' employment options. The government has also enforced housing regulations to compel Syrian refugees to destroy their camps, threatening the use of the army against those who did not comply.

According to the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), 475,000 Palestinian refugees currently reside in Lebanon, along with 29,000 Palestinian refugees who escaped the Syrian civil war. About 45 percent of Palestinians already residing in Lebanon live in 12 designated refugee camps and are restricted from 39 professions, contributing to widespread poverty, unemployment, and underemployment. In 2019, Lebanese authorities issued new regulations requiring foreigners to possess work permits, further restricting access to the labor market.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16 (-1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4 (-1)

Citizens enjoy constitutional and legal rights to freedom of movement. With few formal restrictions, they are able to travel within Lebanon. Even so, citizens find it extremely difficult to transfer official places of residence for voting purposes. They also face de facto sectarian boundaries and militia checkpoints in some areas.

Noncitizens face severe restrictions on movement in comparison. Many Palestinians classified as refugees live in designated camps, with access to those areas controlled and often restricted by Lebanese security services. Many Syrian refugees live in camps or smaller settlements, and are subject to curfews and other informal restrictions on movement, which were made more stringent in 2019. Syrian refugees found themselves at risk of deportation after Lebanon's Supreme Defense Council summarily committed to returning them to Syria. Between May and August 2019, Lebanon sent 2,731 refugees back to Syria. Human Rights Watch (HRW), which objected to their deportation for fear that they would be subject to torture, reported that three of these deportees were detained by Syrian authorities upon their return.

Criminal cartels have been known to use kidnappings to seek ransom, settle scores in property disputes, or because of illicit activities gone awry. In 2019, several kidnappings were reported in Lebanon. In one case, criminals abducted a Lebanese man traveling in the Bekaa Valley in August and held him for several weeks.

Migrant workers deal with severe restrictions on movement under the *kafala* system of sponsorship that ties their legal residency to their employers. Workers who are employed under the *kafala* system immediately lose their residency rights if they are dismissed. Employers often take advantage of this situation by confiscating their passports.

Score Change: The score declined from 2 to 1 due to increased government efforts to displace Syrian refugees, including arrests, summary deportations, housing demolitions, and vehicle confiscations.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Lebanese law protects citizens' rights to own property and operate private businesses, but powerful groups and individuals sometimes engage in land-grabbing and other infringements without consequence, and business activity is impaired by bureaucratic obstacles and corruption.

Refugees, including longtime Palestinian residents, have few property rights. Women have weaker property rights than men under the religious codes that govern inheritance and other personal status issues in Lebanon, and they often face family pressure to transfer property to male relatives.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Because the religious codes and courts of each confessional community determine personal status law in Lebanon, an individual's rights regarding marriage, divorce, and child custody depend on his or her affiliation, though women are typically at a disadvantage to men. Partners seeking to enter an interfaith marriage often travel abroad, as Lebanon recognizes civil marriages performed elsewhere. Women cannot pass Lebanese citizenship to foreign husbands or children.

In 2017, the parliament repealed Article 522 of the penal code, which allowed rapists to evade criminal prosecution if they subsequently married their victims for a period of at least three years. However, the change did not affect a similar article related to sex with a minor, and spousal rape is still not a criminal offense.

LGBT+ marriage remains illegal within Lebanon. However, transgender people have some legal precedent allowing them to live publicly based on their gender identity; in 2016, the Court of Appeals allowed a transgender man to legally change his gender in the civil registry, and supported the plaintiff's desire to seek gender confirmation surgery in its ruling.

LGBT+ people also face government interference when seeking personal relationships through online dating platforms. Private telecom providers Alfa and Touch blocked one such platform, Grindr, in January 2019, and public telecom operator OGERO did the same in May after receiving a court order.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Communal affiliation can either enhance or restrict an individual's economic opportunities in a given area, company, or public-sector entity, depending on which group is in a dominant position. Individuals must also contend with political patronage and clientelism, layered on top of communally enabled corruption, in the public and private sectors.

Refugees and migrant workers are especially vulnerable to exploitative working conditions and sex trafficking. The authorities do not effectively enforce laws against child labor, which is common among Syrian refugees, rural Lebanese, and segments of the urban poor.

Domestic workers and migrant workers who work under the kafala system suffer from endemic economic exploitation, with employers often withholding wages. Employers are favored in legal cases involving migrant workers, discouraging them from reporting this abuse.

Lesotho

Population: 2,100,000

Capital: Maseru

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Lesotho is a constitutional monarchy. In recent years, the army's involvement in the country's already fragile politics has resulted in political instability and a security crisis.

Corruption remains a challenge. Customary practice and law restrict women's rights in areas such as property, inheritance, and marriage and divorce.

KEY DEVELOPMENTS IN 2019

- A no-confidence motion was filed against Prime Minister Thomas Thabane in June, as infighting within the ruling All Basotho Convention (ABC) and disagreement over the influence of first lady 'Maesaiah Thabane drained his authority. The motion went unconsidered when Parliament was adjourned later that month, and Thabane remained in office at the end of the year.
- Infighting within the ABC affected the judiciary, with former constitutional affairs minister Lebohlang Hlalele launching an effort to remove acting Chief Justice 'Maseforo Mahase over perceived support of Prime Minister Thabane in August. Mahase successfully called for local judges to be recused from hearing the case due to bias, and the tribunal proceedings remained pending at year's end.
- In August, lawmakers passed the National Reforms Authority Bill, which codifies reforms backed by the Southern African Development Community (SADC). The act created a National Reforms Authority (NRA), which is charged with implementing expansive governance reforms.

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

Lesotho is a constitutional monarchy. King Letsie III serves as the ceremonial head of state. The prime minister is head of government; the head of the majority party or coalition automatically becomes prime minister following elections, making the prime minister's legitimacy largely dependent on the conduct of the polls. Thabane became prime minister after the ABC won a plurality in a snap election in 2017. Thabane, a fixture in the country's politics, previously served as prime minister from 2012–14, but spent two years in exile in South Africa amid instability that followed a failed 2014 coup.

The prime minister can advise the king to dissolve Parliament and call a new election, but members of the lower house voted to restrict Thabane's ability to do so by adopting a constitutional amendment in October 2019. That amendment was still under consideration in the upper house at year's end.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The lower house of Parliament, the National Assembly, has 120 seats; 80 are filled through first-past-the-post constituency votes, and the remaining 40 through proportional representation. The Senate—the upper house of Parliament—consists of 22 principal chiefs who wield considerable authority in rural areas and whose membership is hereditary, along with 11 other members appointed by the king and acting on the advice of the Council of State. Members of both chambers serve five-year terms.

In 2017, the coalition government of Prime Minister Pakalitha Mosisili—head of the Democratic Congress (DC)—lost a no-confidence vote, triggering the third legislative election since 2012. Election observers declared the contest peaceful, generally well administered and competitive. However, isolated instances of political violence were noted, as was a heavy security presence at many polling places, which electoral officials said intimidated some voters. The ABC won a plurality of seats and formed a coalition government.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Although the Independent Electoral Commission (IEC) faces capacity constraints, and the credibility of the voters' roll has been questioned in the past, it has been commended for its independence and its efforts to uphold electoral laws and oversee credible elections. International observers broadly commended the IEC's administration of the 2017 snap poll, but noted deficiencies they linked to a lack of capacity, including late disbursement of campaign funds to political parties.

IEC chairperson Mahapela Lehohla and two other commissioners attempted to remain in their posts after their terms expired in January 2019, and sued the government in an effort to lengthen their mandates in May. Lesotho's political parties opposed their efforts, and the Transformation Resource Centre, a local nongovernmental organization (NGO), filed a legal challenge at the Constitutional Court in July. The court rejected the commissioners' case in October and Lehohla's appeal in December, leaving the IEC with no active members.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties may form freely and are allocated funding by the IEC, and 27 parties contested the 2017 election. However, politics have been unstable since a failed 2014 coup. In recent years, the country has seen politically motivated assassinations and assassination attempts, and political leaders operate within the country at some risk to their personal safety. Former constitutional affairs minister Hlaele reported that he was targeted with an assassination plot in March 2019. Nqosa Mahao, the leader of a faction fighting Thabane for control of the ABC, reported the same in June. Former social development minister 'Matebatso Doti, who is considered a Mahao ally, survived an assassination attempt in late July.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Opposition parties have a realistic chance of gaining power through elections, and power has rotated frequently between DC- and ABC-led coalitions. However, political instability and associated violence and intimidation has at times prompted opposition leaders to flee the country. The SADC facilitated a governance reform process in an effort to address these concerns; this culminated in the creation of the NRA in August 2019.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Recent political instability is largely related to politics becoming entangled in disputes among factions of the Lesotho Defence Force (LDF). Although the heavy military presence at voting stations during the 2017 election was questioned, no reports of voter interference surfaced. However, in June 2019, then defense minister Tefo Mapesela claimed that senior police officers threatened him after he criticized an army commander and a senior intelligence official in a phone conversation.

Traditional chiefs wield some political influence over their rural subjects.

In 2018, Lesotho-based Chinese businessman Yan Xie caused controversy when he claimed that he heavily donated to most of Lesotho's political parties. Critics argued that Yan's financial clout gave him considerable influence over the country's political elites, exemplified by his 2017 appointment as a "head of special projects" and special trade envoy.

In November 2019, a local government secretary told a parliamentary committee that first lady ‘Maesaiah Thabane and two cabinet ministers pressured him to direct a construction tender to a firm associated with Yan.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The constitution guarantees political rights for all. However, societal norms discourage women from running for office, and a national gender quota does not exist to ensure their representation. After the 2017 election, only 23 percent of parliamentary seats were held by women, down from 25 percent before the contest. Women’s involvement in local government has also declined; women held 49 percent of local positions in 2011, but only 40 percent in 2017. The inaccessibility of some polling stations to persons living with disabilities was raised as a concern during the 2017 election. LGBT+ individuals generally face societal discrimination, and this discourages them from advocating for their rights in the political sphere.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

While elections are held without delays and representatives are duly seated, persistent political instability disrupts normal government operations. Infighting within the ruling ABC took place through much of 2019, after members of a faction opposing Thabane won seats on its National Executive Committee (NEC) in February. Later that month, Thabane dismissed Lhalele and Doti from the cabinet for their support of the opposing faction. In June, Thabane moved to suspend five NEC members, including faction leader Mahao, Hlaele, and Doti, from the party; Thabane’s opponents retaliated that same month, announcing they had done the same to him.

The government also lost parliamentary support as the year progressed, with lawmakers heavily criticizing the first lady’s influence. Lawmakers filed a no-confidence motion against Thabane in June, but it was not debated as Parliament was adjourned that month. In October, the lower house unanimously adopted a constitutional amendment that would limit Thabane’s ability to force a snap election, and would also force an election three months after any successful no-confidence motion; that proposed amendment remained under consideration at year’s end.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Official corruption and impunity remain problems. The main anticorruption agency, the Directorate on Corruption and Economic Offences (DCEO), lacks full prosecutorial powers, and faces capacity and funding challenges. The Asset Forfeiture Unit, which was established in 2016 to recover property connected to corruption cases, had only four people on its staff in mid-2018, and remained largely ineffective in 2019.

While DCEO officers work to fulfill the directorate’s mandate, the body was affected by instability in its leadership in 2019. In February, its director general was placed on leave by Thebane, who provided no explanation for his decision. In July, chief investigator Thabiso Thibeli was suspended by the new director general, Moses Mahlomola Manyokole, who was appointed earlier that month. Observers within the DCEO believed Thibeli was suspended after investigating high-profile individuals who were implicated in corruption over their handling of a contract to acquire government fleet vehicles. Manyokole later accused Director of Public Prosecutions Hlalefang Motinyane of holding files relating to the fleet tender

case. Motinyane disputed his claim in November, and claimed that her instructions for the DCEO to investigate suspects in the case went unimplemented.

C3. Does the government operate with openness and transparency? 2 / 4

Lesotho has no access to information law, and responses to information requests are not guaranteed. The management of public finances is shrouded in secrecy. Government procurement decisions and tenders generally cannot be accessed online. Although high-level government and elected officials are required to disclose their assets and business interests, these declarations are not made public, and enforcement of the rules is limited by resource constraints.

CIVIL LIBERTIES: 36 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

Freedom of the press is only indirectly protected under constitutional guarantees of freedom of expression. Journalists are subject to threats and intimidation from the authorities and private citizens. State and private media outlets have also been accused of open bias.

Journalists additionally face statutory barriers that interfere in their work, including criminal code provisions that bar sedition and offenses against the “dignity of the royal family.” The Penal Code, adopted in 2010, allows police officers to force journalists to reveal their sources. No reports of arrests or killings of journalists surfaced in 2019.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides legal protections for freedom of religion and prohibits religious discrimination, and religious freedom is generally upheld in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected in practice, though the government does interfere in the administration of institutions of higher education. In July 2019, the Thabane government cut sponsorship funding for some students attending the National University of Lesotho (NUL) and Lerotholi Polytechnic (LP), after they resisted its calls to increase tuition fees. In September, NUL officials warned that the institution risked closure due to government funding cuts, though it remained open at year’s end.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

The constitution provides legal protections for freedom of expression. However, political violence in recent years has discouraged some open political debate.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

Protests and demonstrations are permitted, but organizers must seek a permit seven days in advance. Demonstrations take place each year, but are sometimes broken up violently by police.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

NGOs generally operate without restrictions. However, some civil society groups act cautiously when working on politically sensitive issues. In addition, government rules on registering NGOs are strict; those who are accused of neglecting to register their organization risk a five-year prison sentence.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

While labor and union rights are constitutionally guaranteed, the union movement is weak and highly fragmented, and these challenges have undermined unions' ability to advance the rights of workers. The government has previously been accused of undermining bodies like the National Advisory Committee on Labour (NACOLA), Wages Advisory Board, and Industrial Relations Council.

The government also punished public-sector workers who sought to strike in 2019. Police officers held a strike in July over salary arrears; in late September, officers who did not participate in a rehearsal ahead of King Letsie III's birthday celebration during the strike were threatened with dismissal. In October, the government docked the salaries of 4,000 teachers who held a strike to demand better pay in August.

Many employees in the textile sector—Lesotho's largest formal employer—face obstacles when attempting to join unions. In August 2019, the Worker Rights Consortium (WRC), a US-based NGO, reported that Taiwan-based textile maker Nien Hsing resisted the efforts of its workers in Lesotho, who complained of pervasive sexual harassment at its factories, to unionize. Local trade unions successfully negotiated an agreement to combat sexual harassment with the company that same month.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

The constitution protects judicial independence, but the judiciary remains underresourced. In April, acting Chief Justice 'Maseforo Mahase warned that the backlog at the High Court would worsen with the imminent retirements of three of its members. In September, Mahase also warned that members of the panel were ignoring instructions to finalize overdue judgments and rulings.

The judiciary has also been subjected to political interference and continued instability during 2019. Prime Minister Thabane unsuccessfully attempted to suspend the chief judge of the Court of Appeal, Kananelo Mosito, in July and again in August 2019, with the prime minister accusing the judge of interfering with Mahase.

Mahase herself came under scrutiny by critics who accused her of favoring Thebane when dealing with cases from ABC members involved in the party's infighting. In August, former constitutional affairs minister Hlaele moved to trigger a tribunal against Mahase, intending to remove her from office. In September, Mahase publicly alleged that other judges likely to participate in a tribunal were biased against her, and called for foreign judges to hear her case. In November, the Constitutional Court upheld Mahase's call for local judges to recuse themselves from the probe, which was still pending at year's end.

The government completed negotiations with Mahase's predecessor, Nthomeng Majara, to secure her final departure from the post in October 2019. Majara was suspended by King Letsie III on Thabane's recommendation in 2018, in a move criticized by civil society members as politically motivated.

F2. Does due process prevail in civil and criminal matters? 2 / 4

While the courts generally uphold due process, a large backlog of cases has persisted, and individuals are subject to trial delays and lengthy pretrial detention. In the first eight

months of 2019, the government appointed three foreign judges to preside over high-profile criminal cases that were affected by the ongoing backlog. In August, magistrates dismissed over 3,000 pending cases in an effort to address trial delays.

The justice system's ability to provide speedy due process has also been hampered by a lack of funding; the government's budget for the judiciary fell to M10 million (\$710,000) in the 2019-20 fiscal year from M26 million (\$1.8 million) in the previous year. A lack of funding also forced a suspension of the mid-April 2019 session of the Court of Appeal.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Lesotho faced years of violence related to factional disputes within the army; the SADC appointed a facilitation team to create a reform process that would partially focus on the security sector. The SADC's work culminated in the creation of the NRA, though the country did not meet the original May 2019 deadline for full implementation of the SADC-backed program.

The constitution provides legal protections against torture, but allegations of torture have been levied against police forces, the LDF, and prison authorities. In May 2019, opposition parliamentarian Thabo Ramatla accused the police of torturing him after arresting him on unclear charges; Ramatla's lawsuit against the police commissioner was pending at year's end. In July, four individuals accused of theft in Maseru were subjected to torture while in police custody, and one of the victims died of his injuries in August. Another individual, who was subjected to degrading treatment while in custody, was threatened by police after discussing his treatment with the press, and went into hiding for two months. In September, the government reported that it would press charges against 30 police officers accused of torture.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Rights are restricted for some groups. Same-sex sexual relations between men is illegal, though this law is not enforced. LGBT+ individuals face societal discrimination, and discrimination on the basis of sexual orientation or gender identity is not prohibited by law. LGBT+ individuals also face challenges accessing health services due to discrimination. Schools often lack facilities for students with disabilities. Customary law and other traditional societal practices continue to discriminate against women and girls. For example, under customary law, women are considered minors under the guardianship of their fathers before marriage and their husbands after marriage.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The constitution protects freedom of movement, and this is generally upheld. In recent years, a high incidence of rape on a path near the Ha Lebona and Ha Koeshe villages has prompted some women to reduce travel in the area.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The constitution protects property rights, though related laws are inconsistently upheld. Customary practice and law still restrict women's rights in areas such as property and inheritance, including chieftainships, which can only be inherited by men. Expropriation

is provided for in the constitution but is uncommon, and subject to fair compensation. Government instability and the country's volatile politics hampers normal business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Traditional practices and harmful patriarchal attitudes negatively affect women. Violence against women is high, and there is no domestic violence law, despite government promises to enact one. Forced and child marriages remain an ongoing problem. Customary practices and law restrict women's rights in marriage and divorce.

In August 2019, former constitutional affairs minister Mootsi Lehata, who served under former premier Mosisili, reached a settlement to avoid a trial over a 2018 rape accusation. Lehata was accused of raping a 17-year-old girl, who subsequently became pregnant, that January; the survivor withdrew her claim as part of the settlement, receiving a home and a monthly stipend to support her child.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Human trafficking remains an ongoing challenge for Lesotho. The US State Department's 2019 *Trafficking in Persons Report* found Lesotho's legal framework for prosecuting trafficking to be weak, without strong penalties to deter offenders. Other identified problems include a lack of criminal convictions for trafficking, a large backlog of trafficking cases, and a failure to investigate officials implicated in trafficking. However, the government has improved its capacity to identify and provide support to potential victims of trafficking. Child labor and forced labor for both men and women, however, remains a problem.

Liberia

Population: 4,900,000

Capital: Monrovia

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Liberia has enjoyed more than a decade of peace and stability since the second civil war ended in 2003. During this time, the country has made considerable progress rebuilding government capacity, reestablishing the rule of law, and ensuring the political rights and civil liberties of citizens, and 2017 saw the first peaceful transfer of power between leaders since 1944. However, Liberia still faces serious issues with corruption, violence against women, and discrimination against LGBT+ people.

KEY DEVELOPMENTS IN 2019

- The government partially restricted access to social networks and messaging services including Facebook and WhatsApp in early June, ahead of an opposition-led rally calling for economic reform and an end to pervasive corruption in Liberia.
- In March, Supreme Court associate justice Kabineh Ja'neh was removed by the Senate after he issued a writ in favor of petroleum dealers fighting a government levy on gasoline sales. Ja'neh criticized his Senate trial, saying it was conducted unconstitutionally, and appealed to the Economic Community of West African

States (ECOWAS) Court of Justice in September; his case was under consideration at year's end.

- A lower-house by-election was partially rerun in August after opposition candidate Telia Urey alleged irregularities on the part of electoral officers during the July poll; Urey and her supporters were physically attacked twice during the election campaign, which ended with a victory for the governing coalition candidate.

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

Liberia's president is directly elected, and can serve up to two six-year terms. Since the end of the civil wars in 2003, Liberia has had three peaceful presidential elections. The most recent election, held in 2017, was commended by domestic and international observers who assessed it as generally peaceful and credible, while also noting difficulties including long queues at polling places and challenges related to voter identification.

A runoff between George Weah of the Coalition for Democratic Change (CDC) and incumbent vice president Joseph Boakai of the Unity Party (UP), the top two finishers in the first round of the 2017 poll, was delayed when third-place finisher Charles Brumskine of the Liberty Party (LP) challenged the first-round results on grounds of fraud. The Supreme Court found that his fraud claim was not supported by evidence, and the runoff was held several weeks later than scheduled, in late December. Weah won the runoff with 61.5 percent of the vote, and Boakai conceded defeat. Observers noted procedural and administrative improvements in the runoff compared to the first round. Weah's 2018 inauguration marked the first peaceful transfer of power since 1944.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Liberia has a bicameral legislature composed of a 30-member Senate and a 73-member House of Representatives; senators are elected to nine-year terms, and representatives to six-year terms.

Lower-house elections were held concurrently with the first round of the presidential election in October 2017. The CDC won 21 seats with 15.6 percent of the vote, while the UP won 20 seats with 14 percent of the vote. The LP won 8.7 percent of the vote, but won 3 seats. The People's Unification Party (PUP), which is currently allied to the ruling CDC, won 5 seats with 5.9 percent of the vote. The remaining 24 seats were won by independents and other parties. While there were some administrative problems, including complaints that registered voters could not be found on the voter rolls, observers said the elections were generally peaceful and well administered, with only minor incidents of violence during the campaign.

Two by-elections were held in July 2019 to fill a Senate seat and a lower-house seat in Montserrado County, which includes the capital of Monrovia. An LP candidate won the Senate seat, but opposition candidate Telia Urey claimed that the lower-house contest was marred by irregularities on the part of electoral officers, prompting the National Elections Commission (NEC) to order a partial rerun. The CDC candidate won the lower-house seat in late August. Turnout for the Montserrado contests was low. Another senatorial by-election was held in Grand Cape Mount County in October, with the PUP candidate winning the seat. Turnout was also low in this contest, and some voters were unable to participate for want of sufficient identification.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The NEC's independence is mandated by law, and political parties expressed confidence in its impartiality during the 2017 election campaign. However, its capacity is limited, and it struggles to enforce electoral laws.

The 2017 elections were the first to apply the provisions of the 2014 National Code of Conduct Act, which laid out rules applying to government officials seeking elected office, and included measures aimed at avoiding conflicts of interest. The NEC attempted to enforce the code, but the Supreme Court reversed its rulings in two instances where it disqualified high-profile candidates for failing to meet the code's eligibility requirements. The NEC also failed to enforce an Election Law provision stipulating that parties must field candidates in at least half of all constituencies. Eleven parties did not meet this requirement, but were permitted to run. The NEC additionally struggled to complete voter lists.

The NEC also struggled to conduct the 2019 Montserrado County by-elections. The polls were originally scheduled for early July, but were held later that month due to a lack of funding, which also hampered voter education efforts.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties generally do not face undue legal or practical obstacles that prevent them from forming or operating. However, in the run-up to the 2017 elections, election monitors recorded allegations that the ruling party drew on public resources to fund political campaigns—notably by taking advantage of state-owned vehicles and facilities. Opposition parties are also able to form coalitions; in February 2019, four parties joined the Collaborating Political Parties (CPP), which contested the July and August by-elections.

An individual who accused a ruling coalition politician of violence was herself attacked during 2019. In August, a woman claiming that Monrovia mayor Jefferson Kojjee was guilty of murder was abducted, sexually assaulted, and drugged by masked assailants.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Opposition parties hold support among the population and have a realistic chance of gaining power through elections. In 2017, Weah, of the then opposition CDC, won the presidency over the incumbent party's candidate. Opposition candidates found some electoral success in 2019, with the LP candidate winning the Montserrado Senate by-election in July.

However, candidates and supporters faced harassment and physical attacks on several occasions in 2019. In June, opposition candidate Urey was attacked by supporters of another candidate participating in the Montserrado County lower-house contest. In August, Urey and several supporters were attacked while visiting the campaign office of another candidate. She claimed that police officers who were present did not render assistance, and linked the violence to President Weah's public vow to "flog" her during a June campaign event.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Allegations of undue influence or pressure on voters by powerful groups not democratically accountable to the people are somewhat rare. A general wariness of election-related violence persists in Liberia, however; while the 2017 elections and 2018 by-election

contests were generally peaceful, the 2019 Montserrado County lower-house by-election was marred by violence.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Members of Lebanese and Asian minority groups whose families have lived in Liberia for generations are denied citizenship, and cannot participate in political processes. While former Liberian president Ellen Johnson Sirleaf became the first elected female head of state in Africa in 2005, and Liberia's current vice president is a woman, women are poorly represented in national politics and hold few leadership positions in political parties. Only one woman sits in the Senate, while nine sit in the lower house. Social stigma against LGBT+ people discourages them from advocating for their rights in the context of Liberian politics.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Once elected, government officials are duly installed in office, and elected legislators generally operate without interference. However, bribery and corruption can influence policy prioritization.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Many institutions are devoted to fighting corruption, but they lack the resources and capacity to function effectively, and corruption remains pervasive. In May 2019, the Senate rejected a bill that would have removed tenure security from executive branch positions, allowing the president to fire those employees at will. The bill, which President Weah proposed in 2018, would have effectively rescinded protections for staff members of bodies including the Liberia Anti-Corruption Commission (LACC).

The LACC and the Financial Intelligence Unit (FIU) suffered from leadership crises and budget difficulties in 2019. LACC chief James Verdier accused the Weah administration of undermining the commission and withholding funding in a February 2019 interview. The government moved to replace him with LACC commissioner Charles Gibson, but a recording of Gibson soliciting a bribe in 2015 was made public later that month. The government later nominated Ndubusi Nwabudike, but conflict-of-interest allegations were made public in October, and he did not fill the post by year's end. FIU executive director Alexander Cuffy attempted to resign for personal reasons in August; while Weah reportedly rejected his resignation, Cuffy nevertheless departed the agency by September.

Despite this situation, prosecutors continued pursuing corruption cases in 2019. In February, deputy central bank director Charles Sirleaf, son of former president Sirleaf, was arrested for his alleged involvement in the disappearance of L\$16 billion (\$100 million) brought into Liberia by the bank. Sirleaf and four defendants were handed additional charges, including money laundering, in August; their trial was in progress at year's end.

In July 2019, a Monrovia court acquitted eight defendants, including former House of Representatives speaker Alex Tyler, of bribery. In 2016, nongovernmental organization (NGO) Global Witness originally accused Tyler and other lawmakers of inserting a legislative loophole that allowed British mining firm Sable to win a no-bid contract in return for bribes.

C3. Does the government operate with openness and transparency? 2 / 4

Liberia's Freedom of Information Act is rarely used, and the government responds slowly to information requests. Transparency guidelines for public procurement processes

are not fully enforced. In 2019, many new public officials, including most in the executive branch, failed to declare their assets as required by law. The LACC, which collects asset declarations, is not obligated to disclose those submitted by executive branch members, and efforts by civil society and media to gain access to Weah's declaration have been unsuccessful.

CIVIL LIBERTIES: 33 / 60 (-2)

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

Liberia's constitution provides for freedom of speech and the press, but these rights are sometimes restricted in practice. Investigative reporters frequently receive threats, including by members of the government who vowed to sue in response to journalistic inquiries. President Weah has previously taken an adversarial stance toward media, making vague denunciations of "fake news" that purportedly threatened national stability. Liberia also maintained onerous criminal and civil libel laws, but the government adopted the Press Freedom Act in February 2019, effectively decriminalizing libel, "sedition," and "criminal malevolence." Defamation remains a civil offense, and journalists risk jail time for nonpayment.

Meanwhile, the suspension of media licenses issued in the first half of 2018 remained in force. The government originally pledged to conduct a review process for licenses, but no progress was made in 2019. Critics argued the move was aimed at newly established news outlets perceived to be critical of the government.

Private radio station Roots FM attacked twice by armed assailants in January and February 2019, and broadcast equipment was stolen during one of the attacks. In April, the government sued radio host Henry Costa, chairperson of the opposition group Council of Patriots (COP), and cohost Fidel Saydee for civil defamation, alleging that they engaged in slander when discussing accusations of impropriety during the 2017 elections. In October, the government forced Roots FM off the air, sending police officers to seize the station's equipment.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is protected in the constitution, and there is no official religion. However, about 86 percent of the population is Christian, and the Muslim minority reports discrimination. In 2015, a proposal to amend the constitution to establish Christianity as the official religion contributed to interreligious tensions. Former president Sirleaf shelved the proposal, but some discussion of it reemerged during the 2017 campaign. Since his election, President Weah has made efforts to reach out to the Muslim population.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The government does not restrict academic freedom, though educational quality and infrastructure remain inadequate.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

People are generally free to engage in private discussion while in public spaces, but some topics are taboo, such as discussion of issues affecting LGBT+ people. The government is not known to illegally monitor online communications, though it did restrict access

to social media networks and messaging services ahead of an opposition-led rally in June 2019.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12 (-1)

E1. Is there freedom of assembly? 2 / 4 (-1)

Freedom of assembly is constitutionally guaranteed, and some major rallies were peacefully held in 2019. The COP held a major rally in Monrovia in early June, with participants calling for economic reform, the creation of a court to prosecute offenses from the 1989–2003 civil war, and an end to corruption. The government did not use force to disperse the rally, but it partially blocked access to social media networks and messaging services including Facebook and WhatsApp before the rally took place, citing security concerns. The COP aimed to hold another protest in December, but justice minister Frank Musah Dean denied the group a permit, calling their behavior unconstitutional and treasonous. Representatives of the United States, European Union (EU), UN, and ECOWAS mediated between the government and the COP, which rescheduled the rally for January 2020.

In late August 2019, a group of women held a peaceful sit-in protest near the president's office in Monrovia to protest gender-based violence.

In October 2019, public-school students in Monrovia held a rally calling for the government to pay teachers' salaries. After a group of students blocked a road and prevented a convoy carrying President Weah through, police used force to disperse them, deploying tear gas and chasing participants as they fled; several students were reportedly injured.

Score Change: The score declined from 3 to 2 because social media platforms were temporarily blocked in order to hamper the spread of antigovernment demonstrations.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Numerous civil society groups, including human rights organizations, operate in the country. However, groups focused on LGBT+ issues tend to keep a low profile due to fears of retribution for their activism.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Unions are free to form and mobilize, and are well organized. The rights of workers to strike, organize, and bargain collectively are recognized. However, the law does not protect workers from employer retaliation for legal strike activity. Labor disputes can turn violent, particularly at the country's various mines and rubber plantations.

F. RULE OF LAW: 6 / 16 (-1)

F1. Is there an independent judiciary? 1 / 4 (-1)

The constitution provides for an independent judiciary, but it is impeded by corruption, backlogs, and funding shortfalls; some circuit court judges reported that they went without salaries for several months in 2019.

The judiciary has also been affected by political interference. In March 2019, the Senate voted to remove Supreme Court associate justice Kabineh Ja'neh from the bench, finding him guilty of official misconduct after he issued a writ in favor of petroleum dealers who opposed a gasoline sale levy. Ja'neh argued that the manner of his removal was unconstitutional, and that senators who were previously involved with the levy declined to recuse themselves; Ja'neh appealed to the ECOWAS Court of Justice in September, and that court was still considering his case at year's end.

In November 2019, President Weah dismissed Monrovia City Court magistrate Ernest Bana after he ruled against the government over its closure of Roots FM and the seizure of broadcast equipment; Bana ruled that the radio station's holding company had standing to sue over its closure. The case was reassigned to Magistrate Jomah Jallah, who was appointed by Weah, later that month.

Score Change: The score declined from 2 to 1 due to the impeachment and removal of a Supreme Court associate justice through procedures that were not permitted by the constitution, as well as the removal of a Monrovia judge who ruled against the government over the closure of a private radio station.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The right to due process under the law is guaranteed by the constitution but poorly upheld. Many people accused of crimes spend more time in pretrial detention than the length they would serve for a guilty sentence. Citizens of means may be able to bribe judges to rule in their favor. Reports of arbitrary arrest by law enforcement agents continue.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The security environment in Liberia has improved dramatically in the years since warfare ended in 2003. However, the police force is still viewed as corrupt, and lacks the financial support to provide robust protection for Liberia's people. Prison conditions are very poor, and reports of abuse and threats against detainees and prisoners by law enforcement agents and prison guards continue.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Some minority ethnic groups continue to be stigmatized as outsiders, and the Muslim population experiences some discrimination. LGBT+ people face social stigma and the threat of violence. The penal code makes "voluntary sodomy" a misdemeanor offense that can carry up to a year in prison, and this provision can be invoked against LGBT+ people. In a 2017 presidential debate with nine candidates, none supported same-sex marriage.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

While some unofficial border checkpoints remain, at which border patrol agents sometimes attempt to extract bribes, people have enjoyed a gradual increase in the right to move about freely in the years since large-scale violence ended.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Conflicts over land remain pervasive. Many of these conflicts originated in the civil wars and subsequent displacement and resettlement. Others are the result of opaque concession agreements granting foreign corporations access to lands for mining, the production of timber, and the production of palm oil.

In 2018, the parliament passed the Land Rights Act, which formalized community ownership of ancestral land. In June 2019, the Liberia Land Authority (LLA) signed memorandums of understanding with 24 communities to control a total of two million acres of

land under the new law. In August, the LLA launched a public awareness program to educate residents on their rights under the legislation.

Customary law practices that prevail in large parts of the country disadvantage women in matters of land rights and inheritance.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

While men and women enjoy equal legal rights under civil law, gender disparities are common in customary law, which remains dominant in many parts of the country and disadvantages women in matters involving child custody and other matters. Violence against women and children, particularly rape, is a pervasive problem. In 2017, the Senate voted to make rape a bailable offense—a decision that sparked protests by women’s rights activists. Despite the 2017 vote, rape remained a nonbailable offense in 2019.

In August 2019, President Weah signed the Domestic Violence Act, which was originally proposed in 2014, into law. The legislation mandates stricter punishment for those convicted of domestic violence, though restrictions on female genital mutilation (FGM) were not included.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Human trafficking for the purpose of forced labor and prostitution remains a problem, with most victims trafficked from rural areas to cities. Many trafficking victims are children, who can be found working in diamond mines, agricultural operations, or as domestic laborers, or engaged in forced begging or prostitution.

Libya

Population: 6,800,000

Capital: Tripoli

Freedom Status: Not Free

Electoral Democracy: No

Overview: Libya has been racked by internal divisions and intermittent civil conflict since a popular armed uprising in 2011 deposed longtime dictator Mu’ammar al-Qadhafi. International efforts to bring rival administrations together in a unity government have failed, and interference from regional powers has exacerbated the latest fighting. A proliferation of weapons and autonomous militias, flourishing criminal networks, and the presence of extremist groups have all contributed to the country’s lack of physical security. The ongoing violence has displaced hundreds of thousands of people, and human rights conditions have steadily deteriorated.

KEY DEVELOPMENTS IN 2019

- In early 2019, the UN Support Mission in Libya (UNSMIL) was steadily working toward a national conference meant to end Libya’s political divisions. However, in early April, two weeks before the conference was to begin, a military alliance based in the country’s east and led by Khalifa Haftar launched an offensive aimed at seizing the western capital, Tripoli, where the UN-backed Government

of National Accord (GNA) was based. Western militias rallied to the defense of Tripoli, and the fighting persisted through the end of the year, drawing in further interference by foreign powers on both sides.

- More than 1,000 people had been killed in the renewed conflict by year's end, including nearly 300 civilians, and more than a hundred thousand people fled their homes in Tripoli. Food, fuel, water, electricity, and medical supplies—already difficult to obtain—became even more scarce, and access to public services was disrupted.

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

There were two rival governments in Libya as of 2019, neither of which had a current electoral mandate. The GNA, led by Prime Minister Fayeze al-Serraj, was based in Tripoli and had nominal control over the surrounding territory in the country's northwest. It was formed as part of the 2015 Libyan Political Agreement (LPA), an internationally brokered accord meant to end the political gridlock and armed conflict that had started in 2014 between factions loyal to the Tubruk-based House of Representatives (HoR), elected that year, and the Tripoli-based General National Congress (GNC), which predated and rejected the outcome of the 2014 elections. The LPA text granted a one-year mandate to the GNA upon its approval by the HoR, with a one-time extension if necessary. However, the HoR never granted its approval. Instead, an interim government affiliated with the HoR persisted in the east, under the protection of Haftar and his Libyan National Army (LNA), renamed the Libyan Arab Armed Forces (LAAF) during 2019.

UNSMIL sought to resolve the rift by convening a national conference of diverse Libyan stakeholders in April 2019, but the effort was upended when Haftar's forces launched a campaign to seize the capital and the rest of western Libya.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Under the LPA, the unicameral, 200-seat HoR was to remain in place as the interim legislature. The agreement also created the High Council of State (HCS), a secondary consultative body composed of some members of the rival GNC. However, the HoR never formally approved the LPA's provisions or recognized the GNA.

Members of the HoR were elected in 2014 in polls that were marked by violence and drew the participation of only about 15 percent of the electorate. Its mandate formally expired in 2015; while it unilaterally extended its tenure, it has rarely achieved a quorum in practice. HCS members were originally elected in 2012, as part of the GNC elections.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

An August 2011 constitutional declaration, issued by an unelected National Transitional Council, serves as the governing document for the ongoing transitional period between the revolution against al-Qadhafi and the adoption of a permanent constitution. Despite some legal developments, Libya lacks a functioning electoral framework in practice.

An electoral law was published in the aftermath of the 2011 revolution, and members of the High National Election Commission (HNEC) were appointed. A Constitutional Drafting Assembly elected in 2014 voted to approve a draft constitution in 2017. In the fall of 2018,

the HoR approved a law containing a framework for a constitutional referendum, along with several accompanying amendments to the 2011 constitutional declaration. It then submitted the former, the Referendum Law, to the HNEC, but there was speculation that the new law and amendments would face legal challenges. There was no substantive progress on the constitution in 2019.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

A range of political parties organized to participate in the 2012 GNC elections, but all candidates were required to run as independents in the 2014 HoR elections. Civilian politics have since been overshadowed by the activities of armed groups, who wield significant power and influence on the ground. While various political groups and coalitions exist, the chaotic legal and security environment does not allow for normal political competition.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Libya remained divided between rival political and military factions throughout 2019, with little movement toward the organization of elections and thus no opportunity for a democratic rotation of power. The LAAF's attack on Tripoli just weeks before the UN-sponsored national conference was to begin was effectively an effort to seize control through military means rather than through a negotiated political agreement followed by elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Ordinary citizens have no role in Libya's political affairs, which are currently dominated by armed factions, foreign governments, oil interests, smuggling syndicates, and other extrapolitical forces. Citizens and civilian political figures are subject to violence and intimidation by the various armed groups.

Foreign powers backed opposing sides in the 2019 conflict, and in some cases their involvement grew as the fighting intensified. Russia, Egypt, the United Arab Emirates, Saudi Arabia, France, and others have lent support to the LAAF, while Turkey and Qatar have been the most prominent supporters of the GNA.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The ongoing political impasse and armed conflict prevented all segments of the population from exercising their basic political rights in 2019. Communities that lacked an affiliation with a powerful militia were especially marginalized.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Neither the GNA nor Haftar had electoral legitimacy or full control over the national territory in 2019, and both remained dependent on fractious militia groups and foreign powers for their security. To the extent that civilian government institutions continued to function, they were bifurcated. For example, de facto authorities in the eastern part of the country have established a parallel central bank and state oil company.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is pervasive among government officials, and opportunities for corruption and criminal activity abound in the absence of functioning fiscal, judicial, and other institutions.

C3. Does the government operate with openness and transparency? 0 / 4

There are no effective laws guaranteeing public access to government information, and none of the competing authorities engage in transparent budget-making and contracting practices.

CIVIL LIBERTIES: 8 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 1 / 4

Most Libyan media outlets are highly partisan, producing content that favors one of the country's political and military factions. The civil conflict and related violence by criminal and extremist groups have made objective reporting dangerous, and journalists are subject to intimidation and detention. In January 2019, a photographer was killed while covering clashes between militias south of Tripoli. Many journalists and media outlets have censored themselves or ceased operations to avoid retribution for their work, and journalists continue to flee the country. Many media outlets broadcasting from abroad also take partisan positions, use hostile rhetoric, and promote their favored side in the armed conflict.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Religious freedom is often violated in practice. Nearly all Libyans are Sunni Muslims, but Christians form a small minority. Christian and other minority communities have been targeted by armed groups, including local affiliates of the Islamic State (IS) militant group. Salafi Muslim militants, who reject the veneration of saints, have destroyed or vandalized Sufi Muslim shrines with impunity.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

There are no effective laws guaranteeing academic freedom. The armed conflict has damaged many university facilities and altered classroom dynamics; for example, professors can be subject to intimidation by students who are aligned with militias.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Although the freedom of private discussion and personal expression improved dramatically after 2011, the ongoing hostilities have taken their toll, with many Libyans increasingly withdrawing from public life or avoiding criticism of powerful figures. Numerous examples of kidnappings and killings of activists, politicians, and journalists have added to the general deterrent effect.

Conditions for personal expression are considerably worse in the LAAF-controlled east than in the west, where residents are comparatively free to criticize the GNA. In July 2019, HoR member Seham Sergewa was kidnapped in a violent attack on her home in Benghazi after she criticized Haftar's offensive in Tripoli in an interview with a pro-LAAF television station. Her whereabouts remained unknown at the end of the year.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12**E1. Is there freedom of assembly? 1 / 4**

A 2012 law on freedom of assembly is generally compatible with international human rights principles, but in practice the armed conflict and related disorder seriously deter peaceful assemblies in many areas. Anti-Haftar protests were held in Tripoli during 2019.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

The number of active nongovernmental organizations (NGOs) has declined in recent years due to armed conflict and the departure of international donors. Militias with varying political, tribal, and geographic affiliations have attacked civil society activists with impunity. Many NGO workers have fled abroad or ceased their activism in the wake of grave threats to themselves or their families.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Some trade unions, previously outlawed, formed after 2011. However, normal collective-bargaining activity is impossible in the absence of basic security and a functioning legal system.

F. RULE OF LAW: 0 / 16**F1. Is there an independent judiciary? 0 / 4**

The role of the judiciary remains unclear without a permanent constitution, and judges, lawyers, and prosecutors face frequent threats and attacks. The national judicial system has essentially collapsed, with courts unable to function in much of the country. In some cases, informal dispute-resolution mechanisms have filled the void.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Since the 2011 revolution, the right of citizens to a fair trial and due process has been challenged by the continued interference of armed groups and inability to access lawyers and court documents. Militias and semiofficial security forces regularly engage in arbitrary arrests, detentions, and intimidation with impunity. Thousands of individuals remain in custody without any formal trial or sentencing.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Libya's warring militias operate with little regard for the physical security of civilians. Various armed groups have carried out indiscriminate shelling of civilian areas, torture of detainees, summary executions, rape, and the destruction of property. Militias also engage in criminal activity, including extortion and other forms of predation on the civilian population.

The renewed fighting that began with the LAAF's offensive in April 2019 killed more than 1,000 people by year's end. According to UN estimates, these included nearly 300 civilians, and more than 128,000 people were displaced.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Libyans from certain tribes and communities—often those perceived as pro-Qadhafi, including natives of the town of Tawergha—face discrimination, violence, and displacement. The Tebu and Tuareg minorities in the south also face discrimination. Migrant workers from

sub-Saharan Africa have been subject to severe mistreatment, including detention in squalid facilities by both authorities and armed groups.

Women are not treated equally under the law and face practical restrictions on their ability to participate in the workforce. Widows and displaced women in particular are vulnerable to economic deprivation and other abuses.

Under Libya's penal code, sexual activity between members of the same sex is punishable by up to five years in prison. LGBT+ people face severe discrimination and harassment, and have been targeted by militant groups.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

The 2011 constitutional declaration guarantees freedom of movement, but militia checkpoints restrict travel within Libya, while poor security conditions more generally affect movement as well as access to education and employment.

Airports in Benghazi, Tripoli, Sabha, and Misrata have been attacked and damaged, severely limiting access to air travel. During 2019, Mitiga International Airport in Tripoli was regularly bombarded by forces loyal to Haftar. After a September attack on the civilian part of the airport damaged a plane carrying a large number of pilgrims returning to Libya, flights in and out of western Libya shifted to an airport in the city of Misrata, whose militias were aligned with the GNA. The Mitiga airport was closed intermittently during the rest of the year as a result of repeated attacks.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

While Libyans formally have the right to own property and can start businesses, legal protections are not upheld in practice. Businesses and homes have been damaged amid fighting or other unrest, or confiscated by militias, particularly in Libya's eastern regions. Ongoing insecurity has severely disrupted ordinary commerce, allowing armed groups to dominate smuggling networks and informal markets.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Laws and social customs based on Sharia (Islamic law) disadvantage women in personal status matters including marriage and divorce. Libyan women with foreign husbands do not enjoy full citizenship rights and cannot transfer Libyan citizenship to their children. There are no laws that specifically address or criminalize domestic violence, and most such violence goes unreported due to social stigma and the risk of reprisals. The law imposes penalties for extramarital sex and allows rapists to avoid punishment by marrying their victims. Rape and other sexual violence have become increasingly serious problems in the lawless environment created by the civil conflict.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

There are few protections against exploitative labor practices. Forced labor, sexual exploitation, abuse in detention facilities, and starvation are widespread among migrants and refugees from sub-Saharan Africa, the Middle East, and South Asia, many of whom are beholden to human traffickers. The International Organization for Migration reported that there were more than 654,000 migrants in Libya at the end of 2019.

Libya lacks comprehensive laws criminalizing human trafficking, and the authorities have been either incapable of enforcing existing bans or complicit in trafficking activity. Traffickers have taken advantage of civil unrest to establish enterprises in which refugees and migrants are loaded into overcrowded boats that are then abandoned in the Mediterranean Sea, where passengers hope to be rescued and taken to Europe. The voyages often result in fatalities.

Liechtenstein

Population: 40,000

Capital: Vaduz

Freedom Status: Free

Electoral Democracy: Yes

Overview: The Principality of Liechtenstein combines a powerful monarchy with a parliamentary system of government. The prince has an influential political role, which was enhanced by a constitutional referendum in 2003. Human rights and civil liberties are generally respected in the country.

KEY DEVELOPMENTS IN 2019

- In February, the parliament passed a modification of the law on party financing to increase transparency, stipulating that parties cannot accept anonymous donations exceeding 300 Swiss francs (\$310), though parties would not have to publicly disclose the identity of their donors.
- Also that month, the new party Democrats for Liechtenstein won legal recognition after splitting off from the right-wing populist Independents (DU) in 2018. The administrative court ruling entitled the party to public funding.

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

Liechtenstein has one of the most politically powerful hereditary monarchies in Europe. In a 2003 constitutional referendum, voters granted significantly more power to the prince. As head of state, the prince appoints the prime minister and cabinet on the recommendation of the parliament and has the authority to dismiss the government and dissolve the parliament.

Prince Hans-Adam II is the current head of state, but he delegated his governmental authority to his son, Hereditary Prince Alois, in 2004. Adrian Hasler has been prime minister since 2013, when his Progressive Citizens' Party (FBP) won legislative elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The Landtag, the unicameral parliament, consists of 25 deputies chosen by proportional representation every four years. International observers considered the 2017 parliamentary elections to be credible. The ruling conservative FBP led the voting with nine seats, followed

by its coalition partner, the center-right Patriotic Union (VU), with eight. The right-wing populist DU and the center-left Free List (FL) won five and three seats, respectively.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The electoral framework provides a sound basis for democratic balloting. There are no formal provisions for election observation, but domestic and international observers are free to monitor the process. While voting is compulsory under the law, the rule is not enforced.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no onerous limits on the establishment or participation of political parties. The 8 percent vote threshold for representation in the parliament is comparatively high, though the 2013 elections marked the first time that four parties had won seats. In February 2019, an administrative court ruled that a new political group, Democrats for Liechtenstein, should be recognized by the government as a political party, which entitled it to public financing. The party was founded in 2018 by three members of parliament who left DU.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

The unelected prince wields significant governmental authority, meaning the extent to which power can change hands through elections is limited. The FBP and VU have traditionally dominated the parliament, competing with each other and usually forming coalition governments. The FL has long served as a smaller opposition party, and DU gained ground after entering the legislature with four seats in 2013, winning an additional seat in 2017. However, the 2018 splintering of DU cast doubt on its future prospects.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Although citizens' political choices are largely free from undue interference, the prince has the power to veto the outcome of national referendums and popular initiatives. He has occasionally threatened to use this power, thereby influencing the results. In a 2012 constitutional referendum, however, 76 percent of voters rejected a proposal to limit the prince's veto power.

Transparency of political financing remains a concern. In response to calls for reform by the Council of Europe's Group of States against Corruption (GRECO), the parliament in February 2019 passed a modification of the law on party financing, stipulating that parties may no longer accept anonymous donations exceeding 300 Swiss francs (\$310). However, the law did not require parties to publicly disclose their known donors.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Approximately one-third of the population consists of foreign nationals—mostly from neighboring countries—who do not have political rights. Under Liechtenstein's restrictive naturalization criteria, one must live in the country for 30 years, or marry a resident Liechtenstein citizen and live in the country for more than 10 years, to qualify for citizenship.

Women and ethnic minorities generally enjoy formal political equality, though some disparities persist in practice. The number of women in the parliament declined in 2017 from six to three, which led to calls for the introduction of a gender quota.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Although elected executive and legislative officials set the policy agenda, the prince has significant governmental authority with no electoral mandate. He can dismiss the government and the parliament and veto both legislation and the outcome of public plebiscites; he also plays a powerful role in the appointment of judges.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Anticorruption laws are effectively implemented, and levels of corruption are reportedly low. The 2018 GRECO compliance report applauded Liechtenstein for the recent implementation of reforms to the criminal code, including the addition of charges for bribery in the private sector and the expansion of the definition of “public officials” to include a wider range of personnel, including all assembly members and parliamentary employees.

C3. Does the government operate with openness and transparency? 4 / 4

Although there is no constitutional guarantee of access to information, laws are in place to provide for government transparency, and these are largely respected in practice.

The government has made efforts in recent years to increase transparency in the banking sector. The country’s large financial industry has historically been criticized for enabling foreign clients to hide wealth from their respective governments and potentially aiding corruption or other criminal activity. A 2019 report by the Organization for Economic Co-operation and Development’s Global Forum on Transparency and Exchange of Information for Tax Purposes concluded that Liechtenstein is largely compliant with international standards regarding beneficiary ownership, accounting, and banking.

CIVIL LIBERTIES: 57 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The constitution guarantees freedom of the press, which is respected in practice. Liechtenstein has one private television station, one public radio station, and two main newspapers that are owned by the two major political parties. The local media sector lacks pluralism, but residents have access to foreign news outlets, including broadcasts from Germany, Austria, and Switzerland.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Although the constitution establishes Roman Catholicism as the state religion, religious freedom is constitutionally guaranteed and protected in practice. Catholic or Protestant education is mandatory in all primary schools, but exemptions are routinely granted. Islamic religious classes have been offered in some primary schools since 2008. All religious groups have tax-exempt status. Muslim groups have yet to obtain permission to establish a mosque or a dedicated Muslim cemetery; there is one Islamic prayer room, and churches open their facilities for use by other faiths upon request.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is largely respected, with no significant restrictions by state or nonstate actors.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The law guarantees freedom of expression, but prohibits public insults directed against a race or ethnic group. The government is not known to improperly monitor private communications.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution guarantees freedom of assembly, and this right is respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Domestic and international nongovernmental organizations are able to function freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The law facilitates the formation of trade unions and collective bargaining, and workers enjoy freedom of association in practice. The principality has at least one trade union. While a 2008 legal change removed a ban on strikes for civil servants, the right to strike in general is not explicitly protected by law. Major labor disputes are rare in the country.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 3 / 4

The judiciary is generally independent and impartial, but the constitution gives the prince a powerful influence over the appointment of judges, meaning the process lacks a key element of democratic accountability. The appointments of ad hoc judges, who often serve for a short time, are not publicly announced.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The constitution provides for the right to a fair trial, and the rights of defendants are usually respected. Most trials are public, and defendants are considered innocent until proven guilty. In a 2017 report, the Council of Europe's Committee for the Prevention of Torture expressed concerns about some aspects of police custody procedures, including the fact that police can deny the presence of a lawyer during initial questioning.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

People in Liechtenstein are largely free from the illegitimate use of physical force. Violent crime is extremely rare. While the country's small prison facility can hold up to 16 men and four women in short-term detention, convicted offenders serve their sentences in neighboring Austria.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The legal framework prohibits discrimination on various grounds, though some shortcomings remain. In 2018, the European Commission against Racism and Intolerance (ECRI) reiterated the need for Liechtenstein to ratify Protocol 12 to the European Convention on Human Rights, which provides a general prohibition against discrimination.

Despite the presence of antidiscrimination laws, women, particularly Muslim women, and LGBT+ people experience employment discrimination. LGBT individuals face social stigma, and according to a leading human rights group, often do not disclose their sexual orientation or gender identity out of fear of bias.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no significant restrictions on freedom of movement in Liechtenstein.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The legal framework generally protects property rights and supports private business activity without undue restrictions. Nonresidents are not allowed to establish a business in Liechtenstein, but prospective business owners exploit loopholes to work around the law.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are largely protected. Same-sex registered partnerships are legal, but the prince has expressed opposition to adoption rights for same-sex couples. While single LGBT+ people can adopt children, same-sex couples cannot.

Domestic violence and spousal rape are illegal in Liechtenstein, and authorities effectively prosecute offenders and protect victims. Abortion is criminalized unless the woman is at risk of death or serious harm to her health, or was under age 14 at the time of conception. A 2011 referendum proposal to expand the conditions for legal abortion was defeated by voters.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

Liechtenstein is largely free from economic exploitation and human trafficking. Despite the country's overall wealth and low unemployment rates, however, relative poverty persists among some communities. Immigrants in particular often struggle to achieve economic security and social mobility.

Lithuania

Population: 2,800,000

Capital: Vilnius

Freedom Status: Free

Electoral Democracy: Yes

Overview: Lithuania is a democracy in which political rights and civil liberties are generally respected. Corruption and socioeconomic inequality are issues that often arouse

public dissatisfaction with the government, political parties, and other institutions. Women, LGBT+ people, members of the Romany minority group, and some other groups experience degrees of discrimination, and are underrepresented in politics.

KEY DEVELOPMENTS IN 2019

- Local elections and elections to the European Parliament were held in March and May, respectively. In both polls, opposition parties—the Homeland Union–Lithuanian Christian Democrats (TS–LKD) and the Lithuanian Social Democratic Party (LSDP)—outperformed the governing Farmers and Greens Union (LVŽS). In the capital and other major cities, most voters supported nonpartisan mayoral candidates.
- Gitanas Nausėda, a centrist nonpartisan candidate who ran on calls for an inclusive welfare state, won May’s presidential election. The year’s polls were all considered free and fair.
- After the presidential election, the LVŽS initiated negotiations to expand its shrinking coalition with the Lithuanian Social Democratic Labor Party (LSDLP). Eventually, in June, two other parties—Order and Justice (TT) and the Lithuanian Poles Electoral Action (LLRA)—joined the coalition, with a final agreement signed in July. That month, Saulius Skvernelis was reappointed as prime minister. The parliamentary majority, however, remained shaky due to internal disputes and splits.
- In February, 26 people were detained and charged with bribery and abuse of public duties. Among them were eight senior judges, including a member of the Supreme Court, and five lawyers. While the judicial process is ongoing, five of the eight judges were dismissed.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who is chief of state and whose main competencies lie in foreign affairs, is directly elected to up to two five-year terms. The prime minister, who as a head of government is the central executive authority, is appointed by the president with the approval of Parliament.

Centrist non-partisan candidate Gitanas Nausėda was elected in May 2019 as the new president of the country after his predecessor, Dalia Grybauskaitė, completed her second term of office. The prime minister, Saulius Skvernelis, was appointed after the parliamentary elections in October 2016 and reappointed in July 2019, after that year’s presidential elections. Both the appointment of the prime minister and the election of the president took place in a free and fair manner.

Free and fair local elections were held in March 2019. The opposition TS–LKD and LSDP outperformed the governing LVŽS. In the capital and other major cities, however, most voters supported nonpartisan mayoral candidates.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

A unicameral, 141-seat Parliament (Seimas) consists of 71 members elected in single-mandate constituencies and 70 chosen by proportional representation, all for four-year terms. The most recent parliamentary elections took place in October 2016. The elections were somewhat unexpectedly won by the centrist-populist LVŽS, which took 56 seats,

leaving behind the center-right TS–LKD, which took 31 seats, and the center-left incumbent LSDP, which took 17 seats.

The elections were considered free and fair. While relatively few irregularities were reported, there was one notable case of vote buying. The election commission subsequently stripped a culprit lawmaker of his parliamentary mandate in connection with the events.

In 2018, 12 LSDP lawmakers split from the party and formed the new LSDLP, which joined the governing coalition; the remaining 7 LSDP members joined the opposition.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The legislative framework for conducting elections is clear and detailed, and is generally well implemented. The Central Electoral Commission (VRK) has historically been known to operate and adjudicate election-related complaints in a fair manner.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Lithuania’s political parties generally operate freely. Citizens of other European Union (EU) member states are eligible to become members of Lithuanian political parties, but cannot found them.

Small parties and some civic organizations argue that the minimum number of members for political parties (2,000) is burdensome, and hampers the creation of new parties and maintenance of small ones. Party-financing rules generally favor the main parliamentary forces. Public election committees—a way for groups of citizens to run for municipal councils without joining or establishing a political party—have been enabled since 2010, although they are not permitted for legislative elections.

European Parliament elections were held in May. Opposition parties, the TS-LKD and the Lithuanian LSDP, outperformed the governing LVŽS.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Lithuanian politics are dynamic, and opposition parties usually come to power after every parliamentary election.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Sporadic cases of vote buying during national elections have been observed, and clientelism can influence politics at the local level. However, people are generally free to exercise their political choices without undue influence or interference.

The State Security Department (VSD) has issued numerous warnings about efforts by Russia to influence politics, including through its energy policies and by influencing the country’s ethnic minorities.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

There are no formal restrictions on the participation of women, LGBT+ people, and of members of ethnic, religious, and other minority groups in Lithuanian politics. Women and women’s interests are underrepresented in politics, though some senior political positions

are held by women. In 2016, women won 21 percent of parliamentary seats. Nongovernmental organizations (NGOs) working toward greater representation of women in politics and business, and combating violence against women, are active in the political sphere.

After the 2017 death of Rokas Žilinskas, a gay man and a member of parliament, there are no openly LGBT+ people in senior political positions. Most MPs back the position of the Catholic Church and espouse socially conservative attitudes towards expanding the rights LGBT+ people.

In the 2016 parliamentary elections, for the second consecutive time, the Lithuanian Poles Electoral Action (LLRA), representing the Polish minority, overcame the 5 percent electoral threshold.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Lithuania's freely elected lawmakers are seated according to schedule and can design and implement policies. However, regularly erupting corruption scandals raise concerns about the influence of large businesses on politics. In June 2018, Parliament's Committee on National Security and Defense presented the findings of an investigation which concluded that a number of large corporations have advanced their interests by influencing the policy positions of members of parliament and other politicians through media pressure, bribes, and blackmail.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption remains an issue in Lithuania, and certain sectors, including health care and construction, are perceived as prone to corruption. While anticorruption bodies are active, there are usually considerable delays in the investigation of political corruption cases. In 2016, the leaders of three political parties were implicated in separate bribery scandals involving illicit deals with Lithuanian businesses. In August 2018, in response to two of the scandals, the corruption trial of the Labor Party, the Liberal Movement, three of the parties' current and former leaders, and the former vice president of investment management company MG Baltic, commenced; it was still ongoing at the end of 2019.

The protection of whistleblowers and journalists who report on corruption cases is guaranteed, though these protections are upheld inconsistently at local levels.

C3. Does the government operate with openness and transparency? 3 / 4

Lithuanian law grants the public the right to request information, and the government generally complies with information requests. However, the operations of state companies remain somewhat opaque, and prone to financial misconduct. Improvements to make public procurement fairer and more open to public scrutiny have been limited. In the last few years, politicians' attempts to reduce the scope of accessible public information concerning themselves have increased.

CIVIL LIBERTIES: 53 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The government generally respects freedoms of speech and the press. While the media market is vibrant, some owners of media outlets attempt to use their position to influence political processes. Local outlets are usually financially dependent on the local government.

Because of vaguely worded legislation on limiting information that “abases family values,” there have been cases of pressure on both public and private media to restrict provision of information on LGBT+ rights.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is guaranteed by law and largely upheld in practice. However, nine so-called traditional religious communities, and particularly the Roman Catholic Church, enjoy certain government benefits, including annual subsidies that are not granted to other groups. Despite the presence of a Muslim community, Vilnius remained without a mosque in 2019.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is respected, and the educational system is generally free from political influence.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is generally robust and unrestricted. However, in the wake of concerns about Russia’s aggressive foreign policy, individuals who criticize the government’s foreign policy stances can face pressure.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is generally respected.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

NGOs may register without facing serious obstacles, and operate without restrictions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers may form and join trade unions and engage in collective bargaining, though there have been reports of employees being punished for attempting to organize. Since 2000, with few rare exceptions, only teachers’ trade unions organize strikes.

F. RULE OF LAW: 12 / 16

F1. Is there an independent judiciary? 3 / 4

Businesspeople and politicians closely linked with business interests exert pressure on the judiciary. Although public confidence in courts had been steadily improving since 2010, a judicial corruption scandal in February 2019 significantly damaged it. That month, 26 people, including 8 senior judges (one of them a member of the Supreme Court) and 5 lawyers, were detained and charged with bribery and abuse of public duties. Five of the eight judges were subsequently dismissed.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Defendants generally enjoy the presumption of innocence and freedom from arbitrary arrest and detention, but detained suspects are not always granted timely access to an

attorney. Pretrial detention rates are high, even though the law states that pretrial detention should only be employed in exceptional circumstances. A former member of parliament, Algirdas Paleckis, who was charged with spying for Russia, has been in custody without trial since October 2018.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Police abuse of detainees is a lingering issue. Although the government took measures to improve the situation, conditions at some prisons are substandard, violence among prisoners remains a problem, and physical abuse of prisoners by correctional officers persists. Despite a reduction in homicides in recent years, Lithuania still had the highest homicide rate in the EU according to data from Eurostat, the EU's statistics agency, for 2017.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Public signs must be written only in Lithuanian, even in areas predominantly inhabited by people who speak different languages. The Romany population experiences widespread societal discrimination. Members of the LGBT+ community face discrimination.

Men and women enjoy the same legal rights, though women generally earn less than men per hour worked.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Lithuanian residents may travel freely within the country and internationally.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Successive Lithuanian administrations have worked to maintain a well-regulated market economy, and economic freedoms are generally ensured.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Domestic violence remains a problem; statistics released by Lithuanian police in November 2019 indicate that it is the second most reported crime, with burglary first. The perception that women are to blame for gender-based violence against them persists among many.

Lithuania's constitution defines marriage as a union between a man and a woman, and same-sex partnership is not legally established. However, in January 2019, the Constitutional Court ruled that Lithuania must grant residence permits for foreigners in same-sex marriages or registered partnerships with Lithuanian citizens that took place abroad. Legal regulations that would allow gender-confirmation surgery and related procedures are not in place.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Regional economic disparities remain acute. Trafficking of adults and children for the purposes of forced labor or sex work occurs in Lithuania. The government actively works to prosecute traffickers, and provides aid to victims in conjunction with NGOs.

Luxembourg

Population: 600,000

Capital: Luxembourg

Freedom Status: Free

Electoral Democracy: Yes

Overview: Luxembourg is a constitutional monarchy with a democratically elected government. Political rights and civil liberties are generally respected. Ongoing concerns include insufficient government transparency and inadequate safeguards against conflicts of interest.

KEY DEVELOPMENTS IN 2019

- Luxembourgers participated in European Parliament (EP) elections in May. The Democratic Party (DP), the senior partner in the country's governing coalition, won a plurality of votes, and was closely followed by the opposition Christian Social People's Party (CSV).
- In November, Luxembourg, along with 11 other European Union (EU) member states, blocked a proposed directive that would have mandated stronger tax and revenue disclosures for companies operating in the bloc.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister is the head of government and serves five-year terms. The leader of the majority coalition formed after parliamentary elections is appointed prime minister by the hereditary monarch, the grand duke, whose powers are largely ceremonial.

Incumbent prime minister Xavier Bettel of the DP was appointed to form a new government in October 2018 following that month's parliamentary election. The new government, which took office that December, was based on the existing coalition of the DP, the Luxembourg Socialist Workers' Party (LSAP), and the Greens (DG). The election was generally viewed as credible.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral legislature, the Chamber of Deputies, consists of 60 members elected to five-year terms by proportional representation. In the October 2018 election, the DP led the ruling coalition parties with 12 seats, followed by the LSAP with 10 and the DG with 9. The main opposition party, the CSV, won 21 seats. The populist right-wing Alternative Democratic Reform Party (ADR) won 4 seats, while the Pirate Party and the Left each took 2. The contest was generally seen as free and fair, though the campaign was marked by some anti-Semitic vandalism of DP candidate posters.

Luxembourgers participated in the May 2019 European Parliament (EP) election; the DP won 21.4 percent of the vote, while the CSV won 21.1 percent, the DG won 18.9 percent, and the LSAP won 12.2 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The electoral laws and framework are considered fair, and they are generally implemented impartially. Voting is compulsory. In 2017, the government passed a law allowing postal ballots for all citizens.

A multiparty Constitutional Revision Committee completed its draft of a new constitution in 2018. The charter, which did not include major changes to the political system, would take effect only after it had been approved by the parliament and by the public in a referendum. The draft remained pending at the end of 2019.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The political system is open to the establishment of new parties, which do not face undue obstacles in their formation or activities. Three parties have traditionally dominated politics: the CSV, historically aligned with the Catholic Church; the LSAP, a formerly radical but now center-left party representing the working class; and the DP, which favors free-market economic policies. Three smaller parties, the DG, the ADR, and the Left, have also won representation since at least the 1990s.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has a record of peaceful transfers of power between rival parties. Both the DP and the DG were in the opposition before forming the governing coalition with the LSAP in 2013. The CSV, which had played a leading role in most governments since 1945, was forced into opposition in 2013 for the first time since 1979, and it remained out of government following the 2018 election.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Citizens are generally able to make political choices without undue interference from any democratically unaccountable groups.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women engage actively in politics, and the government has taken measures to encourage greater participation. A 2016 law mandates that at least 40 percent of each party's electoral candidates be women; parties risk losing a portion of their public financing if they do not meet the quota. Eighteen women held parliamentary seats at the end of 2019. Citizens who belong to ethnic and other minorities, including LGBT+ people, enjoy full political rights and are free to participate in practice. Bettel became the nation's first openly gay prime minister in 2013.

About 49 percent of the population consists of foreign nationals, most of whom are citizens of other EU member states, with Portugal accounting for the largest single contingent. The law allows naturalization and dual nationality, and children automatically gain citizenship when a parent is naturalized. Foreign residents are entitled to vote in municipal elections.

C. FUNCTIONING OF GOVERNMENT: 10 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

The prime minister, cabinet, and parliament are able to determine and implement the government's policies without improper interference from unelected entities.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption is not widespread in Luxembourg, and allegations of corruption are generally investigated and prosecuted. However, the Council of Europe's Group of States Against Corruption (GRECO) has previously criticized the government for failing to develop a comprehensive strategy to prevent corruption. In addition, rules on accepting gifts, lobbying, and mitigating conflicts of interest after government officials leave office are lacking.

C3. Does the government operate with openness and transparency? 3 / 4

While the legislative process and government operations are largely transparent, there is no comprehensive freedom of information law in place, and in practice the media and civil society groups often have difficulty obtaining official information. Cabinet members are obligated to disclose any shares in companies that they own, but there are no penalties for those who do not cooperate.

In late November 2019, Luxembourg was one of 12 EU member states that blocked a proposed directive requiring firms to more fully disclose revenues and tax payments throughout the bloc. The directive was billed as an effort to reduce corporate tax avoidance within the EU.

CIVIL LIBERTIES: 60 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16****D1. Are there free and independent media? 4 / 4**

Freedom of the press is guaranteed by the constitution and generally respected in practice. A single conglomerate, RTL, dominates broadcast radio and television, though numerous print, online, and foreign news sources are also available and present a broad range of views. Internet access is not restricted.

Luxembourg's media market is regulated by the Independent Luxembourg Broadcasting Authority (ALIA). In May 2019, RTL committed to air French-language political advertisements ahead of that month's EP elections at ALIA's behest, after it previously declined to air a French-language advertisement from the Left party.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is largely respected in practice. The state has historically paid the salaries of clergy from a variety of Christian groups, but a 2016 law ended the practice for all clergy hired after that point. Under the law, the government continued to provide some funding to six major recognized religious communities, including the Muslim community, based on their size. Religious instruction in secondary and primary schools was phased out in 2016–17. In 2018, the parliament adopted legislation that banned face coverings in schools, medical facilities, public buildings, public transport, and retirement homes. The law was widely understood to be aimed at Muslims, though the wearing of such garments is extremely rare in the country.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Freedom of expression is largely respected, and individuals can voice their political views without fear of retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is guaranteed by the constitution and generally respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) are largely free to operate without any undue restrictions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers are free to organize in trade unions and bargain collectively. The right to strike is guaranteed once conciliation procedures are formally exhausted. Employers are subject to penalties for antiunion discrimination.

F. RULE OF LAW: 16 / 16

F1. Is there an independent judiciary? 4 / 4

Judicial independence is generally upheld. Judges are appointed by the grand duke and cannot be removed arbitrarily.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Due process is largely upheld in civil and criminal matters. Defendants have the right to a fair and public trial, and this right is generally respected. Trials can be lengthy because many defendants are foreign nationals, and cases often involve other foreign individuals or institutions. Police typically observe safeguards against arbitrary arrest and detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

There are no major threats to civilians' physical security. Prison conditions and protections against the illegitimate use of force are adequate, and violent crime is rare.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 4 / 4

Discrimination on the basis of race, religion, disability, age, sex, gender identity, or sexual orientation is prohibited by law. The rights of LGBT+ people are generally respected.

Women have benefited from reductions in the gender pay gap and an increase in their labor participation rate in recent years, though women still hold significantly fewer senior positions than men, for example on boards of directors.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

Individuals generally enjoy freedom of movement, and there are no significant restrictions on their ability to change their place of residence, employment, or institution of higher education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The rights to own property and operate private businesses are legally protected and respected in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Individual freedom on issues such as marriage and divorce is generally guaranteed. Same-sex marriage has been legal since 2014, and same-sex couples have full adoption rights. Abortions are legal on request within the first trimester of pregnancy; later abortions require two doctors to determine that the pregnancy threatens the woman's life or health. The authorities generally uphold laws and practices meant to address rape and domestic violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

The country's residents largely enjoy equality of opportunity, and the government enforces legal protections against exploitative working conditions. Occasional cases of forced labor in the construction and food-service industries have been reported, especially among migrant workers.

Madagascar

Population: 27,000,000

Capital: Antananarivo

Freedom Status: Free

Electoral Democracy: Yes

Overview: An unelected administration governed Madagascar following a 2009 coup, but the country returned to electoral politics in 2013. Politics since have been unstable, and government corruption and a lack of accountability persist. Defamation and other laws restrict press freedom. Authorities deny permits for demonstrations, and disperse some that take place. The government has struggled to manage lawlessness, particularly in the south. However, the courts have shown increasing independence, and in 2018 issued rulings that calmed an escalating political crisis.

KEY DEVELOPMENTS IN 2019

- In January, the High Constitutional Court (HCC) confirmed the results of the late 2018 presidential election, which was won by former president Andry Rajoelina.

Second-place finisher Marc Ravalomanana alleged fraud, but international observers considered the results credible.

- In April, the HCC forced President Rajoelina to delay a referendum that would have dissolved the Senate and expanded powers for regional authorities if it was held and passed.
- A political coalition led by Rajoelina won a majority of seats in the May lower house election, while the party of presidential runner-up Ravalomanana came in second place. The contest was considered free and fair by regional observers, despite allegations of fraud.
- In a May report, Madagascar's anticorruption agency alleged that scores of legislators adopted an electoral reform package benefiting former president Hery Rajaonarimampianina in return for bribes in 2018. In a November court filing, the agency alleged that several former ministers engaged in individual acts of corruption.

POLITICAL RIGHTS: 26 / 40 (+2)

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

Madagascar is a semipresidential republic, with a president elected for a five-year term and a prime minister nominated by the National Assembly and appointed by the president.

Rajaonarimampianina of the New Forces for Madagascar party (HVM) was elected president in 2013 and resigned in late 2018 to stand for another term. Rajoelina and Ravalomanana, both former presidents, topped the first round of the election that November, defeating 34 other candidates but polling below the 50 percent needed to avoid a runoff. Despite a bitter rivalry between Rajoelina and Ravalomanana, campaigning in 2018 was relatively peaceful. In December 2018, Rajoelina won the second round with 55.7 percent of the vote. Despite Ravalomanana's protests, and earlier allegations of fraud in the first round by third-place finisher Rajaonarimampianina, the HCC confirmed the results in January 2019.

Christian Ntsay, who was appointed prime minister by Rajaonarimampianina in 2018 after the HCC ordered him to dissolve the government and name a consensus prime minister, was reappointed by President Rajoelina in July 2019.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The bicameral legislature consists of the 63-seat Senate, in which one-third of seats are appointed by the president; the remaining two-thirds are indirectly elected from an electoral college; senators serve five-year terms. Members of the 151-seat National Assembly are directly elected to five-year terms.

A political alliance led by President Rajoelina won 84 National Assembly seats in the May 2019 parliamentary election, while I Love Madagascar (TIM), the party of presidential candidate Ravalomanana, won 16; the remaining 51 were won by other parties and independent candidates. The contest was deemed free and fair by Southern African Development Community (SADC) election observers, though other political parties, including TIM, claimed that the results were marred by fraud.

The HVM won more than half the races in 2015 Senate election. Though that contest was relatively free and fair, other parties made accusations of fraud, and challenged the results. The HCC upheld the results in early 2016. The next Senate election is due in 2021.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Independent National Electoral Commission (CENI) is subject to some influence by the executive, which controls member nomination and budget allocation processes. A new electoral code was adopted in 2018, though provisions that would have prevented Rajoelina and Ravalomanana from running prompted mass demonstrations, and were ruled unconstitutional by the HCC later that year.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Almost 200 registered political parties are registered in Madagascar. However, the political parties law is widely viewed as a flawed document that places undue burdens on individual candidates, effectively mandating a high cost for political candidacy. Political leaders frequently use religion, ethnicity, and caste as instruments to mobilize voters.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Opposition parties have the opportunity to increase their support through elections, but most political parties lack the financial resources to engage in vibrant competition. The government has historically denied opposition parties permits to hold demonstrations, and opposition and independent political figures experienced harassment in the form of frivolous legal cases.

A revision to a law on opposition parties, passed by the National Assembly in August 2019, prohibits individuals who do not hold a legislative seat from serving as official opposition leader; TIM boycotted the vote, claiming the law targeted party leader Ravalomanana. The Senate proposed an amendment to the bill later that month, effectively delaying its passage, and it remained unresolved in the upper house at year's end.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4 (+1)

Economic networks compete for power through strategic support of political candidates. In turn, a narrow group of political elites maintain their status by supporting the interests of their private-sector patrons. As a result, lines between public and private expenditures are blurry, and democratic accountability is reduced.

The military has some influence over politics, and it threatened to intervene during a 2018 political crisis. However, the military did not interfere in the 2019 election, and SADC monitors called the contest peaceful.

Score Change: The score rose from 2 to 3 because the military did not interfere in elections held in 2019.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The constitution guarantees political and electoral rights for all citizens, but in practice, discrimination impedes the political representation of some groups. While there is a small, active LGBT+ community in the capital, LGBT+ people face social stigma that discourages political participation and open advocacy for LGBT+ rights.

Cultural norms can restrict the political participation of women, who hold 16 percent of National Assembly seats and 19 percent of Senate seats. Muslims are disproportionately affected by the nationality code, which can make it difficult for them to secure citizenship documents and thus voting rights. Ethnicity and caste are important political determinants, but generally do not affect political rights.

C. FUNCTIONING OF GOVERNMENT: 6 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Following a 2009 coup, the country returned to electoral politics in 2013. However, government instability since has been reflected in the frequent replacement of the prime minister, and frequent changes to the composition of the cabinet.

According to the constitution, the president determines policies, and Parliament writes laws and votes on them. However, the National Assembly lacks the strength to act as an effective check on executive power. Additionally, economic elites exert significant influence on elected officials.

C2. Are safeguards against official corruption strong and effective? 2 / 4 (+1)

Corruption remains a serious problem in Madagascar, though a series of recent reforms and anticorruption strategies have been aimed at addressing it. Investigations and prosecutions of corruption by the Independent Anticorruption Bureau (BIANCO) were infrequent and rarely targeted high-profile individuals, but the agency has become more independent in recent years. In a May 2019 report, BIANCO implicated 79 lawmakers for accepting bribes to adopt 2018 electoral reforms favoring then president Rajaonarimampianina. Prosecutors were expected to review the report and consider indictments against the legislators, but no major updates were reported at year's end. In November, BIANCO submitted a report to the High Court of Justice (HCJ) implicating three former ministers in acts of corruption. However, the file remained unreviewed by late November, as some of the HCJ's seats remained unfilled.

Score Change: The score increased from 1 to 2 because Madagascar's anticorruption agency has shown greater independence in its activities, and reported on acts of corruption by legislators and ministers during the year.

C3. Does the government operate with openness and transparency? 2 / 4

The constitution provides for the right to information, but no law defines a formal procedure for requesting government information. However, ministers and officials often hold press briefings, and laws, decrees, and high court decisions are posted on the internet. In March 2019, the government launched a new online contact form for Malagasy to send messages to President Rajoelina and key aides.

There is little oversight of procurement processes. Asset declarations are required for most government officials, and while many complied with these laws, there are few practical consequences for those who refuse.

CIVIL LIBERTIES: 35 / 60 (+3)

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16 (+1)

D1. Are there free and independent media? 2 / 4

The constitution provides for freedom of the press. However, this guarantee has been undermined by criminal libel laws and other restrictions, as well as safety risks involved

in the investigation of sensitive subjects such as cattle rustling and the illicit extraction and sale of natural resources.

In April 2019, investigative journalist Fernand Avimana was acquitted of theft after he was charged with stealing a checkbook in 2017. Avimana, who was held in pretrial detention for four months that year, was also charged with defamation, “endangering state security,” and “incitation to hatred” after he reported on an illegal mining operation in 2016, though those charges were dropped in 2017.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4 (+1)

Religious freedom is provided for in the constitution, though this right is upheld inconsistently. Religious leaders have noted that some workers were unable to practice their religion due to poor enforcement of labor laws. The government has historically restricted the Muslim community’s access to education by threatening to close down Islamic schools. Several church facilities have been attacked by armed individuals, some apparently attempting robberies. However, no major incidents of religious discrimination were recorded in 2019.

Score Change: The score increased from 2 to 3 because significant disruptions to religious worship did not occur during the year.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected. However, a lack of resources and frequent strikes hamper normal operations of public universities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

There were no official reports of the government monitoring online activity. However, a cybercrimes law prohibits online defamation, and has been used to prosecute social media users.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12 (+1)

E1. Is there freedom of assembly? 3 / 4 (+1)

The constitution guarantees freedom of assembly, but authorities have sometimes declined requests for protests and rallies in the name of public security.

While political assemblies were banned in early 2018, assemblies and demonstrations were regularly held in 2019. In early January, supporters of presidential runner-up Ravalomanana held protests in Antananarivo, though police used tear gas to disperse crowds after protesters blocked roads. In October, protesters demonstrated against the construction of a bridge linking Antananarivo to a planned new capital city, Tana-Masoandra. According to the government, police officers used tear gas after protesters threw rocks in their direction, while news agency Agence France-Presse (AFP) reported that police used live ammunition; five people were injured, four of them police officers, while another four people were arrested.

Score Change: The score increased from 2 to 3 because major protests were allowed to take place a year after political rallies were banned by the government.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Freedom of association is provided for in the constitution and is generally respected. A wide variety of nongovernmental organizations (NGOs) are active. Although no restrictions are placed on NGOs, the government is not always receptive to their opinions. Domestic human rights groups often lack the resources to operate independently. Groups focused on the environment or human rights face pressure from powerful interests.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers have the right to join unions, engage in collective bargaining, and strike. However, more than 80 percent of workers are engaged in agriculture, fishing, and forestry at a subsistence level, and therefore have no access to unions.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 2 / 4

The executive influences judicial decisions through the reassignment of judges. Trial outcomes are frequently predetermined and the Malagasy people generally regard the judiciary as corrupt. Local tribunals in particular are seen as overburdened and corrupt.

However, key HCC rulings have reflected its independence from the executive. In 2018, it struck election laws that would have prevented key figures from competing against former president Rajaonarimampianina in that year's election. That same year, it ruled that Rajaonarimampianina had to appoint a prime minister and unity government that reflected the results of the 2013 election. In April 2019, the HCC forced President Rajoelina to delay a constitutional referendum that aimed to dissolve the Senate and give more power to regional authorities.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are poorly upheld. A lack of training, resources, and personnel hampers the effectiveness of the criminal justice system. Many people held in pretrial detention do not have access to lawyers, and the successful assertion of due process rights is often tied to the ability of family and friends to intercede on behalf of the accused.

In response to these circumstances, the government has worked to increase funding for the judiciary, launch capacity-building efforts, and pardon individuals detained over minor offenses as part of a new policy supported by the Office of the UN High Commissioner for Human Rights (OHCHR). In October 2019, the government also instituted the use of "fair ground hearings" to alleviate the pretrial backlog.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The police and military are unable to assert authority over the entire country, and areas in southern Madagascar are subjected to raids and violence by bandits and criminal groups. Security forces operate with little oversight or accountability for extrajudicial killings, particularly against cattle thieves, known as *dahalo*.

Detainees and prisoners suffer from harsh and sometimes life-threatening conditions due to overcrowding in detention facilities, and substandard hygiene and health care. As part of the OHCHR-backed penal policy, the government began construction of a new prison and allocated more funding to the prison system in 2019.

People convicted of crimes can be sentenced to hard labor.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Legal provisions prohibit discrimination based on race, gender, disability, and social status, but these are upheld inconsistently. Traditional, cultural, social, and economic constraints can prevent women from having equal opportunities as men. Some ethnic groups face discrimination outside of their home regions. There are no legal protections against discrimination on the basis of sexual orientation or gender identity; members of the LGBT+ community face social stigma, particularly in rural areas, and experience employment discrimination and occasional acts of violence.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16 (+1)**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4 (+1)**

The government generally does not interfere in freedom of movement; individuals are allowed to move freely in the country and can travel internationally. However, bandit attacks in the south and west have made traveling across the island difficult. The government has made some progress in responding to these attacks, however; authorities seized 112 weapons and arrested 48 people in a May 2019 operation.

Score Change: The score improved from 2 to 3 because authorities have made progress addressing the insecurity that limits free movement in parts of Madagascar.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Madagascar's legal structure provides protections for private property rights, though enforcement of these protections is inconsistent, in part because the vast majority of farmers do not hold the official rights to their land. There is a history of competition between the state-recognized property rights system and customary land use practices, as well as attempts by the state to permit mining, commercial agriculture, and other economic pursuits on land where ownership is disputed.

In recent years, Madagascar has made it easier to start a business by reducing the number of procedures to register a business, and simplifying the payment of registration fees. In May 2019, the government launched a financing program to support Malagasy establishing new businesses.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Women and children have limited social freedoms in Madagascar, especially in rural areas. Forced child marriage and domestic abuse are common. Although sexual harassment is illegal, the law is not enforced and harassment is common. Abortion is illegal in Madagascar. No law prohibits same-sex sexual relations.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Most people work in subsistence agriculture, making advancement in the local economy extremely challenging.

According to the US State Department's 2019 *Trafficking in Persons Report*, the Malagasy government does not scrutinize officials implicated in trafficking. The report also noted that the government does not provide services to survivors of trafficking. However,

Madagascar has made some recent progress in arresting those accused of trafficking; two were arrested in March 2019, and another three were held in December.

Malawi

Population: 18,600,000

Capital: Lilongwe

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Malawi holds regular elections and has undergone multiple transfers of power between political parties, though the changes were largely a result of rifts among ruling elites rather than competition between distinct groups. Political rights and civil liberties are for the most part respected by the state. However, corruption is endemic, police brutality and arbitrary arrests are common, and discrimination and violence toward women, minority groups, and people with albinism remain problems.

KEY DEVELOPMENTS IN 2019

- In the May general elections, incumbent Peter Mutharika of the Democratic Progressive Party (DPP) was declared the winner of the presidential race with 38.57 percent of votes cast, edging out two major challengers.
- Evidence of possible fraud emerged following the elections, with photos showing tabulation sheets that were edited using a correction fluid known as Tipp-Ex. The Malawi Electoral Commission (MEC) stated that the fluid was used simply to correct basic errors, but opposition parties took the matter to the Constitutional Court, which had yet to rule at the end of 2019.
- Amid the Tipp-Ex scandal, the Malawi Human Rights Defenders Coalition (HRDC) organized regular mass demonstrations in all major cities, calling for MEC chair Jane Ansah to step down. Organizers of and participants in the demonstrations faced harassment, threats, and violence at the hands of police, other authorities, and supporters of the ruling party.

POLITICAL RIGHTS: 26 / 40

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is directly elected for five-year terms and exercises considerable executive authority. The May 2019 election featured logistical challenges and allegations of fraud, but it was generally regarded as credible by local and international observers. A week after the balloting, the MEC declared incumbent Peter Mutharika of the DPP the winner of the presidential contest, with 38.57 percent of the vote, followed by opposition leader Lazarus Chakwera of the Malawi Congress Party (MCP) with 35.41 percent and incumbent vice president Saulos Chilima of the United Transformation Movement (UTM) with 20.24 percent. Mutharika was inaugurated at the end of the month and began his second term despite ongoing controversy that was stoked by photographs showing the use of Tipp-Ex correction

fluid to alter vote tabulation sheets. While the MEC said the changes were legitimate corrections of basic errors, opposition parties challenged the validity of the official results, and a ruling by the Constitutional Court was pending at year's end.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The unicameral National Assembly is composed of 193 members elected by popular vote to serve five-year terms. Legislative elections were held concurrently with the presidential election in May 2019 and suffered from some irregularities and logistical problems, though the results were not challenged to the same extent as the presidential result. The ruling DPP captured 62 seats, followed by the MCP with 55, the United Democratic Front (UDF) with 10, the People's Party (PP) with 5, the UTM with 4, and the Alliance for Democracy with 1. Independent candidates won 55 seats, and balloting in the remaining constituency was postponed until early 2020 due to the death of a candidate.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The MEC lacks resources and is often unprepared to carry out elections. Though viewed in previous elections as largely impartial, the MEC was the object of sharp criticism in 2019. Opposition parties and civil society activists called for MEC chair Jane Ansah's resignation, accusing the commission of mismanagement of the electoral process. A series of anti-Ansah demonstrations continued through the end of the year, and the MEC postponed by-elections in Lilongwe that were scheduled for early November due to concerns about the safety of election staff.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

There are few significant obstacles to the formation of political parties, though the government has at times held up the registration of new groups. While several parties compete in practice, they are loosely organized, with politicians frequently moving between parties or breaking away to form their own groups. Many candidates choose to run as independents. In 2018, Vice President Chilima formed the UTM in order to launch his presidential campaign against Mutharika. The party itself performed poorly in the 2019 general elections, but Chilima played an important role in the presidential contest and remained politically influential.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Malawi has experienced peaceful transfers of power between rival groups. Opposition parties hold seats in the parliament and are generally able to campaign freely throughout the country. However, an opposition party has never defeated an incumbent party that was elected in its own right since the transition to democracy in 1994.

The playing field during election campaigns is often skewed toward the governing party. Opposition parties have sometimes faced violence and intimidation, and in 2019 they accused the state-owned broadcaster, the Malawi Broadcasting Corporation (MBC),

of favoring the DPP in its coverage. The opposition relied on private media to convey its message to the public.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Traditional chiefs, who wield some authority and receive public funds, are supposed to be nonpartisan figures under the law, but they influence voters in practice. Some chiefs publicly endorsed the incumbent president ahead of the 2019 elections.

The Political Parties Act, which came into force in 2018, bans politicians from using cash handouts and other incentives to garner votes. Despite this, a November 2019 report from the Westminster Foundation for Democracy found that over 96 percent of candidates alleged the use of handouts to chiefs and voters in their constituencies.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

All ethnic, religious, and gender groups have full political rights under the law. However, women remain underrepresented in politics despite gradual gains, and according to Afrobarometer, they are less likely than men to become politically involved. The 2019 elections featured increased participation by women, with 44 winning seats in the National Assembly. In June, Catherine Gotani Hara became the body's first woman speaker.

Some other segments of the population are politically marginalized. Political parties generally do not advocate for the rights of LGBT+ people, who are subject to legal and societal discrimination.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Executive and legislative representatives are typically able to determine the policies of government unhindered. However, patronage and clientelism are common, and wealthy business leaders often have influence over policymaking.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is endemic in Malawi. Civil society leaders have accused the Anti-Corruption Bureau (ACB), which is responsible for investigating corruption, of being ineffective and politically compromised. Several major corruption scandals have shaken the country in recent years, and high-level officials have generally acted with impunity.

In October 2019, the ACB charged former presidential adviser Uladi Mussa with abuse of office. The US government in July had barred Mussa's entry to the United States based on evidence that he had "been involved in significant corruption." His case was pending before the High Court in Malawi at year's end.

C3. Does the government operate with openness and transparency? 2 / 4

Malawi lacks budgetary transparency; the government does not make year-end budget audit reports public. As of 2019, the government had yet to take the steps necessary for the 2017 Access to Information Act to come into force.

High-level officials are legally required to declare their assets and other financial interests while in public service. Mutharika and Vice President Everton Chimulirenji—who replaced Chilima after the May election—declared their assets in 2019, but few others followed suit.

CIVIL LIBERTIES: 36 / 60 (-2)**D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16 (-1)****D1. Are there free and independent media? 2 / 4 (-1)**

Freedom of the press is legally guaranteed and traditionally respected in practice. However, news outlets have experienced intimidation and undue regulatory interference in recent years. In June 2019, the Malawi Communications Regulatory Authority imposed an indefinite suspension on call-in radio programs, citing concerns that they would instigate violence in the context of postelection protests. The High Court lifted the ban in September after the Malawi chapter of the Media Institute of Southern Africa—in collaboration with local broadcasters—argued that it violated freedom of expression.

Journalists sometimes face physical violence while reporting on demonstrations or police activity. In September 2019, two journalists were attacked by demonstrators during antigovernment protests in Lilongwe.

A vaguely worded 2016 cybersecurity law criminalizes the posting of “offensive” content online, which could place journalists at risk of prosecution.

Score Change: The score declined from 3 to 2 due to greater government pressure on independent media in recent years, including a nearly four-month ban on radio call-in shows in 2019.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution upholds freedom of religion, and this right is generally respected in practice. However, some government-run schools reportedly require Muslim girls to remove their headscarves. In November 2019, an incident in which Christian men allegedly prevented two Muslim girls in headscarves from attending an Anglican-affiliated public school prompted an outbreak of communal violence in which at least two people were injured.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Malawi’s education system is largely free from political indoctrination. University students and professors have been able to engage in research and political activities without interference in recent years.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Citizens are typically free to express their personal views without fear of surveillance or retribution. However, many Malawians do not feel comfortable criticizing the government and engage in self-censorship. In addition to the 2016 cybercrime law’s ban on posting “offensive” content, a law against insulting the leader of Malawi remains on the books, though it is rarely enforced. Civil society leaders have expressed suspicions that the government monitors their electronic communications using new technology that was introduced in 2017.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12 (-1)**E1. Is there freedom of assembly? 2 / 4 (-1)**

Freedom of assembly is guaranteed in the constitution, but the government has sometimes limited this right. The HRDC organized regular protests following what it deemed mismanagement of the May 2019 elections. Organizers and participants faced harassment,

threats, and violence at the hands of police, other authorities, and supporters of the ruling party.

In August, the home of HRDC chair Timothy Mtambo was attacked with gasoline bombs. In September, ruling party youth cadres reportedly hacked HRDC leader Billy Mayaya and four others with machetes, leaving them with serious injuries. In October, Mtambo was shot at multiple times in Lilongwe.

Also in October, a police officer was stoned to death during demonstrations in Msundwe after police used tear gas on protesters. Four protesters were charged in the officer's death. Demonstrations continued through the end of the year.

Score Change: The score declined from 3 to 2 because postelection demonstrations were met with repressive and retaliatory violence by police and ruling party supporters.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Nongovernmental organizations (NGOs) are active in Malawi, but leading civil society figures are subject to intimidation, and NGO operations are somewhat constrained by onerous regulations. Under the NGO Act, an organization's registration can be suspended if it is deemed to have departed from its original purpose, engaged in partisan politics, or violated any provisions of the law, among other grounds. The NGO Board has threatened to deregister NGOs, though this had not yet occurred as of 2019.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The rights to organize labor unions and to strike are legally protected, though workers in poorly defined essential services have only a limited right to strike. Unions are active and collective bargaining is practiced, but retaliation against unregistered unions and strikers is not illegal.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 3 / 4

Judicial independence is generally respected, particularly in the higher courts, though judges sometimes face political pressure. The appointment process for judges lacks transparency, and the judiciary is underfunded, which can also undercut judicial autonomy.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Arbitrary arrests and detentions are common. Defendants are entitled to legal representation, but in practice they are frequently forced to represent themselves in court. Although the law requires that suspects be released or charged with a crime within 48 hours of arrest, these rights are often denied. Case backlogs contribute to lengthy pretrial detention; those awaiting trial make up about 18 percent of the prison population.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Police are poorly trained and often ineffective. Police brutality and extrajudicial killings are not uncommon. In a December 2019 report from the Centre for Human Rights Education, Advice, and Assistance, researchers confirmed that the victims in 28 of the 43 alleged extrajudicial killings they investigated had been shot by the police and died in "very suspicious circumstances."

Prison conditions are dire, characterized by overcrowding and extremely poor health care; many inmates die from disease.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution explicitly guarantees the rights of all humans. However, consensual sexual activity between same-sex couples remains a crime punishable by up to 14 years in prison. LGBT+ people are subject to arbitrary arrest and detention and are sometimes physically assaulted while in custody.

Despite constitutional guarantees of equal protection, customary practices perpetuate discrimination against women in education, employment, business, and other aspects of life.

People with albinism experience discrimination and have been attacked, abducted, killed, and mutilated. In March 2019, President Mutharika created a commission of inquiry to examine such attacks. Two separate murder cases involving victims with albinism resulted in convictions in May and August.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The constitution establishes freedom of internal movement and foreign travel, which are generally respected in practice for Malawians. However, according to the United Nations, the government's policy of confining refugees to designated camps restricts their freedom of movement and impairs their ability to earn a living. Police frequently round up those found outside of the camps and return them.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights are inadequately protected. Most land is held under customary tenure, and the process of creating titles that would allow legal ownership of land has moved slowly. Customary practices put women at a disadvantage regarding property ownership and inheritance. Starting a business can be a cumbersome process that is worsened by corruption in key government agencies.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Domestic violence is common, but victims rarely come forward, and police generally do not intervene in domestic violence cases. Child sexual abuse is prevalent. Approximately 42 percent of children marry before they turn 18, in violation of the law.

Some female protesters alleged that police officers raped them during the 2019 post-election demonstrations, according to the Malawi Human Rights Commission. The police service was investigating the allegations at year's end.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Revenues from large, state-run industries tend to benefit the political elite. Income inequality remains a problem and inhibits economic mobility.

The enforcement of labor laws is weak, and employees are often paid extremely low wages, despite minimum-wage laws. Child labor is a persistent problem, particularly on tobacco estates. In October 2019, the British law firm Leigh Day announced a class-action

lawsuit against British American Tobacco on behalf of 2,000 Malawian farmers over forced labor and child labor practices. Shortly thereafter, the United States announced that it would suspend imports of Malawian tobacco due to evidence of forced labor.

Malaysia

Population: 32,800,000

Capital: Kuala Lumpur

Freedom Status: Partly Free

Electoral Democracy: No

Overview: The same political coalition ruled Malaysia from independence in 1957 until 2018, maintaining power by manipulating electoral districts, appealing to ethnic nationalism, and suppressing criticism through restrictive speech laws and politicized prosecutions of opposition leaders. The coalition lost to an opposition alliance in the May 2018 general elections, and the new government began to deliver on its promises of reform, though progress on legislative and other substantive changes has been slow.

KEY DEVELOPMENTS IN 2019

- Prime Minister Mahathir Mohamad's governing coalition, Pakatan Harapan (PH), accepted a steady stream of defectors from the opposition during the year, increasing the government's parliamentary majority.
- The United Malays National Organisation (UMNO), the lead party in the formerly governing Barisan Nasional (BN) coalition, signed a cooperation pact in September with the Malaysian Islamic Party (PAS), laying the groundwork for an opposition bloc based on ethnic Malay and Islamist interests. The BN also won most of the year's state and federal legislative by-elections.
- Criminal trials pertaining to the embezzlement of billions of dollars from the state investment fund known as 1MDB proceeded during the year, with former prime minister Najib Razak and former deputy prime minister Ahmad Zahid Hamidi, the current leader of UMNO, facing multiple charges.
- In July, Parliament adopted legislation that lowered the voting age from 21 to 18, a change that received broad cross-party support.
- In October, Parliament repealed the Anti-Fake News Act, which had prescribed large fines and up to six years in prison for the publication of wholly or partly false news.

POLITICAL RIGHTS: 21 / 40

A. ELECTORAL PROCESS: 6 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The prime minister is the head of government and chief executive. Though formally appointed by the monarch, the prime minister and cabinet must have the support of a majority in the lower house of Parliament. Mahathir Mohamad of the Malaysian United Indigenous Party (PPBM)—part of the PH coalition—returned to the premiership as a result of the May 2018 parliamentary elections. Mahathir had previously served as prime minister from

1981 to 2003 but broke with UMNO and the BN in 2016 over then prime minister Najib's involvement in the 1MDB scandal.

The largely ceremonial monarch, known as the Yang di-Pertuan Agong, is elected for five-year terms by and from among the hereditary rulers of 9 of Malaysia's 13 states. Sultan Muhammad V of Kelantan, who took office as the country's head of state in 2016, abruptly abdicated in January 2019, following reports that he had married a Russian woman. Sultan Abdullah of Pahang was chosen to replace him later that month.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The upper house of the bicameral Parliament, the Senate or Dewan Negara, consists of 44 members appointed by the monarch on the advice of the prime minister and 26 members elected by the 13 state legislatures, serving three-year terms. The Senate has limited power to amend or block legislation passed by the lower house. The House of Representatives, or Dewan Rakyat, has 222 seats filled through direct elections in single-member constituencies.

In the May 2018 elections, the PH won 113 seats in the House of Representatives, followed by the BN with 79, the PAS with 18, the Sabah Heritage Party (Warisan) with 8, the Homeland Solidarity Party with 1, and independents with 3. The PH victory came despite lopsided electoral conditions that gave the BN significant advantages, such as gerrymandered and seriously malapportioned voting districts, weak regulation of campaign spending, and legal constraints on media independence and expressions of dissent.

After a series of defections from the opposition, the PH controlled a strong majority of 139 seats in the House of Representatives by late 2019, though it lost two of the year's three federal by-elections.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The Election Commission (EC), which administers elections and is responsible for voter rolls and the delineation of electoral boundaries, was seen as subservient to the government under the BN, with members appointed by the king on the advice of the prime minister. A new EC chairman was appointed under the PH government in September 2018, and other new commissioners were appointed by March 2019. The reconstituted EC was considered more transparent and independent in its management of by-elections, though major changes to the legal framework had yet to be adopted. In October 2019, an Electoral Reform Committee proposed a shift from single-member constituencies toward proportional representation at the federal level, among other changes; its full report was due in 2020.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

The party system in Malaysia is diverse and competitive, but groups that challenged BN rule prior to 2018 often faced obstacles such as unequal access to the media, restrictions on campaigning and freedom of assembly, and politicized prosecutions. The Registrar of Societies (ROS) oversees the registration of political parties and was known to issue politicized decisions under the BN government. One of the legal reforms under discussion at the Electoral Reform Committee during 2019 was the transfer of responsibility for political party regulation from the ROS to the EC.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Although opposition parties had long governed in a number of Malaysia's states, the 2018 elections produced the country's first democratic transfer of power between rival political groups at the federal level since independence in 1957.

The balance of power between the PH and BN remained in flux during 2019. Although opposition defectors continued to join the governing coalition in Parliament, many of them moved from UMNO to Mahathir's PPBM, threatening the position of the reformist People's Justice Party (PKR)—led by Anwar Ibrahim, a key opposition figure under BN rule—within the PH. Mahathir had pledged to eventually step down and allow Anwar to succeed him as prime minister, and suspicions that he would not fulfill this promise have fueled tensions in the alliance.

Meanwhile, UMNO began formal cooperation talks with the PAS in March 2019 and a signed a pact in September, laying the groundwork for an opposition bloc based on ethnic Malay and Islamist interests. The BN also won two out of three federal by-elections and both state-level by-elections during the year.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The military is not active in politics, and foreign powers do not directly meddle in domestic political affairs, though the BN's increasingly close ties with China were a prominent issue in the 2018 election campaign.

During its decades in power, the BN built strong connections with Malaysia's business elites and used these relationships to influence electoral outcomes, including through favorable coverage by mainstream private media and greater access to financial resources. The BN administration was also suspected of using government-linked companies, official monopolies for certain goods and services, and state investment vehicles for political purposes. The PH government initiated some reform programs and made new appointments to these entities, but a more comprehensive overhaul was still pending at the end of 2019.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Suffrage in Malaysia is universal for adult citizens, and in July 2019 Parliament lowered the voting age from 21 to 18 with broad cross-party support. However, social and legal restrictions limit political participation among some minority groups—including LGBT+ people. Women's interests remain generally underrepresented in politics. In a positive change, the government formed in 2018 included more women and minority representatives in more powerful positions, and it began consideration of increased autonomy for the East Malaysian states of Sabah and Sarawak, which are located on the island of Borneo and are home to distinct ethnic groups.

UMNO and the PAS are influential in opposition as defenders of long-standing policies that favor the ethnic Malay and Muslim majority. At a Malay Dignity Congress in October 2019, attended by politicians from both government and opposition parties, delegates advocated for more radical changes, including a proposal that all leading positions in government be reserved for Malay Muslims.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

While elected officials determine and implement government policy, the unfair electoral framework has historically weakened their legitimacy. Decision-making power has typically been concentrated in the hands of the prime minister and his close advisers, though the PH government continued to show signs of broader consultation in 2019.

C2. Are safeguards against official corruption strong and effective? 2 / 4

High-level corruption was a critical weakness of the BN government, and Najib's efforts as prime minister to avoid accountability for the 1MDB scandal had crippled the country's anticorruption mechanisms more generally. The Malaysian Anti-Corruption Commission (MACC) and other law enforcement institutions grew more active under a new chief commissioner after the change in government, unleashing a raft of investigations against the former leadership. Among others who faced charges, Najib, his wife, and his successor as UMNO leader—former deputy prime minister Ahmad Zahid Hamidi—were all arrested and eventually indicted for numerous corruption-related offenses. Their trials were ongoing at the end of 2019, with Najib taking the witness stand in his own defense in December. Separately, the PH government launched a National Anti-Corruption Plan in January 2019 and called on civil society and the media to contribute to the effort.

C3. Does the government operate with openness and transparency? 2 / 4

A lack of independent oversight regarding state-affiliated companies and investment funds has long created conditions conducive to corruption. The PH government pledged to operate with greater openness than its predecessor, and while it did in some respects, its initial performance was uneven. It resisted releasing the findings of the Institutional Reforms Committee, which was formed after the elections and produced more than 200 recommendations meant to improve government integrity and prevent corruption. As of 2019 the government was still engaging in consultations on a possible freedom of information act and amendments to existing laws, such as the Official Secrets Act, that deter whistle-blowers and journalists from exposing information in the public interest.

CIVIL LIBERTIES: 31 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 3 / 4

Prior to the 2018 elections, most private news publications and television stations were controlled by political parties or businesses allied with the BN, and state news outlets similarly reflected government views. The market began to change after the PH took power, with some BN-linked outlets suffering financially and others producing more neutral coverage, even as independent outlets benefited from a reduction in political pressure and harassment.

The PH government pledged to reform restrictive media laws, and it made some progress during 2019. The House of Representatives voted in October to repeal the Anti-Fake News Act, which the BN had hastily adopted in April 2018. The measure prescribed large fines and up to six years in prison for the publication of wholly or partly false news. Although the Senate had blocked a similar repeal effort in late 2018, it could not do so again under the constitution, and the act was formally repealed in December 2019. Other problematic laws, including the Sedition Act, remained in place.

The Malaysian Communication and Multimedia Commission (MCMC) monitors websites and can order the removal of material considered provocative or subversive. A 2012 amendment to the 1950 Evidence Act holds owners and editors of websites, providers of web-hosting services, and owners of computers or mobile devices accountable for information published through their services or property.

In December 2019, the government agreed to a proposal to establish a Media Council—made up of representatives from media outlets, journalist associations, and civil society groups—as a self-regulatory body for the sector. It had yet to begin operating at year’s end.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

While Malaysia is religiously diverse, legal provisions restrict religious freedom. Ethnic Malays are constitutionally defined as Muslim and are not entitled to renounce their faith. The powerful Malaysian Islamic Development Department (JAKIM) has played a central role in shaping and enforcing the practice of Islam in Malaysia, and state-level authorities perform their own enforcement functions. Muslim children and civil servants are required to receive religious education using government-approved curriculums and instructors. Practicing a version of Islam other than Sunni Islam is prohibited, and Shiites and other sects face discrimination. More than 30 people were arrested for practicing Shia Islam in the states of Selangor and Johor during 2019. Separately, six people were sentenced to a month in jail in the state of Terengganu in December for picnicking rather than attending Friday prayers.

Non-Muslims are not able to build houses of worship as easily as Muslims, and the state retains the right to demolish unregistered religious statues and houses of worship. In 2018, a dispute over the relocation of a Hindu temple triggered rioting, with assailants allegedly linked to a property developer storming the temple and beating worshippers.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

There is some degree of academic freedom in Malaysia. Under the BN government, instructors and students who espoused antigovernment views or engaged in political activity were subject to disciplinary action under the Universities and University Colleges Act (UUCA) of 1971. Under the new government, in late 2018, Parliament amended the UUCA to allow students to engage in political activity on campus. The government continues to control appointments of top officials at public universities; in 2018 the PH education minister, Maszlee Malik, organized the replacement of several university chairmen who had been installed by the BN. Maszlee himself was appointed as president of the International Islamic University of Malaysia, but he resigned that post in January 2019 following protests over his dual role in government and academia.

The government in July 2019 announced plans to introduce lessons on the Arabic-based Jawi script for writing the Malay language, even in schools that used other languages, such as Chinese or Tamil, as the language of instruction. Following objections from minority groups, the government said in August that the lessons would be optional for those schools, though the issue remained the subject of debate at year’s end.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

The PH government’s initial statements and initiatives generally created a more open environment for public discussion of issues that had previously been considered off limits. However, as of 2019 the government had not repealed the Sedition Act despite earlier promises to do so, and other restrictive laws, including criminal prohibitions on blasphemy, remained in place, impeding individual expression on sensitive political and religious topics.

The year featured multiple arrests and prison sentences for social media posts that were deemed insulting to Islam or Malaysia's hereditary rulers.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

Freedom of assembly can be limited on the grounds of maintaining security and public order. In July 2019, Parliament amended the 2012 Peaceful Assembly Act, reducing the mandatory police notification period from 10 days to seven days before the planned event, among other changes. However, the law still imposed criminal penalties for violations, lacked provisions to allow spontaneous assemblies, banned those under age 21 from organizing an assembly, and prohibited participation by minors and noncitizens. While demonstrations are often held in practice, police continue to enforce such restrictions, investigating participants in allegedly illegal protests on multiple occasions during 2019. The events in question included a march for women's rights and a rally to express support for prodemocracy protesters in Hong Kong.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

A wide array of nongovernmental organizations (NGOs) operate in Malaysia, and they have a strong record of campaigning for electoral, anticorruption, and other reforms. However, NGOs must be approved and registered by the government, which has refused or revoked registrations for political reasons in the past. Some international human rights organizations have been forbidden from forming local branches. Individual activists remained subject to police harassment and criminal charges—particularly for speech-related offenses—under the PH government, and certain NGOs were affected by the authorities' efforts to freeze assets that could be linked to the 1MDB scandal.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Most Malaysian workers can join trade unions, but the law contravenes international guidelines by restricting unions to representing workers in a single or similar trade. The director general of trade unions can refuse or withdraw registration arbitrarily. Collective-bargaining rights are limited, particularly in designated high-priority industries, as is the right to strike.

In December 2019, the Senate approved new labor legislation adopted by the lower house in October. The law shifted some discretionary powers from the minister for human resources to the director general of industrial relations, and replaced the penalty of imprisonment for illegal strikes with higher fines, among other changes. The Malaysia Trade Union Congress (MTUC) objected to the measure, arguing that its provisions allowing rival unions to compete for sole bargaining rights at a workplace would effectively empower employers and their preferred unions.

Also in December, the ROS suspended the MTUC and threatened it with deregistration over allegations of mismanagement. The organization was working to address the complaints at year's end.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 2 / 4

Judicial independence has historically been compromised by extensive executive influence, with courts frequently issuing arbitrary or politically motivated verdicts in high-profile

cases. However, a series of new judicial appointments since 2018 have improved confidence in the independence of the higher courts and prospects for reform. In May 2019, Datuk Tengku Maimun Tuan Mat took office as chief justice, becoming the first woman to hold the country's top judicial post. She replaced Richard Malanjum, who retired after just nine months in office; both were seen as more independent than their predecessors. Malanjum had played a role in a number of important decisions at the Federal Court that upheld individuals' constitutional rights in civil and criminal cases.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Several existing laws undermine due process guarantees, and they remained in place as of 2019 despite PH plans to review them. The 2012 Security Offences (Special Measures) Act allows police to detain anyone for up to 28 days without judicial review for broadly defined "security offenses," and suspects may be held for 48 hours before being granted access to a lawyer. It was renewed for another five years in 2017. Also that year, lawmakers amended the Prevention of Crime Act—a law ostensibly aimed at combating organized crime—to revoke detainees' right to address the government-appointed Prevention of Crime Board, which is empowered to order the detention of individuals listed by the Home Ministry for renewable two-year terms without trial or legal representation. The 2015 Prevention of Terrorism Act together with the National Security Council (NSC) Act from the same year gives the NSC—led by the prime minister—wide powers of arrest, search, and seizure without a warrant in areas deemed as security risks and in the context of countering terrorism.

Malaysia's secular legal system is based on English common law. However, Muslims are subject to Sharia (Islamic law), the interpretation of which varies by state, and the constitution's Article 121 stipulates that all matters related to Islam should be heard in Sharia courts. This results in different treatment of Muslims and non-Muslims in "moral" and family law cases.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Torture and abuse in police custody remain problems, and prisons are often overcrowded and unsafe. A number of criminal offenses can be punished with caning, including immigration violations.

Most of the roughly 1,300 people facing the death penalty in Malaysian prisons were convicted under the country's harsh laws on drug trafficking. In March 2019, the government announced that it would retain the death penalty, which can be applied for numerous offenses, but end its mandatory application, affecting 11 offenses including murder. The PH had previously pledged to abolish the death penalty. Legislation to implement the new plan had yet to be introduced at year's end.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Although the constitution provides for equal treatment of all citizens, it grants a "special position" to ethnic Malays and other indigenous people, known collectively as *bumiputera*. The government maintains programs intended to boost the economic status of *bumiputera*, who receive preferential treatment in areas including property ownership, higher education, civil service jobs, business affairs, and government contracts.

Women are placed at a disadvantage by a number of laws, particularly Sharia-related provisions. They are legally barred from certain occupations and work schedules, and they suffer from *de facto* discrimination in employment.

LGBT+ Malaysians face widespread discrimination and harassment. Same-sex sexual relations are punishable by up to 20 years in prison under the penal code, though this is generally not enforced. Some states apply their own penalties to Muslims under Sharia statutes. Transgender people can also be punished under state-level Sharia laws. In November 2019, five men in the state of Selangor were sentenced to fines, up to seven months in prison, and six strokes of the cane for “attempted” same-sex sexual activity, following a police raid on a private event. Four of the men were caned later that month.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Citizens are generally free to travel within and outside of Malaysia, as well as to change residence and employment. However, professional opportunities and access to higher education are affected by regulations and practices that favor bumiputera and those with connections to political elites. Although the practice is illegal, employers of migrant workers commonly hold their passports, preventing them from leaving abusive situations.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Malaysia has a vibrant private sector. Bribery, however, is common in the business world, and the close nexus between political and economic elites distorts normal business activity and fair competition. Some laws pertaining to property and business differentiate between bumiputera and non-bumiputera, and Sharia-based inheritance rules for Muslims often favor men over women.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

While some personal social freedoms are protected, Muslims face legal restrictions on marriage partners and other social choices. Societal pressures may also regulate dress and appearance, especially among Malay women. Sharia courts often favor men in matters of divorce and child custody. The minimum age for marriage is generally 16 for girls and 18 for boys, but Sharia courts in some states allow younger people to marry. Prime Minister Mahathir has called on all state governments to raise the minimum age to 18 for Muslims and non-Muslims of both genders, though only one state had done so by the end of 2019, and seven had expressed opposition.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Rural residents and foreign workers, especially those working illegally, are vulnerable to exploitative or abusive working conditions, including forced labor or debt bondage. Foreign workers make up over a fifth of the country’s workforce; about two million are documented, and estimates of the undocumented range from one million to more than three million. The authorities’ periodic crackdowns on illegal foreign workers can result in punishment rather than protection for victims of human trafficking.

There have been no convictions of Malaysians for involvement in a network of human trafficking camps along the Thai-Malaysian border since the sites were discovered in 2015. The camps included mass graves holding the bodies of dozens of victims, and corrupt Malaysian officials were thought to have been complicit in the operation.

Maldives

Population: 500,000

Capital: Malé

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Democratic gains that followed the country's first multiparty presidential election in 2008 were reversed beginning in 2012 amid severe restrictions on opposition activities, the imprisonment of opposition figures, constraints on freedoms of expression and assembly, politicization of the judiciary and other independent institutions, and increasing Islamist militancy. However, an opposition victory in the 2018 presidential election resulted in initial efforts to revise antidemocratic laws and establish transitional justice mechanisms.

KEY DEVELOPMENTS IN 2019

- In January, a magistrate on Naifaru Island sentenced a woman to death by stoning for extramarital sex, but the Supreme Court overturned the sentence a day later. Social media users and human rights advocates who criticized the death sentence faced threats from extremist groups.
- In September, a presidential commission investigating past deaths and disappearances reported its findings on the disappearance of journalist Ahmed Rilwan, stating that a local terrorist organization with transnational links abducted Rilwan in August 2014 and murdered him the next day. The commission found evidence that officials under the previous administration had interfered with the police investigation of the case.
- Also in September, female judges were appointed to the Supreme Court for the first time in the country's history, despite objections from hard-line Islamists.
- In November, former president Abdulla Yameen was sentenced to five years in prison on money-laundering charges.
- The government's registrar for nongovernmental organizations (NGOs) arbitrarily dissolved a leading human rights group, the Maldivian Democracy Network (MDN), in December after Islamists denounced the group's 2015 report on radicalization in the country.

POLITICAL RIGHTS: 18 / 40 (+4)

A. ELECTORAL PROCESS: 7 / 12 (+2)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president is directly elected for up to two five-year terms. The run-up to the September 2018 election was marred by the misuse of state resources on behalf of incumbent president Yameen of the Progressive Party of Maldives (PPM), police interference with opposition campaign efforts, and various forms of manipulation by electoral officials. The Maldivian Democratic Party (MDP) and other opposition groups endorsed Ibrahim Mohamed Solih, an MDP lawmaker, after former president Mohamed Nasheed was disqualified over a dubious 2015 terrorism conviction. Despite the impediments to his campaign, Solih won the election with over 58 percent of the vote amid high turnout, leaving Yameen with less than 42 percent.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4 (+1)

The unicameral People's Majlis is composed of 85 seats, with members elected from individual districts to serve five-year terms. Elections held in April 2019 were largely transparent and competitive, with Commonwealth observers reporting that vote buying—while still a problem—appeared less prevalent than in previous elections. The MDP captured 65 seats, with Nasheed winning a seat representing a district in Malé. The PPM suffered a sharp decline, winning only five seats. The Jumhooree Party also won five seats, the Maldives Development Alliance won two, and independents took an additional seven. Nasheed was elected speaker in May.

Score Change: The score improved from 2 to 3 because the parliamentary elections reportedly proceeded in a more open and competitive environment than previous balloting, earning a generally positive assessment from international observers.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4 (+1)

The independence of the Elections Commission, whose members are appointed by the president with approval from the parliament, has been seriously compromised in recent years, with key decisions favoring the PPM. In the run-up to the 2018 presidential election, its officials were accused of tampering with the voter reregistration process and arbitrarily changing vote-counting procedures, among other controversial actions.

The Elections Commission was credited with an improved and more impartial performance in its administration of the 2019 parliamentary elections—earning praise from Commonwealth observers—and in its preparations for 2020 local council elections.

Score Change: The score improved from 1 to 2 because the Elections Commission was considered to have performed its functions in a more impartial and professional manner than it had in the preceding years.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16 (+1)**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4 (+1)**

Political pluralism and participation deteriorated during Yameen's presidency as the authorities subjected opposition leaders and their supporters to judicial harassment. Restrictions on and dispersals of political rallies, raids on opposition offices, and arbitrary detentions and convictions of opposition politicians were common for most of 2018, but virtually no such abuses have been reported since that year's presidential election. Yameen was arrested on money-laundering charges in February 2019, but he was released from detention the following month, and the PPM and its allies were able to compete in the April parliamentary elections.

In November, the Elections Commission announced that it would officially register the Maldives Reform Movement (MRM) as a political party. The group was founded by former president Maumoon Abdul Gayoom, who had aligned himself with the opposition under Yameen, as a breakaway faction of the PPM. Gayoom and his son, former lawmaker Faris Maumoon, had faced a number of politically fraught criminal prosecutions during the previous administration, but the remaining charges were dropped in January 2019.

Score Change: The score improved from 2 to 3 because government restrictions on party activities have eased considerably since the 2018 presidential election.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

The country has rarely experienced transfers of power between rival parties through elections. Under Yameen, the government and the PPM used the politicized justice system and the security forces to cripple the opposition and maintain control of the legislature. The opposition secured victory in the 2018 presidential election only due to deep public dissatisfaction with Yameen's rule and a reported turnout of nearly 90 percent, overcoming wide-ranging efforts by Yameen and his allies to subvert the election and rig the outcome. The MDP's victory in the 2019 parliamentary elections completed its latest progression from opposition to ruling party, though its coalition had secured a de facto legislative majority by late 2018.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The Yameen government exerted improper influence over a number of state institutions to restrict the political choices of voters and politicians. In addition to using security forces, the Elections Commission, and the justice system to suppress dissent, Yameen's allies reportedly threatened public and private-sector employees with dismissal for participating in opposition protests or other political activities. Such workers were also forced to attend progovernment events. While such abuses have waned under Solih, intimidation by hard-line Islamist groups continues to affect the political system. Vote buying remains a problem during elections, and allegations of bribery and corruption have surrounded instances of party switching in recent years.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The constitution and laws require all citizens to be Muslims and all candidates for elected office to be followers of Sunni Islam, explicitly excluding religious minorities. Societal discrimination against women has limited their political participation; four women won seats in the parliament in 2019, down from five in 2014. LGBT+ people are unable to openly take part in political affairs given the criminalization of same-sex sexual activity and the prevalence of societal bias. Foreign workers, who make up between a quarter and a third of the population, have no political rights.

C. FUNCTIONING OF GOVERNMENT: 4 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4 (+1)

Elected officials generally determine and implement government policies, but the functioning of the parliament was seriously impaired from mid-2017 to late 2018 by then president Yameen's heavy-handed attempts to retain control in the face of defections to the opposition, including detentions of lawmakers and deployments of security forces in and around the chamber. The situation improved dramatically after the change in administration, and the parliament was able to operate without similar obstructions during 2019.

Score Change: The score improved from 1 to 2 because there was no repetition of the previous years' disturbances in and around the parliament, allowing normal legislative business to proceed.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains endemic at all levels of government. The Anti-Corruption Commission has been only moderately effective, often launching investigations and taking other actions in response to public complaints, but rarely holding powerful figures to account for abuses. Whistle-blowers and journalists reporting on corruption have been jailed or forced into exile in the face of political persecution.

The new government took a number of initial steps intended to combat corruption. It introduced a bill providing legal protections for whistle-blowers in December 2018, and President Solih signed it into law in October 2019. An anonymous whistle-blower web portal was launched in February. In November, former president Yameen was convicted of money laundering, sentenced to five years in prison, and ordered to pay a \$5 million fine; the case centered on \$1 million in government fees that had been diverted to a personal bank account.

C3. Does the government operate with openness and transparency? 1 / 4

Large state contracts for infrastructure and other projects have regularly been awarded through opaque processes, in which bribery and kickbacks are widely believed to play a role. The Solih administration did not immediately revise antidemocratic changes made to public finance rules by the previous government.

The president, cabinet ministers, and members of parliament are required by the constitution to submit annual asset declarations, but it is not required that these be made public, and the relevant agencies have resisted disclosing how many officials comply with the rule. In January 2019, Solih and members of his cabinet publicly disclosed their personal finances, but the Maldives branch of Transparency International called the disclosures “incomplete”; seven of the ministers declared that they had no assets, and some of the other disclosures appeared dubious or contradictory.

CIVIL LIBERTIES: 22 / 60 (+1)**D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16****D1. Are there free and independent media? 1 / 4**

The constitution guarantees freedom of expression so long as it is exercised in a manner that is “not contrary to any tenet of Islam,” a vague condition that encourages self-censorship in the media. State-run media and regulatory bodies, especially the Maldives Broadcasting Commission (MBC), have typically displayed bias in favor of the government and restricted coverage of the opposition.

Journalists continue to face the threat of violence in reprisal for their work, particularly by Islamist militants. The Presidential Commission on Investigation of Murders and Enforced Disappearances, established in November 2018 by President Solih, confirmed in September 2019 that journalist Ahmed Rilwan, who disappeared in 2014, had been abducted and murdered by a local affiliate of the terrorist group Al-Qaeda. A trial of suspects in the 2017 murder of liberal blogger Yameen Rasheed was ongoing at year’s end after experiencing repeated delays. The presidential commission reportedly found evidence that officials under the previous administration had interfered with the police investigations in both cases.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Freedom of religion is severely restricted. Islam is the state religion, and all citizens are required to be Muslims. Imams must use government-approved sermons. Non-Muslim foreigners are allowed to observe their religions only in private. In recent years, growing religious extremism, stoked in part by the Yameen administration, has led to an increase in

threatening rhetoric and physical attacks against those perceived to be insulting or rejecting Islam. Secularist writers and defenders of freedom of conscience have faced pressure from the authorities as well as death threats.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom narrowed in recent years as the Yameen administration stepped up monitoring and punishments for academics and teachers who espoused opposition political views or participated in protests. Islam is a compulsory subject in schools and is incorporated into all other subject areas. School and university curriculums have come under increased influence from hard-line religious leaders, resulting in some content that denigrates democracy and promotes jihadist narratives. In January 2019, a college was vandalized and its chairman was threatened after he criticized supporters of a death sentence against a woman accused of extramarital sex.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Although the Solih administration was expected to be more tolerant of public criticism than its predecessor, individuals who speak out on behalf of minority groups or basic freedoms are still at significant risk of attack from violent nonstate actors. Local human rights groups have had to relocate several social media users who received death threats for exercising their freedom of expression.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 3 / 4 (+1)

Respect for freedom of assembly has improved somewhat after years of severe constraints. A 2016 law requires protest organizers to obtain police permission for their events and restricts demonstrations to certain designated areas. Assemblies were banned during a 2018 state of emergency. However, in the run-up to the September 2018 presidential election, the authorities—under international pressure—granted the opposition greater leeway to campaign and hold rallies after consistently refusing permits in the past. During 2019, opposition supporters and hard-line Islamists were able to hold protests related to Yameen’s money-laundering case and demands that the government shut down the MDN for supposedly insulting Islam.

Score Change: The score improved from 2 to 3 due to further expansion of freedom of assembly since the change in government in late 2018, with authorities allowing protests by groups that are critical of the current ruling party.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4 (-1)

NGOs operate in a restrictive environment. They are required to obtain government approval before seeking domestic or foreign funding, and regulators have broad discretion to investigate and dissolve NGOs. The Human Rights Commission of Maldives is not independent in practice. In recent years, Maldivian human rights groups have increasingly become targets of surveillance, harassment, and threats of violence, including from extremist nonstate actors.

In October 2019, Islamist groups denounced the MDN as “anti-Islamic” after content from its 2015 report on radicalization and violent extremism circulated on social media, and

the government suspended the NGO's activities that month. In November, the NGO Registrar under the Ministry of Youth, Sports, and Community Empowerment decided to dissolve the MDN, giving it 45 days to settle its finances and dispose of its property; the dissolution took effect in December. A criminal blasphemy investigation against the authors of the 2015 report was ongoing at year's end.

Score Change: The score declined from 2 to 1 due to the government's decisions to suspend and then dissolve the country's leading human rights organization following a campaign against it by hard-line Islamist groups.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The constitution and labor laws allow workers to form trade unions, and a number of unions are active. However, collective bargaining is not protected, and strikes are prohibited in many sectors, including the crucial tourism industry.

F. RULE OF LAW: 6 / 16 (+1)

F1. Is there an independent judiciary? 1 / 4 (+1)

Judicial independence is seriously compromised. Many judges are unqualified, and the courts are widely considered vulnerable to corruption or political influence. The Supreme Court has repeatedly intervened in political affairs and apparently exceeded its constitutional authority, typically acting according to political interests.

In February 2018, acting under Yameen's state of emergency, the military raided the Supreme Court and arrested two of its justices, including the chief justice. This came days after the court unexpectedly ordered the release and retrial of nine opposition leaders who had been jailed on various charges, as well as the reinstatement of 12 lawmakers who had been expelled after abandoning the governing majority. The three justices remaining on the Supreme Court after the raid subsequently reversed those decisions.

In March 2018, the parliament passed legislation—without a quorum—that allowed judges to be removed once their conviction is upheld by the Supreme Court, despite the constitution's requirement that judges be removed through a two-thirds vote in the parliament after a finding of gross misconduct or incompetence by the Judicial Service Commission. In May and June 2018, both of the detained Supreme Court justices received prison terms for "obstruction of justice" and other offenses, and their appeals were denied, leading to their formal removal. Yameen appointed replacements that June.

After the change in government, the jailed former justices were released to house arrest, as were a former prosecutor general and a magistrate who had been arrested in 2016. By October 2019, both former justices were free after completing their sentences or having them overturned, though they were not reinstated.

The new government used its parliamentary majority to reshape the Supreme Court, but without the extreme and extraconstitutional tactics used by the previous administration. The parliament, acting on the recommendations of the Judicial Service Commission, voted to remove one justice for corruption in August and two more—including the chief justice—for a litany of violations in November. Separately, the government followed through on the appointment of the first two female justices to the Supreme Court in September despite Islamist objections to the nominations.

Score Change: The score improved from 0 to 1 because there was no repetition of the 2018 military raid on the Supreme Court and the unconstitutional removal of arrested judges, and because the Judicial Service Commission stepped up efforts to combat judicial corruption

and abuse of office, though the role of politics in judicial appointments and dismissals remained a serious concern.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Police have regularly engaged in arbitrary arrests in recent years, often to disrupt opposition activities, protests, or the work of journalists. Due process rights are not well enforced in practice, and under Yameen, opposition figures were subjected to deeply flawed trials on politically motivated charges, according to human rights groups and international monitors. The new government has yet to undertake comprehensive reforms of the criminal justice system.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The constitution and the Anti-Torture Act ban torture, but police brutality and the abuse of detainees and prison inmates remain problems. Flogging and other forms of corporal punishment are authorized for some crimes, and flogging sentences are issued in practice for offenses such as extramarital sex. In January 2019, a magistrate on Naifaru Island sentenced a woman to death by stoning for extramarital sex, but the Supreme Court overturned the sentence a day later. Prisons are overcrowded, inmates reportedly lack proper access to medical care, and human rights groups have reported numerous unexplained deaths in custody.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Gender-based discrimination in employment is prohibited by law, but women continue to face discrimination in practice. Girls and women from underprivileged backgrounds are disproportionately affected by Sharia (Islamic law) penalties for crimes like fornication and adultery.

Migrant workers in the country encounter disparate treatment by state authorities and have difficulty accessing justice.

Same-sex sexual acts are prohibited by law and can draw prison sentences and corporal punishment. As a result, LGBT+ people rarely report societal discrimination or abuse.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Freedom of movement is provided for by law, but there are some restrictions in practice. Authorities have at times imposed travel bans on members of opposition parties and other perceived government opponents. Migrant workers are also subject to constraints on their movement, including through retention of their passports by employers.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights are limited, with most land owned by the government and leased to private entities or commercial developers through what is often an opaque process. Residents sometimes face displacement by development projects without adequate consultation or compensation.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Personal social freedoms are restricted by Sharia-based laws and growing religious extremism in society. Among other rules on marriage and divorce, citizen women are barred from marrying non-Muslim foreigners, while citizen men can marry non-Muslim foreigners only if they are Christian or Jewish. Extramarital sex is criminalized, and there is a high legal threshold to prove rape allegations. Women face increasing pressure to dress more conservatively, in keeping with hard-line interpretations of Islam.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

The legal framework provides some protections against worker exploitation, including rules on working hours and bans on forced labor. However, migrant workers are especially vulnerable to abuses such as debt bondage and withholding of wages. Women and children working in domestic service may also be subject to exploitative conditions.

Mali

Population: 19,700,000

Capital: Bamako

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Mali experienced a political transition away from authoritarian rule beginning in the early 1990s, and gradually built up its democratic institutions for about 20 years. However, the country displayed characteristics of state fragility along the way that eventually contributed to a 2012 military coup, and a rebellion in northern Mali that erupted the same year. Though constitutional rule was restored and a peace agreement signed in the north in 2015, the events have left an enduring situation of insecurity.

KEY DEVELOPMENTS IN 2019

- In March, the Fulani village of Ogossagou in Mali's central region of Mopti was attacked by alleged Dogon hunters who killed some 160 people, among them women, children, and elderly people. In June, the Dogon village Sobane-Kou was attacked by unidentified armed assailants, and some 95 people were killed.
- In April, the government led by Prime Minister Soumeylou Boubèye Maïga resigned under pressure from protesters angry about authorities' inability to address insecurity and violence. Former finance minister Boubou Cissé was appointed the new prime minister.
- In December, the president opened the Inclusive National Dialogue (DNI), despite a boycott by the opposition. The meetings, over the course of a week, brought together stakeholders from all parts of the country in an effort to find nonmilitary responses to the security crisis that has afflicted Mali since 2012, and ended with a set of resolutions on topics including future elections and a referendum on revision of the constitution.
- In June, legislative elections originally due in 2018 were again postponed. Separately, a national state of emergency in force since a 2015 terrorist attack was extended for another year in October.

POLITICAL RIGHTS: 17 / 40 (-1)**A. ELECTORAL PROCESS: 5 / 12 (-1)****A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4**

The president, who is chief of state, is elected by popular vote and may serve up to two five-year terms. In a two-round presidential election in 2018, Ibrahim Boubacar Keïta, the incumbent president known by his initials, IBK, took 67 percent of the vote; he defeated Soumaïla Cissé, a former finance minister, who took 33 percent. International election observers said polling was relatively well conducted. However, a fragile security situation led to very low turnout in parts of northern and central Mali. Approximately 20 percent of polling stations were affected by violent disruptions nationwide, according to authorities, and 3 percent were closed entirely. Additionally, internet access was blocked ahead of the runoff vote, and authorities refused to answer journalists' questions about the disruption.

Although Keïta received international recognition as the election's winner, the political opposition, led by Soumaïla Cissé, rejected the election's results as fraudulent and boycotted Keïta's inauguration in September 2018.

Despite the election's relative success, the political system remains fragile due to the security situation, and as the country continues to address the aftermath of the 2012 coup.

The prime minister is head of government, and is appointed by the president. In April 2019, Prime Minister Soumeylou Boubèye Maïga resigned along with his entire cabinet in the aftermath of the massacre of approximately 160 Fulani herders in Ogossagou by members of a rival community in March. Although no specific reason was given, the resignation came after lawmakers discussed a possible motion of no confidence in the government, which had come under sustained public criticism for failing to disarm nonstate armed groups. President Keïta appointed Boubou Cissé, a former finance minister, as the new prime minister later in April.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4 (-1)

Members of the 147-seat unicameral National Assembly serve five-year terms. Thirteen seats are reserved to represent Malians living abroad. IBK's Rally for Mali (RPM) party won 66 seats in legislative elections held in 2013, and its allies took an additional 49 seats. Soumaïla Cissé's Union for the Republic and Democracy (URD) won 17 seats, and the third-largest party, the Alliance for Democracy (ADEMA), won 16.

The original mandate of the incumbent legislature has expired. Parliamentary elections were initially scheduled for November and December 2018. They were again moved by the Council of Ministers to April 2019, then to June 2019, before being postponed in June 2019 until 2020.

Score Change: The score declined from 2 to 1 because legislative elections due in 2018 had still not been held by the end of 2019, and the original mandate of the incumbent legislature has expired.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Electoral operations are divided among three administrative bodies in Mali—the Ministry of Territorial Administration and Decentralization, the Independent National Electoral Commission (CENI), and the General Office of Elections (DGE). The Constitutional

Court also participates in the electoral process by validating election results and resolving disputes.

Electoral bodies have struggled to establish secure polling places in areas where armed groups operate. Voters have been disenfranchised due to delays in the distribution of electoral identity cards, and an outdated voter registry.

In December 2019, the president opened the Inclusive National Dialogue (DNI), despite a boycott by the opposition. The meetings, over the course of a week, brought together stakeholders from all parts of the country in an effort to find nonmilitary responses to the security crisis that has afflicted Mali since 2012, and ended with a set of resolutions on topics including future elections and a referendum on revision of the constitution.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

The creation and the functioning of political parties are determined by a legal framework known as the Political Parties Charter, which is generally fair. The Charter prohibits the creation of political parties on an “ethnic, religious, linguistic, regionalist, sexist, or professional basis.”

There are more than 100 registered political parties in Mali, though fewer than 20 are active. Parties are relatively weak, and are usually based around support for a particular personality, and policy differences between parties are not always clear. Parties are often poorly funded, which hampers their ability to effectively organize and win voter support.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Electoral competition is open to opposition forces. A 2014 law institutionalized specific privileges for opposition parties in the parliament, such as the ability to choose an official leader of the opposition. However, in 2016 the ruling majority passed, over the objections of opposition parties, amendments to the electoral code that favored establishment and majority parties by requiring candidates to make a significant financial campaign deposit, and to receive support from national councilors. Even so, more than 20 candidates were able to run in the 2018 presidential election.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Political choices remain the privilege of the Malian people, though these choices are occasionally influenced by the promise of patronage appointments or other benefits in exchange for political support.

Insecurity has restricted people's ability to vote in northern and central Mali, including during the 2018 presidential election. Approximately 20 percent of polling stations saw violent disruptions nationwide, and about 3 percent were closed due to security risks, according to authorities. A polling officer was shot and killed in Arkodia during the presidential runoff by armed men authorities described as “jihadists.” Additionally, many of the roughly 500,000 people displaced within and outside Mali were unable to exercise their voting rights in 2018.

Nevertheless, it appeared that more polling stations in regions affected by ongoing insecurity remained opened during the 2018 presidential election, compared to the 2016 local polls.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

No law limits the political rights of minorities, and no single ethnic group dominates the government or security forces. Tuareg pastoralist groups in the north have historically occupied a marginal position in national political life, but members from these groups hold at least 16 National Assembly seats.

Societal attitudes can discourage women from participating in political processes. Only about 14 percent of candidates in the 2013 legislative elections were women, and women occupy less than 10 percent of National Assembly seats. In the country's 2018 presidential election, Djeneba N'Diaye was the sole female candidate.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The president was elected in 2018 polls that were generally credible but marred by violence in some areas. National Assembly members were freely elected in the 2013 polls, though at the end of 2019 they remained seated beyond their constitutional mandate, with new polls scheduled for the first half of 2020. The prime minister is generally able to set national policy, and the parliament to enact new laws. However, the executive branch has exhibited influence on the other branches of government.

The volatile security situation in northern and central Mali limits government activity there.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a problem in government, notably in public procurement. Bribery and embezzlement of public funds is common and impunity for corrupt officials is the norm. The Office of the Auditor General is an independent office responsible for analyzing public spending, but despite identifying sizable embezzlement cases, very few prosecutions have been made. Its 2018 annual report, submitted to President IBK in July 2019, highlighted significant financial irregularities. The arrest of the mayor of Bamako in October 2019 as part of a corruption investigation, as well as the detention of other state officials, may reflect a new resolve to tackle corruption.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations remain generally opaque. Mali does not have a comprehensive freedom of information regime, although numerous laws do provide for public access to some official documents and information. However, such laws are replete with extensive and vague exceptions, and journalists have faced obstacles when attempting to obtain information, particularly about military expenditure.

CIVIL LIBERTIES: 24 / 60 (-2)

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16

D1. Are there free and independent media? 2 / 4

The media environment in Mali's capital, Bamako, and in the rest of the south is relatively open, though there are sporadic reports of censorship, self-censorship, and threats against journalists. Reporting on the situation in the north remains dangerous due to the presence of active militant groups. Defamation is a crime that can draw fines or prison time.

Elections in Mali are often accompanied by an uptick in press freedom violations. In June 2018, as campaigning was ramping up, a number of journalists were chased off by

police as they attempted to cover a banned opposition demonstration. On several occasions, the government violated the freedom of the press by unilaterally closing media stations, and bypassing the High Authority for Communication (HAC), Mali's media regulator, which is the only authority with power to issue legal rulings on media content.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Freedom of religion is constitutionally guaranteed in Mali, which is a secular state, and discrimination on the basis of religion is prohibited. The population is predominantly Sunni Muslim, and Sufism plays a role in the beliefs of most residents.

The 2012 Islamist uprising has shattered the image of Mali as a religiously tolerant country. Armed extremist groups have terrorized northern and central Mali, and have attacked those whom they perceive as failing to follow their strict interpretation of Islam. They have occasionally carried out targeted kidnappings of Christians and subjected them to sometimes violent harassment. In 2017, several Christian churches in central Mali were attacked by alleged Islamist gunmen.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is upheld in areas with a consolidated government presence, but restricted in areas with a heavy militant presence.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion is generally open and free in areas under government control, but is more restricted in areas with a militant presence or where intercommunal violence has flared.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees freedom of assembly, but participants in public gatherings risk violence by state security forces, and the government has occasionally restricted social media use to prevent activists from organizing protests. In December 2017, one person was killed and 15 were injured after the police opened fire on demonstrators in Kongsiga who had blocked the city hall for a week in an attempt to force the mayor's resignation. In June 2018, 16 people were injured when police broke up a peaceful demonstration in Bamako organized by the opposition, which had been prohibited by the government. However, in April 2019, a mass protest in Bamako in April against the government's failure to address violence and insecurity in the north went forward peacefully, and drew an estimated 30,000 people, according to police; organizers said the crowd reached 50,000.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Many nongovernmental organizations (NGOs) operate in Mali without state interference. However, large, established NGOs with ties to the political elite are influential, and can overshadow smaller and more innovative groups, particularly in the competition for funding. Ongoing insecurity in some parts of the country hampers NGO efforts to provide aid and services to returning refugees and others affected by instability. In August 2019, the International Committee of the Red Cross (ICRC) announced that it would temporarily

suspend its activities in Timbuktu, in the north of Mali, due to the growing insecurity in the region.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The constitution guarantees workers the right to form unions and to strike, with some limitations for essential services workers, and requirements involving compulsory arbitration. The government has broad discretionary power over the registration of unions and recognition of collective bargaining, and the authorities do not effectively enforce laws against antiunion discrimination.

In March 2019, several thousand striking teachers held demonstrations across Mali, demanding subsidies for teacher housing, funding for schools, and increases in their wages. The teachers' strike ended in May, after five months.

F. RULE OF LAW: 4 / 16 (-2)

F1. Is there an independent judiciary? 2 / 4

The judiciary is beholden to the executive, despite constitutional guarantees of judicial independence. Judges are appointed by the president, while the minister of justice supervises both law enforcement and judicial functions. Additionally, the overall efficiency of the judicial system remains low.

Militant attacks against judicial personnel have prompted some judges to vacate their posts. In November 2017, Malian judge Soungalo Koné was kidnapped in central Mali by armed men who asked for the release of detained militants in exchange for his freedom. In February 2019, the magistrates' union announced that he had died the previous month, still in captivity, from an illness.

F2. Does due process prevail in civil and criminal matters? 1 / 4 (-1)

Due process rights are inconsistently upheld. Detainees are not always charged within the 48-hour period set by law, and arbitrary arrests are common. Since a deadly 2015 hotel attack in Bamako, a national state of emergency has remained in force, and was extended in October 2019 for another year. The emergency designation gives security services greater authority to search homes without a warrant, detain suspects, and restrict protests. There are also reports of authorities disregarding due process when making arrests in connection with the violent attacks that took place in Mopti 2019, as well of reprisals for violence that are taken outside of any judicial structures.

The trial of Amadou Sanogo, the former army captain who staged a military coup in Mali in 2012, and more than a dozen codefendants began in late 2016 on charges related to the abduction and killing of 21 soldiers. The trial was quickly adjourned, and at the end of 2019 Sanogo remained in detention while awaiting the trial's reopening, which was scheduled for early 2020. In addition, Makan Doumbia, a Malian prefect who had been kidnapped in central Mali in May 2018, was released in February 2019 along with a journalist in exchange for 18 jihadists, one of whom had been sentenced in August 2017 to ten years in prison for aggravated assault, criminal conspiracy, and other charges. Separately, in September 2019, International Criminal Court (ICC) judges ordered Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud, a former member of the militant Islamist group Ansar Dine, to stand trial for crimes against humanity and war crimes committed in Timbuktu between 2012 and 2013. He was handed over to the ICC by the Malian government in April 2018.

The Truth, Justice and Reconciliation Commission created in 2014 is responsible for investigating human rights violations committed since 1960, but its activities are restricted by the rise of terrorist activities and intercommunal tensions within Mali's borders.

Score Change: The score declined from 2 to 1 due to the continued erosion of due process rights, including of those accused of carrying out acts of violence in the Mopti Region.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4 (-1)

Islamist militant groups not party to Mali's 2015 peace agreement continued to carry out acts of violence against civilians in the northern and central regions. Ongoing instability has contributed to the spread of organized crime, and accompanying violence and kidnappings. Scores were killed and many more were displaced in 2019 in incidents of intercommunal violence. In June 2019, in an overnight attack, approximately 95 people were killed and 19 went missing in the ethnic Dogon village of Sobane-Kou, in the Mopti region. This mass killing was viewed as retaliation for a similarly brutal massacre in March, during which a group identified as a Dogon militia attacked the predominantly Muslim Fulani village of Ogossagou, near the border with Burkina Faso, and killed approximately 160 people, including women, children, and elderly people. In September 2019, three people, including two children, were shot and killed during intercommunal violence in Timbuktu, as ethnic tensions between sedentary populations in the region and Tuareg and Arabs continued to rise. An October 2019 report by Human Rights Watch (HRW) found that members of Mali's military had committed serious acts of ill-treatment during counterterrorism operations. The military has been accused of committing summary executions in the past.

Prisons are characterized by overcrowding, insufficient medical care, and a lack of proper food and sanitation. The government made some effort in 2017 to improve conditions by holding staff trainings and building a new prison with a capacity of about 2,500 prisoners.

Score Change: The score declined from 1 to 0 because clashes between Dogon hunters and seminomadic Fulani herders resulted in the deaths of hundreds of people during the year.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Members of a northern caste known as black Tamasheqs face societal discrimination, including slavery-like treatment and hereditary servitude. Authorities sometimes deny them official documents or discriminate against them in housing, schooling, and police protection.

Same-sex sexual acts are legal, but LGBT+ people face discrimination, including cases of violence from family members meant as a corrective punishment.

Although equal rights are provided for in the constitution, the law does not provide for the same legal status for women and men, and women are required by law to obey their husbands. Sexual harassment is not prohibited by law and is a common practice in schools and the workplace.

Conditions in northern Mali have left many refugees unable or unwilling to return, as continuing insecurity in the region complicates resettlement. According to the UN High Commissioner for Refugees (UNHCR), there were more than 138,000 Malian refugees in Burkina Faso, Mauritania, and Niger at the end of December 2019.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement and choice of residence remain affected by insecurity, especially in northern and central Mali. According to UN Children's Fund (UNICEF), 1,113 schools were closed as of December 2019. Schools have been targeted in militant attacks.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Citizens have the right to own property and conduct business activity, but these rights are not consistently respected and widespread corruption hampers normal business activities. It is generally necessary to pay bribes in order to operate a business.

Traditional customs sometimes undermine the right of women to own property. The law discriminates against women in matters of marriage, divorce, and inheritance.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Rape and domestic violence against women are widespread, and most such crimes go unreported. There are no specific laws prohibiting spousal rape or domestic violence. Female genital mutilation is legal and commonly practiced in the country. LGBT+ couples cannot adopt children in Mali.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Although trafficking in persons is a criminal offense, prosecutions are infrequent. Many judicial officials remain unaware of the antitrafficking law, and the police lack adequate resources to combat trafficking. Traditional forms of slavery and debt bondage persist, particularly in the north, with thousands of people estimated to be living in such conditions.

Although the government has taken steps to eliminate child labor, it is a significant concern, especially in the agricultural and artisanal gold-mining sectors. Armed groups also regularly recruited and use child soldiers.

Malta

Population: 500,000

Capital: Valletta

Freedom Status: Free

Electoral Democracy: Yes

Overview: Malta is a parliamentary democracy with regular, competitive elections and periodic rotations of power. Civil liberties are generally respected. However, the political system makes it difficult for new or smaller groups to challenge the dominance of the two main parties, and official corruption is a serious problem.

KEY DEVELOPMENTS IN 2019

- Prime Minister Joseph Muscat announced in December that he would relinquish his post and the leadership of the Labour Party in January 2020. Muscat's announcement came after it emerged that police were preparing to question Keith Schembri, his chief of staff, in connection with the investigation into journalist Daphne Caruana Galizia's killing in 2017, and as demonstrators—angry over corruption, impunity, and the handling of the Caruana Galizia investigation—were demanding that he step down.

- Two weeks later, the European Parliament told European Union (EU) leaders that Muscat should resign immediately, saying his “delayed” resignation “constitutes a serious risk, real or perceived, the [Caruana Galizia] murder investigation and connected investigations will be compromised.”
- An April report by the Council of Europe’s Group of States Against Corruption, or GRECO, noted that senior officials suspected of involvement in serious corruption schemes remained in office, and that sophisticated anticorruption mechanisms were of little use if authorities failed to invoke them.

POLITICAL RIGHTS: 35 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is head of state, and is elected by the parliament for a single five-year term. The president nominates the prime minister, who is head of government, and is usually the leader of the majority party or coalition in the parliament.

In June 2017, Prime Minister Joseph Muscat won a second five-year term when his Labour Party won a snap parliamentary election. In December 2019, Muscat announced that he would relinquish the leadership of the Labour Party and his post as prime minister in January 2020. The development came after it emerged that police were preparing to question Keith Schembri, his chief of staff in connection with the investigation into journalist Daphne Caruana Galizia’s killing, and as demonstrators—angry over corruption, impunity, and the handling of the Caruana Galizia investigation—were demanding that he step down.

Two weeks later, the European Parliament told European Union (EU) leaders that Muscat should resign immediately, saying his “delayed” resignation “constitutes a serious risk, real or perceived, the [Caruana Galizia] murder investigation and connected investigations will be compromised.” Schembri also resigned from the Labour Party in December, in anticipation of his expulsion.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of Malta’s unicameral parliament, the House of Representatives, are elected for five-year terms through a single-transferable-vote system in multimember districts. National elections are considered to be free and fair.

Snap elections were held in June 2017, about nine months ahead of schedule. The ruling Labour Party won 55 percent of the vote and 37 seats, leaving the opposition Nationalist Party and its allies with 30 seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The Constitution and the electoral law provide for democratic elections. Balloting is generally free and fair. Members of the Electoral Commission are appointed by the president, and both major parties are represented on it. Since 1987, when constitutional amendments were passed, efforts have been made to ensure proportionality is maintained between votes and parliamentary seats won by the parties. However, a party requires 16–17 percent of the valid votes in at least one of the 13 electoral districts to enter parliament.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

There are no significant restrictions on the formation of political parties, though the ruling party benefits from progovernment bias in the state media, and smaller parties have difficulty competing against the two established parties given the voting system and their superior access to private donations. The newly formed Democratic Party won two seats in the 2017 elections only by forging an alliance with the Nationalists and running candidates on their lists.

The 2015 Financing of Political Parties Act was adopted to improve transparency of party fundraising, but compliance is overseen by the Electoral Commission, which is dominated by members of the two main parties. The law caps individual donations, but imposes no overall cap on electoral spending. Parties are not obliged to identify donors contributing less than €7,000 (\$8,000). In 2017, the Nationalist Party was accused of using false invoices to conceal unreported donations, which was investigated by the Electoral Commission. In October 2018, the Constitutional Court upheld a Nationalist Party appeal to halt the investigation, ruling that the Electoral Commission cannot be both the investigator and the judge. The government pledged to amend the law to make it comply with the court's ruling, but no amendments had been approved by the end of 2019.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The Labour Party and Nationalist Party have regularly alternated in power since independence from Britain in 1964, establishing a strong pattern of peaceful democratic transfers after elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Voters are free from undue interference in their political choices, and no military, foreign, or religious entities exert undemocratic influence over them. However, in recent years, journalists and other observers have exposed the influence of powerful economic interests that donate to the main political parties.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women and minority groups enjoy full political rights and electoral opportunities, though women's participation in politics is limited. Women currently hold 9 parliament seats, or about 13.4 percent of the total.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are free to make and implement laws and policies without improper obstacles from unelected groups. However, the 2018 report by the Venice Commission of the Council of Europe (CoE) found that disproportionate power is concentrated in the executive branch and that the current system features inadequate checks and balances to constrain the prime minister.

C2. Are safeguards against official corruption strong and effective? 2 / 4

The Panama Papers—a trove of documents leaked from a Panama-based law firm and unveiled by media organizations in April 2016—have led to a series of corruption allegations against Maltese officials, and related investigations were ongoing throughout 2019. Among them were corruption allegations against a government minister, Konrad Mizzi, and the prime minister’s chief of staff, Keith Schembri, for setting up trusts in New Zealand and secret accounts in Panama shortly after taking office in 2013; both resigned in November 2019 amid turmoil surrounding the investigation into the murder of Caruana Galizia, who had accused each of corruption.

In July 2018, a magisterial inquiry into allegations—many made by Caruana Galizia—that Michelle Muscat, the prime minister’s wife, had owned an offshore company called Egrant, finished its report. It concluded that there was no evidence linking Egrant to Prime Minister Muscat’s family, but that questions into the company’s ownership and dealings remained. The full report was only published in December 2019, after the Nationalist Party won a court case for full access to it, rather than just the conclusions that were initially released. Another ongoing inquiry involves claims of kickbacks to Schembri from the controversial Individual Investor Program (IIP), through which investors can gain Maltese citizenship in exchange for a large donation to the government.

Two 2019 CoE reports—by GRECO, published in April, and the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (known as the MONEYVAL Committee), published in September—highlighted problems with Malta’s ongoing fight against corruption. The GRECO report noted a lack of any official response to corruption allegations levied against ministers and other senior government figures, including when audits have shown serious irregularities, and added that “the most sophisticated mechanisms and the many specialist and collegial supervisory bodies are of little use if they are themselves unaccountable and/or ineffective.” The MONEYVAL report noted that government actions to combat money laundering were inadequate.

C3. Does the government operate with openness and transparency? 3 / 4

Malta has a freedom of information law and asset disclosure rules for public officials. However, information requests do not always receive responses, and the 2015 Swiss Leaks scandal revealed that some politicians had hidden assets in Swiss bank accounts. Investigations by tax authorities were still under way in 2019. In May 2018, the finance minister announced that the list of “politically exposed” persons, including prominent government officials who held Swiss bank accounts, would not be published because this would be illegal. The decision contradicted Prime Minister Muscat’s 2015 promise to publish the names.

The government has been criticized for withholding important details on large public contracts, which are often heavily redacted for public release.

CIVIL LIBERTIES: 55 / 60 (-1)**D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16 (-1)****D1. Are there free and independent media? 3 / 4**

The media are generally free and diverse. Residents have access to international news services as well as domestic outlets, though state-owned media has often favored the government.

Caruana Galizia’s assassination in a 2017 car bombing added a new level of physical danger to journalists, particularly those investigating political corruption. In July 2019, a

bill of indictment against three men alleged to have carried out her murder was published, and preliminary hearings started at the end of October. The next month, Yorgen Fenech, a wealthy businessman friend of Schembri's, was charged with complicity in the murder; he pleaded not guilty. Five days prior to Fenech's arraignment, the alleged middleman in the plot, Melvin Theuma, received a presidential pardon and immunity to enable him to testify in the case. Theuma testified that Fenech had paid him to hire the three men who carried out the murder; Theuma said he was also given a no-show government job. In court testimony, Schembri denied any connection to Caruana Galizia's murder, and refuted allegations that he had leaked information about the case to suspects.

In April 2018, new legislation decriminalized libel. However, investigative journalists continued to face libel suits. Lawsuits filed by the prime minister against Caruana Galizia and a separate suit against her son continue. In September 2019, Muscat told the CoE commissioner for human rights in a letter that the government could not stop civil cases instituted by private citizens or third parties against journalists who have since passed away and whose cases have been inherited by their relatives, as this would breach the European Convention on Human Rights. He added that he was ready to stop his own lawsuits against the Caruana Galizia family if they accepted the conclusions of the Egrant inquiry.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution establishes Roman Catholicism as the state religion, but religious minorities worship freely. A 2016 legal reform decriminalized the vilification of religion, or blasphemy, and expanded a provision banning incitement of hatred to include religious hatred.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The education system is free from extensive political indoctrination

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4 (-1)

Individuals are generally free to express their personal views on political or other sensitive topics without fear of surveillance or retribution. But in such a small society, many people fear retribution for expressing criticism of powerful actors, including in the government, particularly those employed in the public service.

Score Change: The score declined from 4 to 3 due to growing concerns that individuals are subject to retribution, including damaged career prospects, for criticism of the ruling party or other powerful actors.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution provides for freedom of assembly, and this right is respected. Late in 2019, thousands protested in Valletta against Prime Minister Muscat after revelations of possible involvement by government figures in the murder of Caruana Galizia.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs), including human rights defenders, usually operate without state interference. However, in May 2019, the German captain of the ship *MV Lifeline*, which saved migrants who were stranded at sea, was fined €10,000 (\$11,400) by Maltese authorities for entering national waters without proper registration. An appeal was pending at year's end.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The law recognizes the right to form and join trade unions, engage in collective bargaining, and strike. Antiunion discrimination by employers is relatively uncommon.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is generally independent. The president appoints judges and magistrates on the advice of the prime minister. A 2016 constitutional reform created a Judicial Appointments Committee (JAC) to make recommendations to the prime minister, except for the appointment of the chief justice, who chairs the committee. If the prime minister rejects the JAC's recommendations, he is obliged to explain his reasons before parliament.

A 2018 report by the Venice Commission noted weaknesses in the justice system that undermine judicial independence. Despite the establishment of the JAC, the prime minister still maintains considerable power over judicial appointments, making the judiciary vulnerable to political interference. In 2019, arguing it enabled "arbitrary discretion" by the prime minister, the NGO *Repubblika* initiated court proceedings to send the law on the appointment of judges to the European Court of Justice for review. In November, a judge upheld *Repubblika*'s request; the attorney general stated that he would appeal the decision.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Police and prosecutors typically observe due process guarantees, including access to defense counsel and protection against arbitrary arrest. In November 2019, within the ambit of the ongoing investigations of Caruana Galizia's murder, depositions showed that Schembri, the prime minister's former chief of staff, may have passed confidential information to the alleged mastermind of the plot, Melvin Theuma, and tried to derail investigations by feeding misleading information to the media.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The authorities do not engage in torture or ill-treatment of detainees. Rates of violent crime are low, though various forms of organized crime remain a problem. A series of car bombings in recent years preceded the 2017 assassination of Caruana Galizia.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Discrimination based on gender, race, sexual orientation, and religion is prohibited by law, which is generally enforced, though some forms of discrimination—a gender pay gap, for example—persist in practice. Transgender people may legally express their gender identity on government documents.

Malta largely complies with international and EU rules on refugees and asylum seekers; a legal amendment adopted in 2017 gave asylum seekers the right to appeal decisions

on their claims. However, Malta has been criticized for resisting acceptance of migrants rescued at sea, and NGOs working with migrants and refugees sometimes report police harassment and hostility by far-right groups. In May 2019, two off-duty members of Malta's armed forces were charged with the racially motivated murder of a refugee. They pleaded not guilty and were released on bail in December. Many asylum seekers are confined in squalid detention centers.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Residents are free to move within the country and travel abroad, and to change their place of employment or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

There are no significant restrictions on property rights, and the legal framework is supportive of private business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Divorce was legalized in 2011, and subsequent laws have legalized same-sex marriage and permitted adoption by same-sex couples.

Abortion is strictly prohibited in all cases, although abortions which result involuntarily as secondary effects when a woman is undergoing medical treatment are known to occur, and are not prosecuted. Reported cases of domestic violence are increasing, according to information given in the parliament in April 2019. Psychological harm is more prevalent than physical violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Residents generally enjoy fair access to economic opportunity and protection from labor exploitation, though migrant workers in particular are vulnerable to labor and sex trafficking or conditions that amount to forced labor. In July 2019, approximately 100 migrants were found to be living in substandard conditions in Marsa.* The leader of a leading Maltese trade union claimed that some migrants are being paid less than one euro an hour for their labor.

Marshall Islands

Population: 60,000

Capital: Majuro

Freedom Status: Free

Electoral Democracy: Yes

*<https://timesofmalta.com/articles/view/substandard-housing-an-inhuman-business.722869>; <https://timesofmalta.com/articles/view/watch-migrants-found-living-in-stables-in-marsa.722434>

Overview: The Republic of the Marshall Islands (RMI) is a stable democracy with regular, competitive elections, an independent judiciary, and a free press. Civil liberties are generally respected. Persistent problems include corruption, gender discrimination, domestic violence, and human trafficking.

KEY DEVELOPMENTS IN 2019

- President Hilda Heine regained her seat as a representative in the November elections, despite her coalition losing significant support to the opposition. The vote in the legislature to choose the next president was set for January 2020.
- Although in October the Supreme Court declared unconstitutional a 2016 law that banned absentee ballots, the court decided that absentee voting would not be reinstated in the November elections. The law prevented 30,000 citizens from voting.
- In November, an *LA Times* report revealed the extent of dangerous radiation levels on various atolls in the Marshall Islands—similar to the levels at Fukushima and Chernobyl—caused and hidden by the United States military and government.
- In March, three Marshallese citizens were arrested for their roles in a human trafficking ring that sent pregnant Marshallese to the United States illegally for their children to be adopted. Along with the trafficking charges, the scheme also involved money laundering and fraud.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who is elected by the unicameral legislature from among its members for four-year terms, nominates fellow lawmakers to serve as cabinet ministers, and they are formally appointed by the parliament speaker.

Hilda Heine, the first woman to be head of state of a Pacific Island country, was elected as president in 2015. Despite being reelected as a representative, she may lose the presidency as a result of key members of her coalition failing to regain their seats in parliament. The RMI parliament will select the new president in January 2020.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The parliament, known as the Nitijela, consists of 33 members, with 19 seats directly elected in single-member districts and five multimember districts with between 2 and 5 seats. Elections are officially nonpartisan, and lawmakers are free to form alliances and change party affiliations after taking office.

There were no reports of violence or complaints of fraud or irregularities at the November 2019 election, which experienced a notably high voter turnout. The opposition coalition made significant gains in the parliament. Two incumbents on the main atoll (the reefs of coral that form the Marshall Islands), Majuro, and multiple others across the islands were voted out of office and replaced with several newcomers.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The constitutional and legal framework provides for democratic elections, and it is implemented impartially.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Parliamentary elections are technically nonpartisan, but politicians can organize in groupings that compete freely and do not encounter obstacles from state or nonstate actors. These groups tend to function as loose coalitions among lawmakers, and representatives switching between them is common.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has an established record of democratic transfers of power between rival groups. Some governments have been replaced as a result of elections, while others have been toppled by no-confidence votes.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

There are no significant undue constraints on the political choices of voters or candidates. Traditional chiefs play an influential but gradually waning role in politics.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Naturalized citizens were allowed to run as candidates in the 2015 and subsequent elections, after a court ruling found that a 1980 law requiring parliamentary candidates to have at least one Marshallese parent and traditional land rights was unconstitutional.

Women have full political rights, though entrenched gender roles limit their participation to some extent. Heine is the country's first woman to be elected president. Only two women entered parliament in 2019—Hilda Heine and newly elected Kitlang Kabua.

In October 2019, the Supreme Court removed a 2016 law that banned absentee voting. However, the undoing of the law did not take effect in the November elections, as the court recognized that there was too little time for the government to implement the changes. An estimated 30,000 Marshallese citizens, around a third of the country's citizenry, live in the United States and had a growing influence in the 2011 and 2015 parliamentary and mayoral elections, before the law was set in place.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

There are no undue restrictions on the elected government's ability to form and implement laws and policies. A body of chieftains from the Ralik and Ratak island chains, the Council of Iroij, has an advisory role under the constitution. Its 12 members can offer joint opinions and request reconsideration of any bill affecting customary law, traditional practices, land tenure, and related matters. Concerns of Chinese influence on the country's independence persist, despite the RMI's trade deal with Taiwan and deep ties to the United States.

The Republic of the Marshall Islands has close relations with the United States under a 1986 Compact of Free Association, which allows the US military to operate in the country in exchange for defense guarantees and development assistance. A component of the compact in force through 2023 calls for the United States to provide annual aid, including contributions to a trust fund for the country.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption has been a chronic problem, though auditing bodies and the independent courts are somewhat effective in detecting abuses and holding officials accountable. High-ranking public officials, however, are rarely prosecuted for corruption. Corruption is most prevalent in the allocation of foreign aid, government procurement, and transfers. In the 2018 audit of Marshallese embassies, over \$2.5 million of funds were allegedly misappropriated by various offices. All instances of potential theft of government assets received neither investigation nor proper accounting, according to an independent auditor.

The number of fraud cases prosecuted by the Marshallese Auditor General increased in 2019, potentially a sign of the system working more effectively as a result of a new funds from the World Bank. The office of the Auditor General had long been underfunded, with more cases to investigate than the available resources could handle.

In March 2019, the European Union (EU) added the Republic of the Marshall Islands to their blacklist of tax havens in the world. The list, set up to crack down on tax avoidance by corporations and wealthy individuals, added the RMI because of alleged facilitation of offshore structures to attract capital without real economic substance. RMI could potentially face sanctions or restrictions from EU countries as a result of its presence on the list.

C3. Does the government operate with openness and transparency? 3 / 4

There is no strong legal mechanism for obtaining access to government information, but documents can often be obtained through the courts. Auditors have repeatedly found invalid or poorly documented spending practices at government ministries, agencies, and state-owned enterprises.

CIVIL LIBERTIES: 55 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16****D1. Are there free and independent media? 4 / 4**

The government generally respects the freedoms of speech and the press. A privately owned newspaper, the *Marshall Islands Journal*, publishes articles in English and Marshallese. Broadcast outlets include both government- and church-owned radio stations, and cable television offers a variety of international news and entertainment programs. Internet access is expanding, reaching nearly 40 percent of the population in 2018, but it remains limited due to poor infrastructure and high costs.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedoms are respected in practice. Religious groups are not required to register with the government, but those that register as nonprofits are eligible for tax exemptions.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There are no significant restrictions on academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Citizens are generally free to discuss their political opinions, and there are no reports of improper government surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The government upholds constitutional guarantees of freedom of assembly. Protests in recent years have addressed issues including climate change, women's rights, and the legacy of US nuclear weapons tests in the country.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Civil society groups, many of which are sponsored by or affiliated with church organizations and provide social services, are able to operate freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Constitutional and legal provisions that protect freedom of association also apply to trade unions. However, there are no laws regulating the right to strike, and few employers are large enough to support union activity among their workers.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The constitution provides for an independent judiciary, and the judiciary generally operates without political interference. Judges are appointed by the cabinet on the recommendation of the Judicial Service Commission, and the legislature confirms the appointments. High Court and Supreme Court judges can only be removed by a two-thirds vote in the Nitijela, for clear failure or inability to perform their duties or for serious crimes or abuses.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The authorities generally observe legal safeguards against arbitrary arrest and detention. The state provides lawyers for indigent defendants, and due process standards for trials are upheld.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Violent street crime and other such threats to physical security are relatively rare, though conditions in the country's few prison and jail facilities are sometimes overcrowded or otherwise below international standards.

The *LA Times* uncovered in November the extent of dangerous radiation levels on various atolls in the Marshall Islands—similar to the levels at Fukushima and Chernobyl—caused and hidden by the United States military and government. From the 1940s through the 1950s, the US military displaced Marshallese living on various atolls, detonated 67 nuclear bombs, destroyed entire islands, and dumped 130 tons of irradiated soil from Nevada into the Runit Dome on the atoll Enewetak. Further, the American government withheld key information about the contents of the Dome and claimed it would be safe for the Marshallese to return (which was false), before signing the 1986 Compact of Free Association. An international tribunal created by the RMI and United States in 1988 acknowledged \$2.3 billion in claims to be paid by the US government; only \$4 million had been paid out by 2010. In November 2019, RMI President Heine called for the US government to pay to repair the Runit Dome, which was found to be leaking in July 2019, further endangering the population living near and on the island.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women generally enjoy equal treatment under the law, but there is no explicit ban on discrimination in employment, and women face disadvantages in the workplace in practice. While same-sex sexual activity was decriminalized in 2005, discrimination based on sexual orientation and gender identity is not prohibited by law.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

Freedom of movement is generally respected. Marshallese citizens have the right to live and work in the United States and to travel there without a visa. In recent years, sea level rise due to climate change has become a more prominent impetus for Marshallese citizens to move to the United States, in a trend that has been called voluntary out-migration.

In August 2019, due to an outbreak of dengue fever, the government imposed a domestic travel ban throughout the Marshall Islands, declaring a state of emergency. The outbreak was severe and extended through December, when restrictions were tightened further, and violations were penalized with fines or jailtime.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Individuals have the rights to own property and establish private businesses, and these rights are largely observed in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are mostly upheld. However, the minimum age for marriage is 16 for women and 18 for men; about a quarter of women aged 20–24 were married by age 18. While domestic violence remains widespread, reporting of the problem has increased in recent years possibly due to improved processes for obtaining orders of protection.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The government enforces a minimum wage law, though it does not apply to the informal sector. Some local and East Asian women are subjected to forced prostitution in a trade that depends on visiting freight or fishing vessels. According to the US State Department's 2019 *Trafficking in Persons Report*, the RMI government has made efforts to combat trafficking, but does not meet minimum standards. Police failed to immediately and expediently investigate a brothel with potential child sex trafficking victims and alleged complicity of senior government officials, after being alerted to the problem by local media. The RMI was demoted to Tier 2 on the US State Department's watch list because the government's efforts to prevent trafficking, prosecute traffickers, and provide services for trafficking survivors were inadequate and had decreased in the last year.

In March 2019, three Marshallese people were charged in the Marshall Islands for their role in a human trafficking ring. The three charged had been working with US elected official Paul Petersen to connect families looking to adopt children from pregnant Marshallese, falsifying their travel and visa documents, and housing them in the United States in what was described by multiple investigators and news outlets as a "baby mill."

Mauritania

Population: 4,500,000

Capital: Nouakchott

Freedom Status: Partly Free

Electoral Democracy: No

Status Change: Mauritania's status improved from Not Free to Partly Free due to a relatively credible presidential election that resulted in the country's first peaceful transfer of power after the incumbent completed his term, signaling a departure from a history of military coups.

Overview: Mohamed Ould Abdel Aziz, who first came to power through a military coup in 2008 and won a second term in a deeply flawed 2014 election, stepped down peacefully after Mohamed Ould Ghazouani won the presidency in a relatively credible 2019 election. The poll came on the heels of successful legislative elections held the previous year, which were more pluralistic than past elections. A variety of media outlets operate, but journalists risk arrest for reporting on sensitive topics and many self-censor. Black Mauritians, the Haratin population, women, and LGBT+ people face discrimination. The government has taken increased steps to implement laws that address the problem of institutionalized slavery and discrimination, but continues to arrest antislavery and antidiscrimination activists.

KEY DEVELOPMENTS IN 2019

- In June, Mauritians elected a new president, Mohamed Ould Ghazouani, to replace Mohamed Ould Abdel Aziz, whose second constitutional term came to an end. Local and international observers noted irregularities, but praised the poll's peaceful conduct and found it generally satisfactory. For the first time in its history, Mauritania experienced a peaceful transfer of power after the incumbent completed their term, signaling a departure from a history of military coups.
- In June, following a protest by the opposition denouncing alleged electoral fraud, the government cut access to the internet across the country for 11 days.
- The government continued to harass bloggers and journalists. In March, two bloggers were arrested and then spent over two months in prison for sharing information on Facebook about a corruption scandal in which individuals close to then President Ould Abdel Aziz were implicated.
- In July, the blogger Mohamed Cheikh Ould Mohamed M'kheitir was freed from prison and went into exile in France. Ould M'kheitir had been handed a death penalty in 2014 for apostasy in an expedited judicial process, for criticizing the unequal social order in Mauritania and the prophet Muhammad.

POLITICAL RIGHTS: 13 / 40 (+2)

A. ELECTORAL PROCESS: 6 / 12 (+1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4 (+1)

The president is chief of state and is directly elected to up to two five-year terms by popular vote. In June 2019, Mauritians elected Mohamed Ould Ghazouani to replace Mohamed Ould Abdel Aziz, whose second term came to an end. Six candidates, including those from major opposition parties, competed in the election. Ould Ghazouani, who represented the ruling Union for the Republic (UPR) and is reputedly close to Ould Abdel Aziz, won 52

percent of the vote in the first round. The antislavery activist Biram Dah Abeid came second with 19 percent followed by the candidate of the Islamist party Tawassoul, with 18 percent.

Allegations of electoral misconduct and fraud by opposition candidates were dismissed by the authorities. Local and international observers noted irregularities, but praised the poll's peaceful conduct and found it generally satisfactory. For the first time in its history, Mauritania experienced a peaceful transfer of power after the incumbent completed his term, signaling a departure from a history of military coups.

The prime minister is head of government and is appointed by the president. President Ould Cheikh El Ghazouani appointed Ismaïl Ould Bedda Ould Cheikh Sidiya of the UPR, a former minister of housing and employment, as prime minister in August 2019.

Score Change: The score improved from 1 to 2 due to the organization of a competitive presidential election that, despite some irregularities, was generally credible.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Constitutional reforms adopted through a 2017 referendum dissolved the Senate, leaving the 157-seat National Assembly as the country's legislative body. Members are directly elected to five-year terms in a mixed system of direct and plurality voting; four members are directly elected by the diaspora.

In September 2018, a new National Assembly was elected. Ninety-eight political parties participated in the polls, including parties of the opposition coalition the National Front for the Defense of Democracy (FNDU), which had boycotted previous elections. The ruling UPR took a majority, with 89 seats, and the Islamist party Tawassoul confirmed its position as the leading opposition party with 14 seats.

A coalition of opposition groupings called the elections fraudulent, but most Mauritanian politicians as well as African Union (AU) observers deemed them credible. The AU observers said "imperfections" in the process did not appear to have affected the polls' credibility.

Abeid, a former presidential candidate from 2014 and now the 2019 elections, who is also head of the antislavery group the Initiative for the Resurgence of the Abolitionist Movement in Mauritania (IRA Mauritania), won a seat in the new parliament, though he was being held in pretrial detention at the time of the election while authorities investigated claims that he had threatened a journalist. His arrest was reportedly carried out in the absence of a warrant. IRA Mauritania denies the allegations against him. In late December 2018, he was released after receiving a sentence shorter than the time he had already served.

The UPR posted a strong performance in concurrent municipal elections.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

In April 2018, the government appointed a new Independent National Electoral Commission (CENI) following a series of dialogues with some opposition parties. However, the FNDU, which had boycotted the dialogue process, rejected the new commission and demanded its dissolution. In July 2018, the government appointed a new president of the CENI who had once been a member of the FNDU. Despite the controversies over its composition during the first half of that year, the new electoral commission organized the year's elections, which were generally viewed as successful. In May 2019, prior to the presidential elections, government and opposition groups agreed to a compromise that allowed members of the opposition greater participation in the CENI.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16 (+1)**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4**

A number of obstacles prevent parties from successfully mobilizing their bases. A decree from May 2018 commanded the government to dissolve all political parties that are unable to gain at least 1 percent of votes in two consecutive district elections. In March 2019, 76 political parties were disbanded under the decree, bringing the number of parties to 28, from 107 previously.

Authorities often break up or otherwise prevent demonstrations organized by political parties. Authorities have denied registration to activist parties, including the Forces of Progress for Change, which opposes racial discrimination. The party's legal petition to gain recognition has been pending before the Supreme Court since 2015. The ruling party is frequently successful in efforts to co-opt leaders of smaller parties with comparatively fewer resources.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

Most opposition parties lack an institutional base, and many are formed by splinter factions of the ruling party that later rejoin it, sometimes as a result of active co-optation. After boycotting elections for years, opposition parties participated in the recent presidential and legislative elections. Although the UPR benefitted from incumbency advantages in the 2019 presidential election, opposition parties managed to gain sizable amount of votes, totaling over 47 percent.

Most opposition parties boycotted both the 2013 parliamentary elections and the 2014 presidential election, citing a system dominated by the UPR, which since its creation in 2009 had won every election handily. Though opposition parties took part in the September 2018 elections, the ruling party remained dominant, winning a solid majority of legislative seats. Opposition parties fared somewhat better in the municipal and regional elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4 (+1)

The political choices of Mauritians are greatly influenced by the military, which plays a key role in the political system. Since 1978, Mauritania has either been under military rule or led by a military leader, with the exception of 18 months of civilian government between 2007 and 2008. Mohamed Ould Ghazouani is a former defense minister and military general, though he was elected in a competitive and democratic poll. In recent years, the overt influence of the military in politics has receded somewhat.

Score Change: The score improved from 0 to 1 because the overt influence of the military in the country's politics has receded somewhat.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

The Bidhan ethnic group dominates the Mauritanian government, while black Mauritians and the Haratin ethnic group are underrepresented in elected positions and in high-level government roles. Discrimination hinders the ability of these groups to gain power. Thousands of black Mauritians who were forced out of their villages by the military in

1989 have been allowed to return, but face difficulties when trying to enroll in the census and register to vote.

Women participate in politics at lower levels than men, largely due to traditional cultural norms, and women's interests are poorly represented in national politics in practice. Thirty-one seats in the National Assembly are held by women.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The executive dominates the legislative branch: the president has the power to dissolve the National Assembly, but the legislature has no impeachment power over the president. The military remains a powerful force in the Mauritanian government, and still has a great deal of influence on policymaking.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Although the government has adopted numerous anticorruption laws and in 2005 signed the African Union Convention on Preventing and Combating Corruption, corruption remains widespread and the laws are not effectively enforced. Public contracts are typically awarded in exchange for bribes or on the basis of patronage. Bribes are often necessary in order to ensure the completion of ordinary government processes like obtaining licenses and permits.

A report published in 2017 by Sherpa, a nongovernmental organization (NGO), documented multiple cases of corruption at the highest levels of the Aziz administration that have gone unpunished. Among other cases, the report alleges that the former president's son used his influence to ensure that the French subsidiary of a Finnish company, Wärtsilä, received a contract to construct a power plant in exchange for a payment of over \$11 million.

In October 2019, government and banking institutions adopted new measures to fight against money laundering and terrorism financing.

C3. Does the government operate with openness and transparency? 1 / 4

The government does not operate with transparency, particularly in granting mining and fishing licenses, land distribution, government contracts, and tax payments. The construction of a new airport in Nouakchott that opened in 2016 drew criticism—a company with no experience in airport construction won a contract to build the facility through an opaque procurement process.

CIVIL LIBERTIES: 21 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 2 / 4

Mauritania has a vibrant media landscape, with several privately owned newspapers, television stations, and radio stations in operation. However, journalists who cover sensitive topics or scrutinize the political elite can face harassment and have their communication devices wiretapped. In July 2019, Ahmedou Ould Wediaa, a journalist known for his critiques of former president Ould Abdel Aziz, was arrested without charge in Nouakchott. In June, another journalist, Camara Seydi Moussa, had his communication devices confiscated and spent a week in prison after being accused of contesting the results of the presidential elections in a private phone conversation.

In July an independent blogger, Mohamed Cheikh Ould Mohamed M'kheitir, was freed from prison and went into exile in France. Ould M'kheitir was sentenced to death in 2014

for apostasy in an expedited judicial process. He had criticized the unequal social order in Mauritania and the prophet Muhammad. In November 2017, an appeals court in Nouadhibou reduced Ould M'Kheitir's death sentence to two years in prison, which he had already served, but the government had refused to release him, arguing that he was kept in custody under "administrative detention" for reasons of his own security.

Criminal defamation laws remain on the books, and are sometimes enforced against journalists. In August 2018, two journalists were arrested on charges of defamation after each had separately republished a third-party article that criticized a lawyer close to the government; they were held for over a week before being acquitted. Most journalists practice a degree of self-censorship when covering issues such as the military, corruption, and slavery.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Mauritania is an Islamic republic. Non-Muslims cannot proselytize or become citizens, and those who convert from Islam to another religion lose their citizenship. In practice, however, non-Muslim communities are generally not targeted for persecution.

Apostasy is a crime punishable by death. To date, no one has been executed for the crime. However, in April 2018, the parliament passed a new law that strengthens the existing death penalty punishment for certain blasphemy offenses. The new law removes the possibility of repentance as a way to avoid a death sentence for committing some forms of blasphemy.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is largely respected. However, in 2018 the government instituted a new rule prohibiting high school graduates aged 25 and above to register in public universities. In October 2019, a protest by those affected by the new measure was violently repressed by the police. The rule was suspended in November of that year.

The increasing use of Arabic as the lingua franca at universities has hindered access to education for black Mauritians, who mainly speak other languages. Student activists sometimes face pressure from university administrators, including threats of expulsion and intimidation.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Individuals have faced reprisals for expressing views critical of the government on social media, including termination of employment from government agencies. In March 2019, two bloggers were arrested and then imprisoned for over two months for sharing on Facebook information about a corruption scandal that implicated individuals close to then President Ould Abdel Aziz.

In January 2018 the government adopted a new law that mandated severe penalties for discrimination and racism. Later in the year, at least two people received one-year prison sentences for insulting other Mauritians by denigrating them as slaves on social media.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

While the constitution guarantees freedom of assembly, organizers are required to obtain consent from the government for large gatherings, which is often denied. In June 2019,

the police violently repressed protests that erupted following the publication of the election results, arresting several opposition figures. In an apparent attempt to quell further protests, authorities then cut internet access across the country for 11 days.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

NGOs, particularly antislavery organizations, frequently encounter intimidation, violence, and repression in carrying out their activities. The antislavery group IRA Mauritania has repeatedly been denied permission to register as an NGO. In 2018, Abeid, the leader of IRA Mauritania, spent five months in prison awaiting trial on charges of incitement to hatred and violence following a complaint by a journalist he allegedly threatened. In late December of that year, he was released after receiving a sentence shorter than the time he had already served. In July 2018, two other members of IRA Mauritania were released after spending two years in prison. Separately, in February 2018, visiting representatives of Human Rights Watch (HRW) were denied permission to hold a press conference at a hotel in the capital. In March 2019, the government denied entry to a mission of Amnesty International that was to investigate human rights abuses.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers have the legal right to unionize, but unions require approval from the public prosecutor to operate and often confront hostility from employers. The right to collective bargaining is not always respected, and the government sometimes pressures union members to withdraw their membership. The right to strike is limited by notice requirements and other onerous regulations.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

Mauritania's judiciary lacks independence. The president has the power to unilaterally appoint many key judges, including three of the six judges on the Constitutional Court and the chair of the Supreme Court. The courts are subject to political pressure from the executive branch. Instances of judges facing retaliatory measures for issuing rulings against the government have been reported.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are often not respected in practice. Suspects are frequently arrested without being informed of the charges against them. Lengthy pretrial detentions are common. Arbitrary arrests of opposition politicians, journalists, and human rights activists occur with some frequency.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Torture and abuse at Mauritania's prisons and detention centers remained a problem in 2019, and perpetrators are rarely held accountable. Police frequently beat suspects following arrest. Prisons are plagued by violence, are overcrowded, and lack basic sanitation. Food shortages are also common in prisons. Children are sometimes held with the adult prison population.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Same-sex sexual activity is illegal in Mauritania and punishable by death for men. LGBT+ individuals generally hide their sexual orientation or gender identity due to severe discrimination. Racial and ethnic discrimination remains a serious problem.

Sharia law as it is applied in Mauritania discriminates against women. The testimony of two women is equal to that of one man. Female victims of crime are entitled to only half the financial compensation that male victims receive. In the past few years, Parliament has twice rejected a bill that aimed to sanction gender-based violence.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

While the Bidhan population is relatively free to make personal decisions about residence, employment, and education, the choices of black Mauritians and the Haratin are often constrained by racial and caste-based discrimination. People lacking government identity cards are not allowed to travel in some regions, which disproportionately affects black Mauritians.

In 2019, authorities refused to issue a passport to former Guantanamo detainee, Mohamedou Ould Slahi without any justification, preventing him from traveling to seek medical treatment. In July 2018, authorities blocked five activists from traveling to Switzerland to participate in the UN Committee against Torture's periodic review of Mauritania.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Though the law guarantees property rights, these rights are not always enforced in practice, as it can be difficult to get property disputes fairly adjudicated in court. Complex laws and an opaque bureaucracy present challenges to starting a business.

Many black Mauritians who left their homes in the Senegal River Valley in the wake of the 1989 conflict have returned, but have been unable to regain ownership of their land. Local authorities reportedly allow the Bidhan to appropriate land used by the Haratin and black Mauritians.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Many girls are married before the age of 18. In January 2017, the government sent the parliament a bill that would ban marriage for girls under 18. The bill failed in the National Assembly, largely due to pressure from religious leaders.

Female genital mutilation is illegal, but the law is rarely enforced and the practice is still common. Domestic violence and rape remain problems, victims rarely seek legal redress, and convictions for these crimes are rare. Laws banning adultery and morality offenses discourage victims of sexual assault from reporting it to police.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Despite amendments to the antislavery law passed in 2015 meant to address the problem more robustly, slavery and slavery-like practices continued in 2019, with many former slaves still reliant on their former owners due to racial discrimination, poverty, and other socioeconomic factors. The government cracks down on NGOs that push for greater enforcement of the law and rarely prosecutes perpetrators, but at the same time has shown an increased commitment to enforcing laws against slavery. In March 2018, a court handed down 10- and 20-year prison sentences to three people for practicing slavery.

Mauritius

Population: 1,300,000

Capital: Port Louis

Freedom Status: Free

Electoral Democracy: Yes

Overview: Mauritius's open, multiparty system has allowed for regular transfers of power between parties through free and fair elections, and civil liberties are generally upheld. However, the political leadership remains dominated by a few families, and ethnic divisions are increasingly prominent in politics. Corruption is also a problem, journalists occasionally encounter harassment and legal pressure, integration of women into the political system has been slow, and LGBT+ people face threats and discrimination.

KEY DEVELOPMENTS IN 2019

- Incumbent prime minister Pravind Jugnauth and his Militant Socialist Movement (MSM) party won the November elections, securing a new five-year term in government.
- The new National Assembly chose MSM politician Prithvirajsing Roopun to serve as the country's largely symbolic head of state in December.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, whose role is mostly ceremonial, is elected by the National Assembly to serve a five-year term. Prithvirajsing Roopun, an MSM lawmaker and government minister, was elected president in December 2019, following the previous month's parliamentary elections.

Executive power resides with the prime minister, who is appointed by the president from the party or coalition with the most seats in the legislature. Pravind Jugnauth of the MSM, who had succeeded his father as prime minister when the latter stepped down in 2017, won a new term as a result of the 2019 elections, which were generally considered credible.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Of the unicameral National Assembly's 70 members, 62 are directly elected in 21 constituencies, including 2 members from a constituency representing the autonomous island of Rodrigues. Up to 8 "best losers" are then appointed from among unsuccessful candidates who gained the largest number of votes, in order to ensure fair representation of the country's different ethnic communities. The members of the National Assembly serve five-year terms. Rodrigues has its own elected Regional Assembly.

The MSM's Morisian Alliance won the November 2019 National Assembly elections with a total of 42 seats amid voter turnout of approximately 77 percent. The opposition National Alliance, led by former prime minister Navinchandra Ramgoolam's Mauritian Labour Party (PTR), took 17 seats, followed by former prime minister Paul Bérenger's Mauritian

Militant Movement (MMM) with 9 and the Organization of the People of Rodrigues (OPR) with 2. Opposition leaders filed court challenges over alleged irregularities, but African Union observers concluded that the election was conducted peacefully and professionally.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The Electoral Supervisory Commission has impartially supervised the electoral process.

Long-running discussions on electoral reforms and party financing laws continued in 2019, but no changes had been approved by the parliament at year's end. There is no law on the financing of electoral campaigns. Among other reforms under discussion was a proposal to introduce seats allocated by proportional representation; under the current first-past-the-post system in 2019, the MSM's coalition won 61 percent of the directly elected seats with 38 percent of the popular vote.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are generally free to form and operate. Roughly three dozen parties competed in the 2019 elections, and four were included in the resulting government.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Since independence, political power has peacefully rotated among the three largest parties—the PTR, the MSM, and the MMM. The MSM has been in power since 2014, when it defeated the PTR.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and candidates are generally able to express their political choices without pressure from forces that are not democratically accountable. However, money plays an important role in politics, and there is no law to regulate the financing of electoral campaigns. De facto dynastic control may also limit intraparty democracy in some cases; of the prime ministers since independence, all but Bérénger have been members of the Jugnauth (MSM) or Ramgoolam (PTR) families.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Citizens from all ethnic communities enjoy full political rights, though the Hindu majority is considered to hold most positions of political influence. Parliamentary candidates must declare their identification with one of four communities: Hindu, Muslim, Sino-Mauritian, or General Population—which includes people of African descent. The eight appointed seats are allocated with the aim of ensuring fair representation for these communities.

Women hold a handful of cabinet seats and other high-level political positions, but are generally underrepresented in politics. Fourteen women secured seats in the 2019 parliamentary elections. Local elections require that at least one-third of political parties' candidates in each district be women, and a similar rule has been considered for national elections.

Discrimination against LGBT+ people can discourage their active political participation.

C. FUNCTIONING OF GOVERNMENT: 10 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

Elected officials are duly seated and generally able to make policy without improper interference or major political disruptions.

C2. Are safeguards against official corruption strong and effective? 3 / 4

The country's anticorruption framework is robust but inconsistently applied. The Independent Commission Against Corruption has had some successes since its founding in 2002, and few citizens report paying bribes, but a majority reportedly believe that the government needs to do more to tackle corruption.

In 2018, Ameenah Gurib-Fakim, who was elected as the country's first woman president in 2015, resigned after allegations emerged in the media that she had made thousands of dollars in personal purchases using a credit card issued to her by a nongovernmental organization.

C3. Does the government operate with openness and transparency? 3 / 4

The government openly debates the country's budget in the National Assembly, publishes it and other legislation online and in the press, and maintains a National Open Data Portal. However, Transparency International has noted concerns about opaque hiring and appointment processes that may be affected by nepotism and cronyism. The European Commission and Transparency International have also highlighted the lack of laws guaranteeing the right to access government information.

CIVIL LIBERTIES: 52 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16****D1. Are there free and independent media? 3 / 4**

The constitution guarantees freedom of expression. Several private daily and weekly publications report on the ruling and opposition parties, but the state-owned Mauritius Broadcasting Corporation's radio and television services generally reflect government viewpoints. A small number of private radio stations compete with the state-run media.

Journalists occasionally face legal pressure. Amendments to the Information and Communication Technologies (ICT) Act in 2018 expanded the types of online speech that could be deemed false, harmful, or illegal and increased the maximum penalty to 10 years in prison. Several defamation suits and ICT Act complaints were filed against journalists and media outlets during 2019. In September, Top FM and Top TV petitioned the Supreme Court to overturn the revisions to the ICT Act, claiming that they were unconstitutional.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally upheld. The government grants subsidies to six recognized groups: Hindus, Roman Catholics, Muslims, Anglicans, Presbyterians, and Seventh-day Adventists. Other groups may apply for tax-exempt status. Tensions between Muslim and Hindu communities, including occasional incidents of vandalism at places of worship, have been reported.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally upheld.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Personal expression and private discussion are generally unrestricted. However, critics of the 2018 ICT Act amendments have argued they could serve as a deterrent to unfettered online speech by ordinary users.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is usually upheld, though there have been isolated restrictions. The 13th annual Mauritius Pride March was canceled in 2018 after police said they might not be able to protect participants from opponents gathered along the parade route. No such problems were reported in 2019.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Civil society groups operate freely. However, many are reliant on government funding that could compromise their independence.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The constitution specifically protects the right to form and join trade unions, which represent about a quarter of the workforce. Unions regularly meet with government leaders, protest, and advocate for improved compensation and workers' rights. There are more than 300 unions in Mauritius.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 3 / 4

The generally independent judiciary administers a legal system that combines French and British traditions. However, judicial independence has been questioned in some cases involving politicians.

Mauritius has maintained the right of appeal to the Privy Council in London.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Constitutional guarantees of due process are generally upheld. However, Mauritian criminal law allows police to charge suspects provisionally and hold them for months until a formal charge is issued. Due to court backlogs, a majority of those being held in prison are in pretrial detention, and many detainees reportedly wait years before facing trial.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Mauritius is free from war, insurgencies, and other major threats to physical security. However, allegations of abuse by police continue to be reported. The Independent Police Complaints Commission (IPCC), which replaced a predecessor body and began operating in 2018, has the authority to investigate complaints and make recommendations. As of 2019 the IPCC had received hundreds of complaints, a substantial portion of which involved alleged physical assaults.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The 2008 Equal Opportunities Act prohibits discrimination based on race, ethnicity, sex, sexual orientation, and other categories, and it established the Equal Opportunities Commission (EOC) to investigate possible violations. Though the law and the EOC do not allow discrimination in the workforce, some citizens argue that positions of economic leadership are closed to ethnic minorities. Women generally earn less money than men for equal work.

LGBT+ people face discrimination and the risk of targeted violence in practice. Laws that criminalize same-sex sexual activity remain on the books but are rarely enforced.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Residents are generally allowed to move freely within Mauritius, but there are some restrictions on travel to the Chagos Islands, which are disputed between Mauritius and Great Britain. Mauritians are free to change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Mauritius is considered to be one of the most business-friendly countries in Africa. However, the Non-Citizen Property Restriction Act imposes some limits on noncitizens' acquisition of real estate. Corruption can hamper business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The government generally does not limit personal social freedoms, though same-sex unions are not recognized. Spousal rape is not specifically criminalized. The law provides penalties for domestic violence and protection and assistance for victims, but enforcement and resources remain insufficient to curb the problem.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

There are legal protections against exploitative working conditions, but the roughly 40,000 migrant workers in the manufacturing and construction sectors can face abuses. There have been reports of employers confiscating workers' passports, and of migrant workers becoming beholden to recruitment agents who charge huge fees for placement in a job. Both foreign and Mauritian women and girls have been targeted by sex traffickers. While the government has made some efforts to prosecute sex and labor traffickers and provide services to victims, these efforts are generally inadequate.

Mexico

Population: 126,600,000

Capital: Mexico City

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Mexico has been an electoral democracy since 2000, and alternation in power between parties is routine at both the federal and state levels. However, the country suffers

from severe rule of law deficits that limit full citizen enjoyment of political rights and civil liberties. Violence perpetrated by organized criminals, corruption among government officials, human rights abuses by both state and nonstate actors, and rampant impunity are among the most visible of Mexico's many governance challenges.

KEY DEVELOPMENTS IN 2019

- President Andrés Manuel López Obrador, who took office in 2018, maintained high approval ratings through much of the year, and his party consolidated its grasp on power in June's gubernatorial and local elections. López Obrador's polling position began to wane late in the year, as Mexico's dire security situation affected voters' views on his performance.
- In March, the government created a new gendarmerie, the National Guard, which officially began operating in June after drawing from Army and Navy police forces. Rights advocates criticized the agency, warning that its creation deepened the militarization of public security.
- The number of deaths attributed to organized crime remained at historic highs in 2019, though the rate of acceleration slowed. Massacres of police officers, alleged criminals, and civilians were well-publicized as the year progressed. The challenge to state authority was illustrated dramatically in October, when soldiers and police were forced to release an accused drug kingpin in Sinaloa after a violent running battle with cartel members.
- Mexico bowed to American pressure and agreed to detain, deter, and deport asylum seekers and migrants traveling through Mexico to its border with the United States in May and June, after President Donald Trump threatened to impose punitive tariffs. The government ordered nearly half the new National Guard to enforce this policy, partially diverting it from its crime-fighting mandate.

POLITICAL RIGHTS: 27 / 40

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is elected to a six-year term and cannot be reelected. However, a constitutional amendment, which was not fully ratified as of the end of 2019, may allow citizens the opportunity to recall a president halfway through their term.

Andrés Manuel López Obrador of the left-leaning National Regeneration Movement (MORENA) won the 2018 poll with a commanding 53 percent of the vote. His closest rival, Ricardo Anaya—the candidate of the National Action Party (PAN) as well as of the Democratic Revolution Party (PRD) and Citizens' Movement (MC)—took 22 percent. The results of the 2018 poll represented a stark repudiation of the outgoing administration of President Enrique Peña Nieto and the Institutional Revolutionary Party (PRI); the party's candidate, José Antonio Meade, took just 16 percent of the vote.

The election campaign was marked by violence and threats against candidates for state and local offices, with a final tally of at least 145 election-related deaths. Accusations of illicit campaign activities remained frequent at the state and municipal level.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Senators are elected for six-year terms through a mix of direct voting and proportional representation, with at least two parties represented in each state's delegation. In the

Chamber of Deputies, the lower house of the bicameral Congress, 300 members are elected through direct representation and 200 through proportional representation, each for three-year terms. Under 2013 electoral reforms, current members of Congress are no longer barred from reelection and candidates are permitted to run as independents. For legislators elected in 2018, senators will be eligible to serve up to two six-year terms, and deputies will be permitted to serve up to four three-year terms.

In the 2018 elections, MORENA achieved a 255-seat majority in the Chamber of Deputies, and with the support of its coalition allies, the Workers' Party (PT) and the Social Encounter Party (PES), held just over 300 seats. The PAN won 79 seats, while the PRI plummeted from winning 202 seats in the 2015 midterms to just 47 seats in 2018. Similarly, the MORENA-led coalition now commands a clear majority in the 128-member Senate with 70 seats, compared to 24 for the PAN and 15 for the PRI.

Accusations of illicit campaign activities are frequent at the state level, and violations including vote buying, ballot stealing, and misuse of public funds were reported in 2018.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Mexico's National Electoral Institute (INE) supervises elections and enforces political party laws, including strict regulations on campaign financing and the content of political advertising, although control is uneven in practice. While the 2018 elections were generally considered free and fair, the INE and the Federal Electoral Tribunal (TEPJF) struggled to comprehensively address problems including misuse of public funds, vote buying, and ballot stealing, and to ensure transparent campaign finance. Subsequent steps by MORENA to cut the INE's budget and shorten the terms of its directors while writing Mexico's 2020 budget prompted accusations that the administration sought to lessen electoral oversight and give itself an advantage in future elections.

President López Obrador has extolled the use of referendums known as citizen consultations, which are not supervised by the INE. A series of consultations in 2018 and 2019 on infrastructure and social spending offered few protections against fraud, and featured the participation of a small proportion of Mexican voters. As 2019 progressed, Congress incorporated those consultations into a new constitutional reform package, including a mechanism to allow for the recall of the president. Opponents criticized the measures, particularly the presidential recall, which they claimed was a way for López Obrador to boost MORENA candidates in the 2021 midterm elections or even rule beyond his own mandate. The amendments were amended in the Senate to address opposition concerns before the chamber approved them in November 2019. The amendments awaited state-level ratification at year's end.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Mexico's multiparty system features few official restrictions on political organization and activity. Although the 2018 elections left the opposition moribund at the national level, opposition parties are competitive in some states, and independent candidacies are becoming more common. President López Obrador's victory also reflected the political system's growing openness to pluralistic competition, and ended fears on the left that powerful actors would block their electoral path to power.

Victories in the gubernatorial races in 2019, in Baja California and Puebla, reinforced MORENA's gradually growing strength at the subnational level. MORENA officials now govern six states and Mexico City, and control 20 of the 32 state legislatures.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Power has routinely changed hands at the national level since 2000. The dominant victory of López Obrador and MORENA in 2018 followed six years of government control by the PRI, which had ruled Mexico without interruption from 1929 to 2000, before losing consecutive presidential races to the right-leaning PAN in 2000 and 2006.

In 2019, analysts, MORENA opponents, and the INE sharply criticized a law passed by the Baja California legislature that retroactively extended the term of its new governor, Jaime Bonilla, to five years from the two-year term he won in June. The law was swiftly challenged, with the Federal Electoral Tribunal unanimously finding it unconstitutional in a written opinion delivered to the Supreme Court in December.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Criminal groups, while increasingly fragmented, exert powerful influence on the country's politics through threats and violence against candidates, election officials, and campaign workers. At least 145 politicians were murdered between fall 2017 and election day in July 2018. Scores of politicians are believed to have withdrawn 2018 candidacies due to fears of violence.

Separately, in states and municipalities with lower levels of multiparty participation, locally dominant political actors often govern in a highly opaque manner that limits political activity and citizen participation.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Mexico has a large indigenous population, and indigenous people and groups are free to participate in politics. There are some provisions for the integration of traditional community customs in electing leaders, and parties that serve indigenous communities often compete in states with large indigenous populations. However, indigenous people remain underrepresented in political institutions.

The 2018 election confirmed the success of gender requirements for candidacies and party lists: female representatives increased their share of seats in the Chamber of Deputies to 48 percent and in the Senate to 49 percent.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Organized crime and related violence have limited the effective governing authority of elected officials in some areas of the country. Members of organized crime groups have persisted in their attempts to infiltrate local governments in order to plunder municipal coffers and ensure their own impunity. The notorious and still unsolved mass disappearance of 43 students in Iguala in 2014 was linked to a deeply corrupt local government collaborating with a drug gang, as well as a group of corrupt soldiers residing in a nearby barracks. In the most violent regions, the provision of public services has become more difficult, as public-sector employees face extortion and pressure to divert public funds.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Official corruption remains a serious problem. The billions of dollars in illegal drug money that enter the country each year from the United States profoundly affect politics, as does rampant public-contract fraud and other forms of siphoning off state funds. Attempts to prosecute officials for alleged involvement in corrupt or criminal activity have often failed due to the weakness of the cases brought by the state.

The López Obrador administration has pursued corruption more actively than recent administrations, and Transparency International recorded a slight improvement in Mexicans' perceptions of corruption in 2019 over the previous year. Notably, the NGO also found that 34 percent of study participants reported paying a bribe for public services in 2019, while 51 percent reported the same in 2017. Several prominent figures from the Peña Nieto administration were also indicted or arrested on graft charges during the year. In May, an arrest warrant was issued for the former head of state oil company PEMEX, Emilio Lozoya, along with his mother, wife, and sister. Lozoya remained free at year's end, but his mother Gilda was arrested in Germany mother and agreed to return to Mexico to mount a legal defense in November. In addition, former urban development minister Rosario Robles was arrested on corruption charges in August; Robles was suspected of wrongdoing throughout her tenure in the Peña Nieto administration.

As 2019 progressed, the former president himself was accused of accepting bribes, notably in proceedings taking place in the United States and not in Mexico. In January, Colombian drug trafficker Alex Cifuentes testified in a US court that Peña Nieto accepted a bribe from Joaquín "El Chapo" Guzmán, who was then on trial for murder. In June, the Securities and Exchange Commission (SEC) received an allegation that Peña Nieto accepted bribes from Emilio Lozoya to allow PEMEX to acquire the operator of a fertilizer plant at an inflated price in 2015.

In December, Genaro García Luna, a feared public security secretary under former president Felipe Calderón, was charged with trafficking cocaine in the United States; García Luna was often accused of collaborating with the Sinaloa cartel during his tenure. However, critics have charged the government with selective prosecution, pointing to the administration's absolution of Federal Electricity Commission chairman and veteran politician Manuel Bartlett following allegations of questionable asset accumulation.

C3. Does the government operate with openness and transparency? 2 / 4

Despite some limitations, several freedom of information laws passed since 2002 have successfully strengthened transparency at the federal level, though enforcement is uneven across states. In recent years, the government has failed to release relevant information on some of the country's most controversial issues, including abuses by the security forces and the investigation into the missing 43 students in Iguala. Since 2017, Mexican authorities have also remained sluggish in publicizing contracts with the NSO Group, an Israeli firm that sold spyware used to target journalists, lawyers, and activists. In February 2019, the Institute for Transparency, Access to Information, and Protection of Personal Data, a privacy watchdog in Mexico, accused the federal attorney general of stonewalling its investigation for over a year.

However, in October 2019, transparency advocates succeeded in obtaining a list of beneficiaries of tax amnesties between 2007 and 2015; the status of many beneficiaries and the large amounts forgiven prompted allegations of politicized tax practices by previous administrations.

CIVIL LIBERTIES: 35 / 60 (- 1)**D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16****D1. Are there free and independent media? 2 / 4**

The security environment for journalists remains highly challenging. Reporters probing police issues, drug trafficking, and official corruption face an increasingly high risk of physical harm. The Committee to Protect Journalists (CPJ) recorded the deaths of five journalists in Mexico in 2019; this represents over half of all murders recorded by the CPJ worldwide that year. Self-censorship has increased, with many newspapers in violent areas avoiding publication of stories concerning organized crime. Press watchdog groups hailed the 2012 federalization of crimes against journalists, as well as a 2015 law in Mexico City aimed at protecting journalists and human rights defenders. However, they have also decried the slow pace of the federal government's special prosecutor for crimes against freedom of expression since the office gained authority in 2013.

In 2012, pressure from journalists and NGOs prompted former president Felipe Calderón to create a Federal Protection Mechanism for Human Rights Defenders and Journalists within the federal Interior Secretariat. Hundreds of activists and journalists have been successfully protected by this scheme, which has provided safe houses, panic buttons, and bodyguards to enrollees. However, journalists have recently found themselves left out of the underfunded mechanism; the Committee to Protect Journalists (CPJ) counted 122 journalists in the federal protection scheme in 2017, but the number fell to 27 by 2019.

Despite improvements in legal status, community radio stations continue to face occasional harassment from criminals and state authorities.

News coverage in many media outlets is affected by dependence on the government for advertising and subsidies. In 2017, the Supreme Court ordered Congress to regulate the distribution of government advertising. Congress complied with new legislation in April 2018 and President López Obrador promised to cut public spending on advertising during his election campaign that year, but media watchdogs criticized a subsequent 2019 guidance as inadequate. Throughout the year, López Obrador has also used daily morning news conferences to dominate news cycles, using the bully pulpit to chastise and denigrate specific reporters and news outlets.

Broadcast television has been dominated by the duopoly of Televisa and TV Azteca since the 1990s, but efforts to liberalize this market resumed in 2013 with the establishment of the Federal Economic Competition Commission and the Federal Telecommunications Institute (IFT). In 2015, the IFT issued licenses for two free-to-air broadcast operators; of these, Imagen Televisión still broadcasts in Mexico.

Mexico has been at the forefront of citizen-led efforts to ensure internet access. The government amended Article 6 of the constitution in 2013 to make access to the internet a civil right. However, gangs have targeted bloggers and online journalists who report on organized crime, issuing threats and periodically murdering online writers.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is protected by the constitution and is generally respected in practice, though religious minorities, particularly indigenous Evangelical communities in Chiapas, face occasional persecution by local authorities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government does not restrict academic freedom, though university students and some academics are occasionally threatened for their political activism.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

While there are no formal impediments to free and open discussion, fear of criminal monitoring restricts citizens' willingness to converse publicly about crime in some areas of the country.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 3 / 4

Constitutional guarantees regarding free assembly and association are largely upheld, and protests are frequent. However, political and civic expression is restricted in some regions, and in recent years have resulted in violence against protesters which at times has been deadly. Human rights watchdogs expressed concern that the National Use of Force Law, which enabled the creation of the National Guard in May 2019, would allow members to abuse protesters. Concerns about the law were voiced again in October, when Amnesty International criticized it in an *amicus curie* brief to the Supreme Court.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Although highly active, nongovernmental organizations (NGOs) sometimes face violent resistance; the Office of the UN High Commissioner for Human Rights counted 13 activist deaths by October 2019. Environmental activists and representatives of indigenous groups contesting large-scale infrastructure projects have been particularly vulnerable; the February murder of Samir Flores, an opponent of thermoelectric and pipeline construction in Morelos, produced outrage and demonstrations in Mexico City.

The Federal Protection Mechanism for Human Rights Defenders and Journalists has provided physical security for activists since its 2012 inception, protecting hundreds of individuals since its launch. However, rights groups consider it sluggish and subject to government neglect. The protection scheme has also run low on funds, nearly exhausting its budget in 2017 and 2018.

Revelations emerged in 2017 that a number of civil society activists had been the victims of attempts to spy on their electronic communications, presumably by government agencies. Although the investigation remains active, there was little visible progress toward accountability for the spying in 2019.

Civil society members are able to freely criticize state policies, but López Obrador's penchant for dismissing criticism and insulting perceived opponents has generated rising tension between the president and NGOs.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Trade union membership has diminished significantly in recent decades. In May 2019 a major labor reform took effect, bringing hope of an end to the rampant use of informal, nontransparent negotiations between employers and politically connected union leaders that resulted in "protection contracts" never seen by workers. In a sign that the law would facilitate increased pressure on the old guard, longtime oil workers' union chief Carlos Romero Deschamps resigned in 2019 while under investigation for corruption.

F. RULE OF LAW: 5 / 16 (- 1)

F1. Is there an independent judiciary? 2 / 4

Mexico's justice system is plagued by delays, unpredictability, and corruption, leading to impunity. A 2008 constitutional reform replaced the civil-inquisitorial trial system with an oral-adversarial one. Although implementation has slowly proceeded and some elements of due process have improved, human rights groups have raised concerns about ongoing deficiencies, including questions about judicial impartiality and training. Implementation of the new system was technically completed in 2016, but deficient training and a lack of commitment to the initiative by authorities have produced poor prosecutorial results. The Supreme Court is generally regarded as independent, but several 2019 appointments of justices viewed as close to the government raised concerns about diminished autonomy. One appointment was to replace Justice Eduardo Medina Mora, who resigned in October while under investigation for corruption.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Lower courts—and law enforcement in general—are undermined by widespread bribery and suffer from limited capacity. According to a government survey released in September 2019, the vast majority of crimes committed in 2018 went unreported, in large part because the underpaid police were viewed as either inept or in league with criminals. Even when investigations are conducted, only a handful of crimes end in convictions.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Mexicans are subject to the threat of violence at the hands of several actors, including individual criminals, drug cartels that operate with impunity, and police officers who are often susceptible to bribery. Mexicans are particularly vulnerable to enforced disappearances, which remains a tremendous challenge for the government despite efforts to address the missing-persons backlog in recent years. In addition, Mexicans in police custody are at risk of torture by the authorities, and must also navigate a prison system where due process and physical safety are in short supply.

Abuses during criminal investigations are rife; in 2015, a UN special rapporteur released a report characterizing torture as “generalized” within Mexican police forces. In 2017, a comprehensive General Law on Torture established a prohibition on the use of torture and disqualified evidence obtained through its use. Rights advocates suggest it has contributed to mild progress in excluding torture-based confessions from prosecutions, but remain concerned about gaps in implementation.

Human rights advocates have consistently expressed concern about a lack of accountability for rights abuses committed by members of the military, including torture, forced disappearances, and extrajudicial executions. Only a handful of soldiers have been convicted in civilian courts for abuses against civilians. In recent years, the National Human Rights Commission (CNDH) has gained the government some credibility on this subject, in part by issuing reports implicating state security forces in grave human rights abuses. In November, the Senate named a close ally of the president as the CNDH's new leader, generating fears for the agency's independence. The Office of the UN High Commissioner for Human Rights (OHCHR) also voiced concerns for human rights in Mexico, criticizing the country for its inability to adopt a National Program on Torture and criticizing the use of soldiers in public security operations in a May 2019 statement.

Forced disappearances and killings remain a pervasive problem in Mexico, despite recent efforts to combat the problem. In 2017, Congress passed a General Law on

Disappearances, which removed the statute of limitations on missing-persons crimes. The new law also established a national mechanism for investigating such cases, which numbered over 40,000 as recently as March 2019. The National Search Committee, which was established in 2018, announced the discovery of over 4,800 bodies in graves throughout the country when it released its first tally in August.

The kidnapping and presumed deaths of 43 students in rural Iguala in 2014 remains controversial, with President López Obrador creating a presidential commission to investigate the case after taking office. More assistance came in April 2019, when the OHCHR agreed to support for the presidential commission. In June, a new special prosecutor was also assigned to manage the case. Nevertheless, the government was unable to close the matter by year's end. Instead, at least 77 of the 142 detained in connection with disappearances were released by September, often because they were subject to torture while in custody.

As in previous years, the government's primary response to insecurity was the deployment of militarized forces to hotspots. In the spring of 2019, President López Obrador introduced a new gendarmerie that would draw from the Army, Navy, and federal police, and would rely on military officers for its top ranks. The new National Guard was sharply criticized by rights advocates when it launched in June, fearing it would lead to the militarization of public security. Amnesty International also criticized its enabling legislation when it was passed by the Senate in May, for allowing the National Guard to determine whether any encountered protests are of "legitimate purpose" and whether to respond with force.

Nevertheless, the number of deaths attributed to organized crime remained at historic highs in 2019, though the rate of acceleration slowed. Violence remained acute in Colima, Baja California, Chihuahua, Morelos, Guanajuato, and Michoacán. Several mass killings sparked widespread outcry, including the murder of 14 people attending a family party in the southeastern city of Minatitlán in April, the deaths of at least 26 patrons at a bar set ablaze in the port city of Coatzacoalcos in August, and the deaths of 14 Michoacán state police officers in October.

An effort to capture drug kingpin Ovidio Guzmán, a son of cartel leader Joaquín "El Chapo" Guzmán, in the Sinaloa state capital of Culiacán caused particular controversy in October 2019. After a National Guard patrol captured Guzmán, they were surrounded by heavily armed cartel members, who overpowered the patrol and forced them to surrender Guzmán. At least 13 people were killed and 49 prisoners escaped in the fighting, generating widespread anguish over the government's failure to keep Culiacán secure.

The November 2019 killing of nine members of the LeBarón family, who live in a Mormon community in Sonora State, garnered attention in the United States and Mexico. The LeBarón family, many of whom maintain dual citizenship, has been targeted by local drug cartels for at least a decade, with a drug lord allegedly previously ordering the murder of two members in 2009. By year's end, federal prosecutors detained seven suspects in the 2019 killings, one of them a local police chief allegedly in the pay of the La Línea drug gang.

The year closed with another violent running battle, this time in the northern town of Villa Unión in late November 2019. Cartel members arrived in armored trucks and attacked the town hall, prompting an army counterattack. When the battle ended, at least 21 were dead, including 13 fighters and 2 civilians kidnapped by the cartel.

Mexican prisons remain unsafe, with inmates commonly engaging in criminal activity while incarcerated. In November, inmates affiliated with the Sinaloa cartel orchestrated a string of violence from their prison in Juárez; 91 people in Ciudad Juárez were subsequently murdered in a two-week span. The Topo Chico prison, the site of a string of riots and

escapes during its operation, was closed in September 2019, but inmates remain at risk elsewhere. In August, three inmates died when a fire swept through a Mexico City jail. Another six were killed during a riot in a prison in Morelos State in October.

Several alternative approaches to the violence epidemic, including amnesty for low-level offenders, an end to the strategy of targeting kingpins, and drug law reform, remained under discussion during the year's end.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4 (-1)

Mexican law bans discrimination based on ethnic origin, gender, age, religion, and sexual orientation. Nevertheless, the large indigenous population has been subject to social and economic discrimination, and at least 70 percent of indigenous people live in poverty. Southern states with high concentrations of indigenous residents suffer from particularly deficient services. Indigenous groups have been harmed by criminal violence. In recent years, communities in Guerrero and Michoacán have formed self-defense groups, some of which were subsequently legalized.

Mexican law has strong protections for LGBT+ people, but they are not uniformly enforced. Transgender women in particular face discrimination and violence.

Migrants from Central America, many of whom move through Mexico to reach the United States, have long faced persecution and criminal predation. The López Obrador administration initially sought to protect migrants, but reversed course when the United States threatened to seal its border with Mexico and institute punitive tariffs in the spring of 2019. In response to the Trump administration's threats, Mexico deployed its National Guard to arrest the northern flow of migrants, established immigration checkpoints along major roads, and raided migrant shelters in the country.

The government also cooperated with the implementation of Migrant Protection Protocols (MPP), a US policy that forces asylum seekers to remain in Mexico until their cases are processed. As a result, as many as 56,000 have been forced to wait in border cities like Ciudad Juárez and Nuevo Laredo for their hearings, finding themselves at risk of kidnapping and extortion in the interim.

Score Change: The score declined from 2 to 1 because threats of border closure from the United States prompted Mexico to close migration pathways and limit migrants' ability to seek asylum in the United States, resulting in an increase in abuses against them.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Citizens are generally free to change their place of residence, employment, or education. However, criminals have impeded freedom of movement by blocking major roads in several states in recent years, and ordinary citizens avoid roads in many rural areas after dark.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights in Mexico are protected by a modern legal framework, but the weakness of the judicial system, frequent solicitation of bribes by bureaucrats and officials, and the high incidence of criminal extortion harm security of property for many individuals and

businesses. Large-scale development projects have been accompanied by corruption and rights-related controversy in recent years, exemplified in 2019 by disputes over high-priority López Obrador initiatives to develop a new airport at a military base north of Mexico City and a train line that would primarily serve tourists in the Yucatan Peninsula.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Sexual abuse and domestic violence against women are common, and perpetrators are rarely punished. Implementation of a 2007 law designed to protect women from such crimes remains halting, particularly at the state level, and impunity is the norm for the killers of hundreds of women each year. State authorities can issue “gender alerts” that trigger greater scrutiny and an influx of resources to combat an epidemic of violence against women, but the mechanism has failed to stem rising violence. As of November, seven states, including Baja California, have declined to issue these alerts. López Obrador’s government was nevertheless criticized women’s rights activists in 2019 when it cut funding for women’s shelters.

In August, several reports of rape by Mexico City police officers led to a series of large demonstrations protesting violence against women, the second such round of protests by women in the capital in three years. In November, Mexico City’s government promised to increase its local budget for women’s care centers, while the federal government unveiled a plan to combat violence and promote gender equality the same month.

Abortion has been a contentious issue in recent years. Many states reacted to Mexico City’s 2007 liberalization of abortion laws by strengthening their own criminal bans on the procedure, but in September 2019 Oaxaca became the second state to decriminalize first-trimester abortions. President López Obrador’s amnesty bill, which was sent to Congress that same month, would cover women who sought abortions, along with the doctors who performed them.

Mexico has taken significant steps toward LGBT+ equality, beginning with a 2015 Supreme Court ruling overriding state laws defining the purpose of marriage as procreation; by 2019, Mexico City and 18 other states have legalized same-sex marriage. LGBT+ rights have continued to expand in 2019 through judicial review: in May, the Supreme Court also ruled that a same-sex couple should be allowed to register their child in the Aguascalientes State. In July, a federal judge in Querétaro State ruled that transgender residents had the right to change their names and gender identities with the state’s civil registry, making Querétaro the eighth state to legally recognize these rights.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Economic opportunity is limited in Mexico, which maintains a high rate of economic inequality. Migrant agricultural workers face brutally exploitative conditions in several northern states. In 2018, the Supreme Court ruled that Mexico’s millions of domestic workers—the vast majority of whom are women—must be incorporated into the formal sector and receive social security and health benefits.

Mexico is a major source, transit, and destination country for trafficking in persons, including women and children, many of whom are subject to forced labor and sexual exploitation. Organized criminal gangs are heavily involved in human trafficking in Mexico and into the United States. This danger was exacerbated in 2019 when the United States began denying entry to asylum seekers presenting themselves at the border, forcing as many as 56,000 to wait in nearby cities like Ciudad Juárez.

Micronesia

Population: 100,000

Capital: Palikir

Freedom Status: Free

Electoral Democracy: Yes

Overview: The Federated States of Micronesia (FSM) is a relatively stable democracy that holds regular, competitive elections. However, secessionist movements have sometimes unsettled the country's politics and threatened its unity. The judiciary is independent, and civil liberties are generally respected. Ongoing problems include underreporting of domestic violence and the exploitation of migrant workers.

KEY DEVELOPMENTS IN 2019

- In March, Senator David Panuelo was named president by the newly elected Congress, replacing incumbent Peter Christian.
- The independence referendum for the state of Chuuk scheduled for March 2019 was postponed until 2020.
- Micronesian government official Master Halbert, the son-in-law of former president Christian, was arrested for money laundering in February, as well as taking bribes for the allocation of government contracts.
- In October, the acting attorney general on Yap, American Rachelle Bergeron, was killed in her backyard. Her murder was allegedly connected to her work cracking down on human trafficking on the islands.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The FSM president is both chief of state and head of government and receives assistance from the vice president. Both offices are indirectly elected for four-year terms by members of Congress, with candidates from among the legislature's four at-large state representatives, known as senators, who are directly elected by the population. In March 2019, David Panuelo, the senator representing the state of Pohnpei, was chosen as president, defeating incumbent Peter Christian. Yosiwo George, the senator for Kosrae, was elected vice president.

Each of the four states (Yap, Chuuk, Pohnpei, and Kosrae) also has its own elected governor.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 14-member Congress, Micronesia's unicameral legislature, consists of 4 senators, one from each state, elected to serve four-year terms, and 10 members elected for two-year terms in single-member districts that are allocated according to population. Each state also has its own elected legislature.

In March 2019, the FSM held full congressional elections. The incumbent president, Peter Christian, lost his seat to David Panuelo, the senator from Pohnpei. The senators

from the three other states are Yosiwo George from Kosrae (named vice president), Wesley Simina from Chuuk, and Joseph Urusemal from Yap. There were no reports of fraud or irregularities in the election's administration. A majority of voters also approved the country's fourth Constitutional Convention, which was set to convene in January 2020.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections in Micronesia, which are generally considered free and fair, are administered by a government agency headed by a national election director and one commissioner from each state. Constitutional amendments must be approved by three-quarters of voters in at least three of the four states.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no formal political parties, but there are no restrictions on their formation. All candidates run as independents.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has an established record of democratic power transfers. Under an informal agreement, the presidency has typically rotated among the four states, but Congress has sometimes chosen to deviate from this pattern.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Traditional leaders and institutions exercise significant influence in society, especially at the village level. However, neither these nor donor countries like the United States and China exert undue control over the political choices of voters or candidates. Investments from United States and China have been met with pushback in recent years, as citizens are concerned about how those funds might impinge upon the FSM's political, economic, and cultural independence.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women and minority groups formally have full political rights, and they are free to participate in practice, though women's political engagement is limited to some extent by discriminatory attitudes. The FSM remains one of the few countries in the world with no women in its national legislature after the 2019 election. A small number of women were elected to state-level legislatures.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials determine and implement policy and legislation at the federal level, though considerable authority is vested in the states and their elected governments. Some leading politicians from Chuuk, by far the most populous state, have advocated independence from the FSM in recent years, and the issue remained a topic of public discussion

under the guidance of the Chuuk Political Status Commission. Opponents of Chuuk's secession have argued that its separation from the FSM would be unconstitutional, and the independence referendum that was planned for March 2019 was delayed a year, specifically to determine whether such a vote would have constitutional validity. In August 2018, Robert Riley, the US ambassador to the FSM, warned against the state's independence, asserting that an independent Chuuk would lose US funds. In response to Riley's statements, critics accused the ambassador of meddling in the country's internal affairs.

The FSM relies on defense guarantees and economic assistance from the United States under a 1986 Compact of Free Association, which extends through 2023. In May 2019, the funding and security commitments of the Compact of Free Association were reaffirmed by the United States. China has also become an increasingly important partner for trade and development aid in recent years, though its role does not amount to an undue interference in FSM governance, and citizens and officials have been wary of it becoming so.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Official corruption is a problem and a source of public discontent. Complaints about misuse of public resources are frequent, particularly from US authorities overseeing aid funds. Government entities responsible for combating corruption, including the attorney general's office and public auditor, are independent and fairly effective, though some corrupt officials reportedly enjoy impunity. Former president Peter Christian's son-in-law, Master Halbert, a public official, was convicted of money laundering and taking bribes (the former President was not personally implicated). Halbert was identified in the prosecution of James Lyon, a Hawaiian engineering firm owner, and allegedly took bribes with another (unnamed) FSM government official to award Lyon with over \$7.8 million in government contracts.

C3. Does the government operate with openness and transparency? 3 / 4

Government operations and legislative processes are generally transparent, though there is no comprehensive law guaranteeing public access to government information. Limited technical capacity and the country's sprawling geography pose practical barriers to openness and accountability in the FSM. Officials are not legally obliged to submit asset disclosures.

CIVIL LIBERTIES: 55 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The news media operate freely. Print outlets include government-published newsletters and several small, privately owned weekly and monthly newspapers. There are a number of radio stations, cable television is available, and satellite television is increasingly common. More than a third of the population has internet access.

Lack of resources is a problem for the broadcasting of important meteorological forecasts for the population of Chuuk, whose government requested more federal funding for radio broadcasting on the island in August 2019. As sea levels rise, and extreme weather events become more common, providing a 24-hour radio service is important for island residents, especially the elderly; Chuuk comprises over 50 percent of Micronesia's total population. In 2019, the only radio station, which is owned by the Chuuk government, ran from 7:30 a.m. to 4:30 p.m.

In March 2019, several members of the Yap Council of Chiefs, a body charged with overseeing matters of tradition and culture on the island, demanded the Yap state legislature expel journalist Joyce McClure as a person non grata. The council claimed McClure was

disruptive to the state's safety and social environment for writing misleading news articles. McClure has stated that she believes this request came after she shared posts on Facebook critical of Chinese presence and influence on the island. The Yap legislature rejected the demands of the council in May.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally respected, and religious groups are not required to register with the government. About 99 percent of the population is Christian. A small Ahmadi Muslim community has reported some instances of discrimination and vandalism and intolerance for non-Christian religions in several of states is a growing concern.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There were no reports of restrictions on academic freedom in 2019.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The constitution guarantees freedom of expression, and there are no significant constraints on this right in practice. The government does not improperly monitor personal communications or social media activity.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by the constitution, and demonstrations typically proceed peacefully.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Citizens are free to organize in civic groups, and a number of students' and women's organizations are active.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Union rights are generally respected, and there are no laws to prevent workers from forming unions, engaging in collective bargaining, or striking. However, such activities are not specifically protected or regulated by law, and few employers are large enough to support unionization in practice.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent. The chief justice, who administers the judicial system, and the associate justices of the Supreme Court are appointed by the president with the approval of a two-thirds majority in Congress. They are appointed for life-long terms and cannot be removed arbitrarily.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The police respect legal safeguards against arbitrary arrest and detention, and defendants are generally provided with basic due process guarantees surrounding trials and

appeals. However, a shortage of lawyers may sometimes impair detainees' access to counsel in practice.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

There were no reports of physical abuse or inhumane treatment by police or prison officials in 2019. Criminal activity does not pose a major threat to physical security, though police have struggled to deal with illegal fishing.

In October 2019, the acting attorney general on Yap, American Rachelle Bergeron, was killed in her backyard. Her murder was allegedly connected to her work cracking down on human trafficking on the islands.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution gives citizens equal protection under the law and prohibits discrimination based on race, ancestry, national origin, gender, sexual orientation, language, or social status. In November 2018, Congress passed a landmark law prohibiting discrimination based on sexual orientation, which President Christian signed the next month. However, the law did not mention gender identity, leaving transgender people vulnerable to continued discrimination. In December 2018, a senator from Yap introduced a bill in Congress that would ban transgender people from employment in the federal government. No apparent action was taken by Congress or the president in 2019.

Half as many women enjoy formal employment as do men, and women generally participate far less in the formal and informal labor markets.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is generally respected. Under the Compact of Free Association, Micronesians are free to travel to the United States without visas for residence, education, and employment. Many Micronesians have migrated to US Pacific states or territories such as Hawaii and Guam.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights are protected by law, and individuals are able to operate private businesses; most such enterprises are small and family-owned in practice. However, property and business rights are somewhat restricted for foreigners. Noncitizens are legally prohibited from owning land, and a number of regulations limit the kinds of businesses that they can own and operate.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are largely protected. However, there are no specific laws against spousal rape, and both rape and domestic violence are rarely prosecuted due to societal inhibitions against reporting such crimes.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Forced labor is prohibited, and the government enforces basic standards for working conditions in the formal sector. Foreign migrant workers nevertheless remain vulnerable to exploitative labor practices, including on foreign fishing vessels in FSM waters, and some Micronesian women are reportedly trafficked for sexual exploitation. The US State Department's 2019 *Trafficking in Persons Report* noted that Micronesia had increased efforts to prosecute human traffickers, but it nevertheless remained a pervasive problem in the country, and victim-identification and protection services were limited. In October 2019, the Yap state acting attorney general, Rachele Bergeron, was shot and killed, allegedly in connection with her work cracking down on human trafficking ring on the island.

In March 2019, a Supreme Court judge convicted two men of human trafficking and sexual abuse of a minor and sentenced them to almost eight years imprisonment.

In September 2019, the FSM government requested the US State Department launch an investigation into an American meatpacking company in Iowa that had allegedly been trafficking and abusing Micronesian workers.

Moldova

Population: 3,500,000

Capital: Chişinău

Freedom Status: Partly Free

Electoral Democracy: Yes

Note: The numerical scores and status listed here do not reflect conditions in Transnistria, which is examined in a separate report.

Overview: Moldova has a competitive electoral environment, and freedoms of assembly, speech, and religion are mostly protected. Nonetheless, pervasive corruption in the government sector, links between major political parties and powerful economic interests, and major deficiencies in the rule of law continue to hamper democratic governance.

KEY DEVELOPMENTS IN 2019

- Inconclusive parliamentary elections held in February eventually resulted in a transition of power in June from the Democratic Party of Moldova (PDM), to a short-lived governing coalition made of three parties that had previously been in opposition. Powerful PDM head Vlad Plahotniuc—who had played a key role in policymaking even as he held no elected office and enjoyed little public support—fled the country later in June, effectively departing Moldovan politics as well.
- After Prime Minister Maia Sandu lost a no-confidence vote in November, a technocratic government controlled by the Socialist Party (PSRM) took power.
- The Constitutional Court and justice system remained highly politicized and lacking in independence. The changes in government prompted the revisiting of a number of high-profile cases in favor of the newly ruling parties, but with no improvements with regard to the rule of law.
- In June, it was revealed by the investigative journalism group RISE Moldova that since 2017, many opposition leaders, civic activists, and journalists had been wire-tapped by state authorities under the PDM government.

POLITICAL RIGHTS: 26 / 40**A. ELECTORAL PROCESS: 9 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

A prime minister nominated by the president and confirmed by Parliament holds most executive authority. The current prime minister, Ion Chicu, was approved by the Moldovan Parliament in November 2019 on the proposal of President Igor Dodon, after the government of Maia Sandu lost a confidence vote two days earlier. Sandu, of the Action and Solidarity Party (PAS), had taken office in June after PAS and the Dignity and Truth (DA) party (which together make up the ACUM bloc) formed a coalition with the Socialist Party (PSRM) following inconclusive parliamentary elections in February.

In 2016, Moldova held its first direct presidential election since 1996, after shifting back from an indirect system. The president is elected by direct popular vote for up to two four-year terms. If no candidate receives more than 50 percent of the votes in the first round, the two leading candidates compete in a second round. Igor Dodon of PSRM defeated Sandu in the 2016 runoff, 52 percent to 48 percent. This followed a first round in which nine candidates had competed. International observers concluded that the election was largely credible. However, state resources were occasionally misallocated, and transparency in campaign funding was lacking.

In October 2019, 16 months after the Chişinău mayoral election, the Chişinău Court of Appeal confirmed the election of Andrei Năstase as mayor. The decision overturned a 2018 decision in which the election had been annulled, even as its result had been initially recognized by stakeholders and by international observers. Năstase was one of the main candidates for the Chişinău mayor's office in the 2019 municipal elections, but lost to a PSRM candidate in a runoff in November.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Voters elect the 101-seat unicameral Parliament to four-year terms. In February 2019, Moldova held its first parliamentary elections on the basis of a new mixed electoral system, under which 51 lawmakers were elected in single-member constituencies through the first-past-the-post system and 50 were elected through proportional representation from closed party lists in one national constituency.

Election observers from the Organization for Security and Co-operation in Europe (OSCE) assessed the elections as competitive and as generally reflecting respect for fundamental rights. However, they noted shortcoming including credible allegations of pressure on public employees, and indications of vote buying and abuse of public resources for partisan electoral aims. According to the observers, the electoral outcomes were also affected by limited space for independent media to present alternative viewpoints to the voters. In March, the Constitutional Court validated the election results as the PSRM winning 35 seats, the PDM 30, the ACUM bloc (PAS and DA) 26 seats, the Şor Party 7 seats, and independent candidates 3 seats.

Following the validation of election results, the ACUM and the PSRM formed a short-lived new governing coalition, forcing the PDM into the opposition. After the fall of the Sandu government in November, over disagreements as to how the country's top prosecutor is appointed, ACUM returned to opposition.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The February 2019 parliamentary elections were governed by a 2017 revision to electoral rules that replaced the previous, fully proportional system with a mixed system featuring both single-member constituencies and seats allocated proportionally by party lists. The Venice Commission of the Council of Europe had strongly urged against the switch to single-member constituencies, arguing that they could allow powerful local business interests to subvert the needs of constituents. The parliament in July 2019 voted to restore the proportional system.

The OSCE 2019 election observation mission stated that there was “a lack of inclusive public debate and meaningful consultation with relevant stakeholders and no broad consensus” on the 2017 amendments to the Election Code. The new mixed electoral system also brought a number of significant discrepancies in the number of people contained within constituencies, and thus the equality of votes.

These concerns notwithstanding, the OSCE election observation mission found that most aspects of the 2019 parliamentary elections were administered professionally and transparently, with voting assessed positively.

General local elections that took place in October and November 2019 were competitive and mostly compliant with the electoral standards, though national observers noted a number of shortcomings, including cumbersome registration processes and a lack of adherence to gender parity laws.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political party legislation in Moldova is generally liberal, but with a number of restrictions. For a party to be legally registered, it is required to enlist thousands of members coming from at least half of Moldovan districts. These requirements effectively disallow regional, municipal, and local parties, as well as parties of ethnolinguistic minorities concentrated just in several Moldovan areas (for example, Gagauzians and Bulgarians). As a result, some prospective candidates, politicians, and small groups resort to seeking alliances with registered parties.

Despite these limitations, 14 political parties and one bloc participated in the February 2019 parliamentary elections, of which four gained seats. In addition, three independent candidates won seats in single-member constituencies.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4 (+1)

Opposition parties have a strong presence in Parliament and other elected offices, and they are able to increase their support through elections. Following the February 2019 parliamentary elections, the three then opposition parties—PAS, DA, and PSRM—came to power, ousting the then-ruling PDM. Following the fall of the Sandu government in November, the ACUM bloc (an alliance between PAS and DA) returned to opposition. The year’s political shifts, while disruptive to the business of governing, were generally free from improper interference or manipulation.

Score Change: The score improved from 3 to 4 because opposition parties defeated the ruling PDM in February’s elections, and the transition period was free of improper interference or manipulation.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Oligarchs and business interests strongly influence political structures in Moldova at both central and local levels, undermining political accountability.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women and minorities do not face direct legal barriers to political participation, but social obstacles prevent women from having a proportional role at all levels of Moldovan politics. Although the 2019 elections brought 26 women into the parliament, their proportion of seats remains low, at just over 25 percent. The elections brought into the new parliament a number of lawmakers from Moldova's ethnic minorities, including Gagauzian, Bulgarian, Armenian, and Romany.

The October–November 2019 local elections brought slightly more women and Roma into the elected local positions. Yet, the representation of women, persons with disabilities, and Roma still remains low.

LGBT+ people continue to organize and advocate for equal rights, but the harassment they encounter discourages their political engagement.

C. FUNCTIONING OF GOVERNMENT: 5 / 12 (+1)**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4**

Before his resignation as head of the PDM in June 2019, the oligarch Vladimir Plahotniuc played a key role in policymaking even as he held no elected office and enjoyed little public support; he announced government plans at regular public briefings and presenting himself as a *de facto* leader.

Since the 2019 establishment of two governments—in June and again in November, after the earlier government lost a confidence vote—the control of business elites over state policies has decreased. At year's end, Plahotniuc was in self-imposed exile, his whereabouts unknown.

President Dodon, despite holding a nonexecutive, nonpartisan office, has often interfered with the executive agenda and supports the PSRM, which he used to lead before being elected president.

Score Change: The score improved from 2 to 3 because political decisions were to a large extent taken within formal government structures following the June departure of wealthy power broker Vladimir Plahotniuc from politics and from the country.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a widespread problem at all levels of government, and existing anticorruption laws are inadequately enforced. Moldova is still recovering from a 2014 scandal involving the Central Bank, in which \$1 billion was stolen. In 2016, former prime minister Vlad Filat was sentenced to nine years in prison in connection with the scandal; in December 2019 he was conditionally released early on parole. In 2019 at least two other key actors in the fraud, Ilan Șor and Vladimir Plahotniuc, left Moldova.

C3. Does the government operate with openness and transparency? 1 / 4

Although the governments in power since June 2019 act more openly and transparently than their predecessors, serious issues still persist, involving, for example, late publication of plans, draft policies, and bills for consultation. Despite efforts to make open and transparent

new, important appointments to key state positions, such as judges of the Constitutional Court, head of the National Anticorruption Center, and interim and permanent general prosecutor, these processes have been marked by major procedural failures.

CIVIL LIBERTIES: 34 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

The media environment is dominated by outlets connected to political parties. With few exceptions, nationally broadcasting television stations are owned by people affiliated with political parties. Under the previous PDM-led administration, media workers from opposition and independent media were frequently denied access to information and entry to governmental institutions. In June 2019 it was revealed by the investigative journalism group RISE Moldova that since 2017, many opposition leaders, civic activists, and journalists had been wiretapped by state authorities.

After the installation of successive new governments in 2019, reporters still experience problems in accessing information of public importance, and face threats of legal action by some politicians and public figures.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The Moldovan Constitution proclaims religious freedom and separation of state from religion, but at the same time the law provides special status to the Moldovan Orthodox Church. Christian Orthodox symbols have been erected in public institutions, and Orthodox churches are sometimes present within public hospitals and some schools. On several occasions Muslims were summarily targeted by negative messages in mass media and by public figures, including President Dodon.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

There is a good degree of academic freedom in Moldova. At the same time, the Orthodox Church strongly indoctrinates the Moldovan educational system, with educational officials at all levels, including the top ministerial level, frequently promoting the Christian Orthodox church and Orthodox beliefs.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Individuals have generally been able to engage in discussions of a political nature without fear of retribution. At the same time, during the PDM rule until June 2019, there were credible concerns that expressing criticism of the government or actors affiliated with the PDM could result in loss of employment or damaged career prospects, particularly in the public sector. Suspicions of increased surveillance targeting opposition leaders, journalists, and civil society activists have also discouraged open political discussion among private citizens. These suspicions proved true after the June 2019 disclosure of information about the wiretapping of over 50 individuals from the opposition, civil society, and mass media. After installation of the Sandu government in June 2019, such pressure over the freedom of expression decreased.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is guaranteed by the constitution and mostly upheld in practice. The annual LGBT+ march took place in May 2019 in Chişinău without major incident and reached its destination, unlike in some previous years. For the first time in Moldovan history, a sitting lawmaker took part in the march, along with his family. The event saw enhanced security and protection measures taken by police and the organizers, compared to previous years.

The case of the so-called Petrenco Group is still under review in the Moldovan courts. The case involves associates of opposition politician Grigore Petrenco, who received a prison sentence in 2017 for “organizing mass disturbances” in 2015. The affair has been recognized by international organizations as a politically motivated case.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 3 / 4

The nongovernmental organization (NGO) sector is active. Until June 2019, NGOs critical of the government were obstructed by the governmental institutions in pursuing their civil society and human rights activities, and, as disclosed in June, leaders of several civil society organizations and groups were wiretapped by the government. In the second half of the year, pressures on critical NGOs eased.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Trade unions do not encounter major obstacles in Moldova, and the government has passed regulations protecting the rights of workers. At the same time, trade unions are not active or visible, and their role in protecting rights of the workers is insignificant.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

Moldova’s judicial branch is susceptible to political pressures that hamper its independence, and judicial appointment processes lack transparency.

Following the February 2019 parliamentary elections, a new coalition government was formed in June under Maia Sandu from previously opposition parties (PAS, DA, and PSRM) during the last days of the period allotted by the Constitution. The Constitutional Court, politically controlled by the PDM, denied legal recognition of the new government the day it was endorsed by Parliament; the court also suspended President Dodon, citing dubious grounds, and appointed Pavel Filip of PDM as interim president. The crisis was resolved after Filip’s government agreed to resign and allow Sandu to form the new government. Meanwhile, Vladimir Plahotniuc of the PDM left Moldova.

The Constitutional Court reversed all of its decisions regarding the events, citing the change of the political situation. Several days later, in late June, the entire Constitutional Court resigned. These events inflicted heavy damage on the Moldovan constitutional and legal order, and undermined even further the trust in Moldovan public law institutions.

The changes in government in 2019 also prompted the revisiting of a number of high-profile cases in favor of the newly ruling parties, but with no improvements with regard to the rule of law.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are poorly upheld by the Moldovan justice system. Recent years featured politically motivated prosecutions under the previous government, including against opposition figures and lawyers defending personal “enemies” of ruling elites. Important cases have been held behind closed doors, and lawyers defending high-profile opponents of ruling elites faced difficulties in accessing their clients.

The appointment of a new general prosecutor caused a major rupture within Prime Minister Sandu's governing coalition and led to the fall of the government in November 2019. The General Prosecutor's appointment procedure has been highly politicized.

In September 2018, seven Turkish teachers of the Orizont Lyceum were deported to Turkey, in violation of multiple national and international norms and in the absence of adequate investigation.

Unjustifiably lengthy pretrial detention is still common.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Prisoners and detainees have experienced maltreatment and torture. Prosecution for such offenses is rare, and very few of those convicted in torture cases receive prison sentences. Officials and officers responsible for April 2009 acts of torture and ill-treatment against post-election protesters remain largely uninvestigated and unsentenced.

Many of those involved in the highly publicized case of Andrei Braguța, who was beaten to death by cellmates while in police custody in 2017 after a minor traffic violation, have not yet been adequately sentenced. However, one guard and one prisoner were sentenced in July 2019.

Overcrowding and inhuman conditions are common in Moldovan prisons. Healthcare in pretrial and penitentiary institutions remains very poor. In this respect the case of terminally ill Serghei Cosovan, a businessman arrested in 2017, has attracted national and international attention; following months of activism on his behalf, Cosovan was released in November 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The 2012 Moldovan Law on Ensuring Equality provides an adequate normative framework for preventing and addressing discrimination. The main operational body under this law, the Equality Council, has been praised for effective work and principled stance on difficult and complex discrimination issues. At the same time the Moldovan government, under both the previous and current ruling parties, refuses to extend the Council's effective powers and adequate funding.

Women, persons with disabilities, Roma people and linguistic minorities, Muslims and other non-Orthodox believers, people of African and Asian descent, older persons, and LGBT+ people are often discriminated against in employment, and some of these groups also in education, housing, and public services. Hate messages against minority groups are routinely promoted by some media outlets and public figures.

With few exceptions, schools and universities in Moldova do not provide education in Moldova's minority languages—Ukrainian, Gagauz, Bulgarian, or Romani. Public schools in southern regions populated by many Gagauzians and Bulgarians are of low quality and often fail to prepare graduates of these schools for admission to Moldova's Romanian-language universities.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The law protects freedom of internal movement and foreign travel, and the government generally respects these rights. There are no formal restrictions on the right to change one's place of employment or education, but bribery is not uncommon in educational institutions.

Travel to the Transnistria region is subject to “border” checks by de facto Transnistrian authorities.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Although Moldovan law guarantees property rights, they are undermined by a weak and corrupt judiciary. Widespread corruption affects fair competition and normal business activity. Allies of powerful individuals have been accused of benefiting economically from selective enforcement of business regulations.

In April 2019, Andrei Tranga, owner of Moldova’s largest pizza restaurant chain, was arrested on criminal charges involving a business conflict. Many perceived the arrest as a use of law enforcement institutions for advancing business purposes. He was released in June after the change in government.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Most personal social freedoms are protected, but domestic violence and sexual abuse are common in Moldova. A 2016 report by several Moldovan NGOs found that more than 63 percent of women and girls over the age of 15 had experienced at least one form of violence (physical, psychological, or sexual) in their lifetime; the same report found that over 20 percent of men admitted to having had sex with a woman without her consent. Laws covering domestic and gender-based violence are inadequately enforced, and abuses that do not result in significant injury are subject only to administrative penalties.

Sexual harassment in the workplace is not uncommon, and complaints of such acts are inadequately investigated and adjudicated. A September 2019 judgment in a sexual harassment case brought against a professor at the State University of Medicine and Pharmacy in 2018 found that the accusers had to compensate the professor for “defamation,” thus even further discouraging the survivors to complain or go public. Child marriages are reported among the Romany minority.

Neither marriage nor civil unions for same-sex couples are recognized by the law.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Due to weak labor rights protection and enforcement by state authorities and trade unions, reports of exploitative practices in the workplace are common (long work hours, low wages, fully or partially undocumented work or wages). The rural population, women, and Roma are especially vulnerable to these practices. Regulations meant to prevent exploitative or unsafe working conditions remain poorly enforced.

Human trafficking remains a problem, although the authorities make some efforts to prosecute traffickers.

Monaco

Population: 40,000

Capital: Monaco

Freedom Status: Free

Electoral Democracy: Yes

Overview: The Principality of Monaco is a constitutional monarchy headed by Prince Albert II. The prince appoints the government, which is responsible only to him. Legislative power is exercised jointly by the prince and the freely elected parliament. Civil liberties are generally respected.

KEY DEVELOPMENTS IN 2019

- In September, the palace announced the replacement of the justice minister, Laurent Anselmi, who in June had unexpectedly refused a judge's request for a term renewal; the judge was overseeing an investigation into a corruption scandal involving a wealthy Russian businessman that had revealed extensive malfeasance in Monaco's judicial system.
- In October, the parliament passed legislation that removed criminal penalties for women who have an abortion, though performing an abortion remained illegal under most circumstances.
- In December, the parliament passed a law allowing civil partnerships for both same- and opposite-sex couples.

POLITICAL RIGHTS: 26 / 40

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The hereditary monarch holds extensive executive authority, including the exclusive right to change the government, and there are no constitutional provisions allowing citizens to alter this system. The current prince, Albert II, took the throne after his father's death in 2005. The head of government, known as the minister of state, is traditionally appointed by the monarch from a candidate list of three French nationals submitted by the French government. Serge Telle, the current minister of state, took office in 2016.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 24 members of the unicameral National Council are elected for five-year terms; the 16 candidates who receive the most votes are elected, and the remaining 8 seats are filled through list-based proportional representation. The 2018 elections were evaluated as credible by international observers. The new political movement *Priorité Monaco*, led by veteran politician Stéphane Valeri and defectors from the more established *Horizon Monaco*, won 58 percent of the vote and 21 seats. *Horizon Monaco* itself took 26 percent and 2 seats, while the *Union Monégasque* took 16 percent and the remaining seat. After the elections, Valeri became president of the National Council, which is regarded as the most powerful elected office in Monaco.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The legal framework provides an adequate basis for credible elections, and a number of recent changes have improved the conduct of elections, including the modification of campaign finance rules in 2017 and the broadening of suffrage rights for detainees in 2014. However, in a 2018 report, the Organization for Security and Co-operation in Europe (OSCE) argued that the campaign finance system could be further strengthened.

Municipal authorities, led by the mayor of Monaco, form an Electoral Committee that administers elections with support from the Interior Ministry, and observers consider their conduct to be credible. However, technical meetings in preparation for elections are not open to the public, limiting the committee's transparency.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political associations, groupings of people who hold similar political viewpoints, compete in Monaco, rather than traditional parties. There are no undue restrictions on the formation of new political associations. However, office seekers are prohibited from running as individual independent candidates; independents must instead form a list of at least 13 candidates to participate in elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Opposition political associations are able to gain seats in the parliament. In 2018, the new political movement *Priorité Monaco*, also known as *Primo!*, won 21 seats, while *Horizon Monaco* fell from 20 seats to just 2. However, there are structural limits on the opposition's ability to secure executive power through elections, as the cabinet—appointed by the prince—is not responsible to the elected parliament.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The fact that the head of government is a French national appointed from a list submitted by the French government, and that the powerful head of state is an unelected monarch, means that people's political participation is heavily circumscribed by democratically unaccountable forces. Nevertheless, voters' and candidates' choices with respect to parliamentary representation are largely free from domination by such entities.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Only about 9,000 of Monaco's residents—roughly a quarter of the total—are citizens, and noncitizens do not have the right to vote or run for office, though a number of legal routes to naturalization are available. Most noncitizen residents are nationals of neighboring France or Italy.

Women and members of minority groups are free to participate in elections, both as voters and candidates, but women's interests are not always well represented in the political system, and only eight women were elected to the parliament in 2018.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The hereditary prince has significant governing authority, including the exclusive power to initiate legislation, conduct foreign policy, and approve changes to the constitution. However, all legislation and the budget require parliamentary approval, and the parliament is generally free from interference by unelected groups.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Despite recent improvements in the anticorruption legal framework, several loopholes remain. The parliament lacks a code of conduct on accepting gifts or potential conflicts of interest. High-level corruption is a problem, and officials sometimes act with impunity.

In 2017, Philippe Narmino resigned as director of judicial services, or justice minister, after it was revealed that wealthy Russian businessman Dmitriy Rybolovlev gave him gifts in exchange for pursuing fraud charges against an art dealer. The Rybolovlev case revealed extensive corruption in Monaco's judicial system. In September 2019, Laurent Anselmi was replaced as justice minister months after he unexpectedly turned down a request for a term renewal from the judge overseeing the ongoing investigation into the Rybolovlev scandal. However, Anselmi then became Monaco's foreign minister.

C3. Does the government operate with openness and transparency? 3 / 4

The law generally provides for public access to government information, including draft laws and proposed legislation. However, a 2017 report by the Council of Europe's Group of States against Corruption (GRECO) highlighted shortcomings in the transparency of parliamentary work, including a lack of consultation with the public on proposed legislation and the confidentiality of committee meetings. There are no financial disclosure laws in place for lawmakers or officials appointed by the prince.

CIVIL LIBERTIES: 57 / 60 (+1)**D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16****D1. Are there free and independent media? 4 / 4**

The constitution provides for freedom of expression, and press freedom is generally respected in practice. Monaco has a weekly government newspaper, an English-language monthly, and several online publications. There is one public television channel and one privately owned channel. French and Italian broadcast and print media are widely available, and internet access is not restricted.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Roman Catholicism is the official state religion, but the constitution guarantees freedom of religion and public worship, and this is largely respected in practice. Jehovah's Witnesses have struggled to secure official recognition as a religious association despite favorable rulings by the Supreme Court.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There are no undue restrictions on academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to express their personal views without fear of retribution. Insulting the ruling family is illegal and can result in prison sentences of up to five years, but the law is infrequently enforced.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12**E1. Is there freedom of assembly? 4 / 4**

The constitution provides for freedom of assembly, which is generally respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

No significant restrictions are imposed on the formation or operation of nongovernmental organizations (NGOs).

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The law grants workers the right to establish unions and bargain collectively, and anti-union discrimination is prohibited. All workers except government employees have the right to strike. Unions and employers engage in collective bargaining in practice.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 3 / 4

The constitution provides for an independent judiciary. The prince names five full members and two judicial assistants to the Supreme Court based on nominations by the National Council, government bodies, and the lower courts. The recruitment process for judges lacks transparency, which contributes to a perception that they may lack independence. The Judicial Service Commission is ostensibly responsible for ensuring the independence of the judiciary, but in practice it does not have enforcement power. The director of judicial services, who oversees the judicial and law enforcement systems, is responsible only to the prince. Approximately half of the judges in Monaco are Monegasque nationals, and the other half are French nationals.

Concerns about the independence of the judiciary resurfaced in June 2019, when the director of judicial services turned down a request for a three-year term renewal from the judge overseeing the investigation into the Rybolovlev corruption scandal. The director was replaced in September.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Due process rights are generally respected. Defendants are presumed innocent until proven guilty and are informed of the charges against them promptly. Defendants have access to attorneys and sufficient time to prepare a defense.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The population faces no major threats to physical security. Violent crime and excessive use of force by police are both rare in Monaco.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Monaco lacks a law that broadly prohibits discrimination based on race or ethnicity, though insults and defamation on such grounds are illegal. In the absence of a comprehensive law, Article 14 of the European Convention on Human Rights is used to prevent and punish discrimination. The government established the Office of the High Commissioner for the Protection of Rights, Liberties, and for Mediation in 2013 to address discrimination. The government does not publish statistics on hate crimes.

The law prohibits discrimination based on gender, and women's rights are generally respected. However, the European Commission against Racism and Intolerance has noted that women do not enjoy the same rights to social benefits as their male counterparts, as men receive head-of-household status by default, and called for the establishment of a program guaranteeing the equal treatment of LGBT+ people.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16 (+1)**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

There are no significant restrictions on freedom of internal movement or foreign travel.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Property rights are respected, and noncitizens holding a residence permit may purchase property and establish businesses. However, obtaining government approval to start a business is often a lengthy and complex process, and related costs can be prohibitively expensive.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4 (+1)

Personal social freedoms are generally respected. Abortion remains illegal except under special circumstances, including rape and a risk to the woman's life or physical health. In October 2019, however, the parliament passed legislation that removed criminal punishments for women who have an abortion; health professionals could still face penalties for performing an abortion in Monaco. In December, the parliament adopted a law that allows civil partnerships for both same-sex and opposite-sex couples. Domestic violence is outlawed in Monaco, and there are few reported incidents. The government and NGOs provide a network of support services for victims of domestic violence.

Score Change: The score improved from 3 to 4 due to the legalization of same-sex civil partnerships and the elimination of criminal penalties for women who have an abortion.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

Legal protections against labor exploitation are adequately enforced.

Mongolia

Population: 3,300,000

Capital: Ulaanbaatar

Freedom Status: Free

Electoral Democracy: Yes

Overview: Following a peaceful revolution in 1990, Mongolia began holding multiparty elections and established itself as an electoral democracy. Political rights and civil liberties have been firmly institutionalized, though the two dominant parties continue to rely on patronage networks, and widespread corruption increasingly hampers further development.

KEY DEVELOPMENTS IN 2019

- In March, the parliament passed legislation allowing the National Security Council (NSC) to recommend the dismissal of the anticorruption agency's chief, top prosecutors, and judges. The anticorruption chief, Supreme Court chief justice, and prosecutor general were dismissed by President Khaltmaa Battulga later that month, while another 17 judges were dismissed in June.

- In November, Mongolia adopted constitutional amendments that will strengthen the power of the prime minister; the amendments will also limit future presidents to a single six-year term beginning in 2025.
- In January, parliamentary speaker Miyegombo Enkhbold was ousted by the legislature. Enkhbold was implicated in the sale of state offices in 2016, and was accused by the prime minister of engineering an unsuccessful no-confidence vote against him in 2018.

POLITICAL RIGHTS: 36 / 40**A. ELECTORAL PROCESS: 11 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

Under the 1992 constitution, the president is directly elected for up to two four-year terms. Under constitutional amendments adopted in November 2019, presidents will only serve one six-year term beginning in 2025. Battulga of the Democratic Party (DP) was elected in 2017 following a campaign that offered little discussion of policy and was instead characterized by allegations of corruption levied by the candidates against one another. No candidate took a majority in the first round, and a runoff was necessary for the first time in Mongolia's democratic history.

In the first round, some voters voiced frustration with the main parties' candidates by selecting a none-of-the-above option. The number of blank ballots jumped to 8.2 percent in the second round, in which Battulga took 50.6 percent, defeating Miyegombo Enkhbold of the Mongolian People's Party (MPP). An Organization for Security and Cooperation in Europe (OSCE) election monitoring mission assessed the polls as well run and credible, but noted a lack of analytical media coverage during the campaign.

The prime minister, who holds most executive power in Mongolia's hybrid parliamentary-presidential system, is nominated by the party or coalition with the most parliamentary seats and is approved by lawmakers with the president's agreement. Amid factional infighting that followed the party's loss in the 2017 presidential election, the MPP-dominated parliament voted to remove the incumbent government and install Ukhnaagiin Khürelsükh as prime minister. The November 2019 constitutional amendments allow the premier to appoint and dismiss cabinets without presidential approval.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 76-seat parliament, the State Great Hural, are directly elected for four-year terms. In the 2016 election, which was held under a first-past-the-post system, the MPP won 65 seats. The formerly governing DP was reduced to just 9 seats, with an independent popular singer and a lone representative of the Mongolian People's Revolutionary Party (MPRP) claiming the remainder. OSCE monitors called the polls orderly.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws are generally fair, though they are often changed shortly before elections and tend to favor the two largest parties. In 2016, the OSCE criticized electoral reform processes that brought about the majoritarian parliamentary system as rushed and opaque, and noted that new districts were drawn inequitably.

In December 2019, the parliament approved a new round of changes that eased eligibility regulations and tightened campaign finance laws. The parliament also mandated the use of a plurality-at-large voting system for the 2020 parliamentary election.

The General Election Commission (GEC) is often regarded with some suspicion as to possible political influence, though it impartially conducted the 2017 presidential election.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Mongolia features a multiparty system, though electoral reforms enacted in 2016 encouraged a shift to two-party dominance. Political parties are built around patronage networks rather than political ideologies. Representatives of large business groups play an important role in funding and directing the two largest parties. New political movements may form and operate freely, and smaller political parties have previously held legislative seats. However, a perceived need for significant funding may dissuade some potential organizers of new political movements.

Under constitutional amendments adopted in November 2019, political parties must maintain a membership of at least 1 percent of the electorate by 2028; only 6 of Mongolia's 35 registered political parties had that many members in 2019.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There are no undue barriers preventing opposition parties from gaining power through elections, though there are practical hurdles. The MPP and DP have remained the two largest political forces in the country, regularly alternating in government and establishing a record of peaceful transfers of authority.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Powerful business interests have some influence over candidates, and have supported them through a nontransparent party financing system. However, candidates and voters are generally free to make political choices without excessive outside influence, in part because corporate interests are balanced across various factions of the two main parties.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

All adult citizens other than those who are incarcerated are entitled to full political rights, and these are generally observed in practice. However, despite quotas supporting gender diversity, women remain underrepresented in politics, holding about 17 percent of parliamentary seats and few senior government posts. LGBT+ people also face some societal discrimination that hampers their ability to advocate for their rights in the political sphere, though such advocacy has been increasing.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Freely elected representatives are duly seated and generally able to craft government policy without improper interference. However, corporations, aided by opaque party finance procedures, have also been able to influence policymaking.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption is endemic in Mongolia and is widely perceived to have worsened in recent years, particularly with respect to state involvement in the mining sector. Anticorruption laws are vaguely written and infrequently enforced. Investigations into corruption allegations are often dropped by prosecutors before reaching definitive conclusions. The Independent Authority Against Corruption (IAAC) has been criticized as ineffective in pursuing cases, most prominently one in which parliament speaker Enkhbold allegedly sought to sell state offices to bolster party finances in 2016.

In 2018, evidence emerged that leading political figures and state officials siphoned funds from a government program meant to support small and medium-sized enterprises. A faction within the MPP attempted to oust the government with an unsuccessful no-confidence vote that November. Prime Minister Khürelsükh denounced the vote as an attempt by Enkhbold and his allies to protect their own corrupt interests, and Enkhbold was removed as speaker in January 2019. His successor, Gombojav Zandanshatar, assumed the post in February.

The IAAC's independence was weakened in March 2019 when emergency legislation allowed the National Security Council (NSC), made up of the president, prime minister, and parliament speaker, to recommend the chief's dismissal before the end of their term. Later that month, President Battulga dismissed the chief on the NSC's recommendation; Mongolia's prosecutor general, who previously called for prosecutions against lawmakers implicated in corruption, was also dismissed.

C3. Does the government operate with openness and transparency? 3 / 4

There are many laws and regulations designed to maintain government transparency and accountability. However, implementation and enforcement of these laws is inconsistent. The 2011 Law on Information Transparency and Right to Information contains exemptions allowing certain types of information to be withheld from the public. Authorities often invoke these exemptions, as well as the State Secrets Law, to limit disclosures.

CIVIL LIBERTIES: 48 / 60 (-1)**D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16****D1. Are there free and independent media? 3 / 4**

Press freedom is generally respected, and media outlets collectively present a wide range of views. However, coverage can be partisan, and the OSCE noted xenophobic rhetoric and unsupported allegations of corruption in the media during the 2017 election campaign. Ownership of media companies remains opaque and subject to much speculation. Many journalists practice self-censorship in order to avoid offending political or business interests and facing costly libel suits. Journalists can also be forced to pay administrative fines for publishing false and defamatory information under a broadly worded 2017 law.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Individuals are free to practice their religion under the law and in practice, though religious groups are required to register with the government, and the ease of registration procedures varies by region and locality.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

There are few significant impediments to free and open private discussion. Fear of repercussions from powerful actors may continue to deter open expression for some.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12**E1. Is there freedom of assembly? 4 / 4**

Freedom of assembly is upheld in practice. A number of protests took place, largely without incident, in 2019; demonstrators held rallies over air pollution, corruption, and economic and housing difficulties during the year.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Numerous environmental, human rights, and social welfare groups operate without restrictions, though most are very small. Individual activists sometimes report intimidation and harassment in the course of their work.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Trade unions are independent and active, and the government generally respects their rights to bargain collectively and engage in legal strike actions. However, labor rights are restricted for certain groups, such as foreign and temporary workers, and there are some reports of employers unlawfully disrupting union activity. A number of public-sector unions held strikes during 2018 over salaries and other issues.

F. RULE OF LAW: 11 / 16 (-1)**F1. Is there an independent judiciary? 2 / 4 (-1)**

Judges are appointed by the president on the recommendation of the Judicial General Council, whose five members in turn are nominated by the three tiers of courts, the bar association, and the Justice Ministry. However, legislation passed in March 2019 allows the NSC to recommend the dismissal of judges; Battulga dismissed the Supreme Court's chief justice that month, alongside the IAAC chief and prosecutor general. In June, another 17 judges, including five Supreme Court justices, were dismissed by the NSC.

Corruption and political influence in the daily work of judges remain concerns.

Score Change: The score declined from 3 to 2 due to the abrupt dismissal of judges and chief prosecutors under emergency legislation that allowed the NSC to remove them.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process rights are generally respected, but some cases of arbitrary arrest and detention have been reported, and the right to a fair trial can be undermined by intimidation or bribery.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While the population faces few major threats to physical security, there have been reports of police illegally using physical abuse to obtain confessions. Some prison and detention facilities feature insufficient nutrition, heat, and medical care.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

There are no formal barriers to equal treatment under the law. Discrimination based on gender, race, sexual orientation, gender identity, and other categories is prohibited. However, women and LGBT+ people continue to face societal discrimination and harassment, including in the workplace. Public events in support of LGBT+ equality have grown in attendance and visibility over the past several years.

Rape and other acts of sexual violence against LGBT+ people have historically gone unprosecuted. However, a 2017 criminal code revision includes stronger protections for this community; law enforcement officials have gradually received training to comply with the new code since its adoption.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The government respects freedom of movement, including internal and foreign travel. Exit bans imposed on individuals involved in legal cases are overseen by the courts.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

People are generally free to own property and establish private businesses, though state-owned enterprises play a prominent role in some sectors. Corruption also hampers many private business activities. Officials have reportedly withheld operating licenses and other documentation from businesses until bribes are paid. There is a history of corruption and government interference in the mining industry.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individual rights on personal status issues such as marriage and divorce are protected by law. However, domestic violence remains a problem. The government has initiated programs to encourage better police responses to domestic violence complaints in recent years. A government survey conducted with the UN, published in 2018, found that nearly a third of women faced physical or sexual abuse from a partner, and just 10 percent of those who had suffered severe sexual violence by a nonpartner reported the crimes to the authorities.

Sexual harassment, which is not explicitly restricted, is widespread. In late October 2019, Constitutional Court chairman Dorj Odbayar was accused of harassing a flight attendant on a flight bound for South Korea. Odbayar was removed as chairman in November, though he remained as a member; South Korean authorities were investigating the case at year's end.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

The government has struggled to cope with economic inequality, particularly as large numbers of rural Mongolians migrate to cities that lack sufficient housing and infrastructure. New housing continues to be constructed, but many existing residents have reportedly been left homeless by urban redevelopment projects.

Women, children, people living in poverty, and other vulnerable segments of the population are at some risk of becoming trafficking victims, and are compelled to engage in sex work, forced labor, or begging. Workers in the mining industry are subject to exploitative conditions, as are contract workers from China. The government has taken efforts to better prosecute trafficking cases, but corruption and a lack of will to address the issue impeded progress.

Montenegro

Population: 600,000

Capital: Podgorica

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: While numerous political parties compete for power in Montenegro, the opposition is fragmented and its leaders are frequently harassed, and the governing Democratic Party of Socialists (DPS) has been in power since 1991. Corruption is a serious issue. Investigative journalists and journalists critical of the government face pressure, as do many nongovernmental organizations (NGOs).

KEY DEVELOPMENTS IN 2019

- In January, businessman and regime insider Duško Knežević released secret video-recordings—and later, secret audio-recordings and documents—implicating numerous public figures from the state’s key institutions in bribery scandals. Those implicated in what became known as the “Envelope Affair” include Slavoljub Stijepović, the former mayor of Podgorica and current advisor to the president, as well as the supreme state prosecutor and former high officials of the Central Bank of Montenegro.
- Beginning in February, the revelations of the Envelope Affair inspired a citizen-led, grassroots wave of antigovernment protests for democratization of the country that was eventually supported by all opposition parties, prominent NGOs, and many media outlets. By June, however, the momentum was lost and protests gradually dissipated.
- Two leaders of the opposition Democratic Front (DF) charged with plotting an attempted coup in 2016, Andrija Mandić and Milan Knežević, were found guilty in May and given sentences of five years in prison. The legal proceedings throughout the case were marked by confusion and opacity.
- In December, after more than 100 opposition amendments were rejected, a controversial bill regulating religious property was adopted. Its measures targeting exclusively the Serbian Orthodox Church (SPC), the main denomination in the country, and a wave of road blockades and protest marches swept the country upon its passage.

POLITICAL RIGHTS: 22 / 40 (-1)

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is chief of state and is directly elected for up to two five-year terms. In April 2018, Milo Đukanović of the Democratic Party of Socialists (DPS), who has served as either prime minister or president for most of the last three decades, was elected president with 53.9 percent of the vote. Independent candidate Mladen Bojanić finished second with 33.4 percent. Đukanović refused to participate in public debates with the other candidates during the campaign. While some irregularities such as misuse of public resources were reported, the Organization for Security and Co-operation in Europe (OSCE), which monitored the election, stated that the polling was generally credible and respected fundamental rights. However, the mission noted that Đukanović and the DPS enjoyed significant institutional advantages that reduced the poll's competitiveness.

The president nominates the prime minister, who requires legislative approval. Parliament confirmed Prime Minister Duško Marković of the DPS, an ally of Đukanović, in November 2016, following legislative elections.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Members of the unicameral, 81-seat Parliament—the Skupština—are directly elected for four-year terms.

Đukanović's DPS posted the strongest performance in the 2016 polls, taking 36 seats—5 seats short of a governing majority—and formed a coalition government with several smaller parties. The main opposition Democratic Front (DF) took 18 seats. Alleging electoral fraud, the opposition rejected the results and initiated a boycott of Parliament. The majority of opposition members returned to Parliament by 2018, with the exception of the Democratic Montenegro (DCG) and United Reform Action (URA) parties.

While OSCE election monitors assessed the 2016 polls as credible, numerous violations were reported. The nongovernmental organization (NGO) MANS accused the government of trading tax or debt relief for votes, estimating that the DPS could have effectively bought as many as six legislative seats through such efforts. The government also suspended some mobile messaging applications on election day, citing "illegal marketing" on the platforms.

On election day, authorities arrested 20 people on charges of plotting a coup that allegedly involved plans to assassinate Đukanović. Đukanović accused the DF of plotting the alleged coup, but offered no evidence for his claims; the DF in turn accused Đukanović of manufacturing the events as a means of securing support for the DPS in the elections, and decreasing turnout. A number of people, including two DF leaders, Andrija Mandić and Milan Knežević, were charged in connection with the alleged coup; in May 2019, the two DF leaders were found guilty and sentenced to five years in prison. They have appealed the decision. Other sentences ranged from parole, to up to eight years' imprisonment.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The conduct of elections in Montenegro is facilitated by a comprehensive legal and administrative framework. In October 2018, Parliament voted to form a committee, composed of seven members from the ruling coalition and seven from the opposition, tasked with formulating new legislation to reform electoral laws, taking into consideration recent recommendations of the OSCE and the European Commission. In August 2018, the committee's mandate was broadened in order to reestablish political dialogue and draft systematic reform of the electoral legislation, and as such was supported by the European Commission.

However, numerous opposition parties have refused to participate in the committee's efforts, since the majority of the opposition see the establishment of a technical

government—composed of all parliamentary parties, independent experts, and civil society representatives—as the key precondition for any new electoral framework to be implemented and yield results. The opposition has further threatened a total boycott of elections scheduled for 2020 if this does not happen. By the end of 2019, due to adoption of the controversial religious property bill, DCG left the committee, effectively creating an impasse in negotiations for comprehensive electoral reforms.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Political parties are for the most part able to form and operate without direct interference. The DCG gained eight seats in the 2016 elections. However, the DPS-led government has relentlessly worked to delegitimize political activity that deviates from its preferred policies, characterizing it as a threat to the state or public order. During 2019, several party and civil society activists were arrested for taking part in political protests or disruptive performances, and for attempts to record legal violations by staff of state institutions.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

The DPS has been in power since 1991, which provides it with significant structural advantages over opposition parties. The line between DPS party structures and government institutions is often blurred, further disadvantaging the opposition.

While numerous political parties compete in elections, the opposition is fragmented and weak, and frequently boycotts political processes. The position of opposition parties weakened further in 2018, as they suffered defeats in both the April presidential election and May municipal elections. The opposition failed to capitalize on the energy produced by a wave of mass antigovernment demonstrations that took place in the first half of 2019, beginning in February. With protests eventually losing momentum and gradually dissipating, lack of hope and political apathy among citizens has increased.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

While voters are generally free to express their political choices, extensive patronage systems and widespread corruption encourage loyalty to the ruling party, which has been in power for nearly three decades. Many members of the ruling party are believed to have ties to organized crime, further cementing the DPS's grip on power. Both public-sector and private-sector employers with links to the state pressure employees to vote for the ruling coalition.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

All citizens have full political rights and electoral opportunities. Small political parties representing minority interests participate in the political sphere, and minorities are represented in larger parties, though the Romany minority is underrepresented. Early initiatives for including a Romany representative in the parliament were undertaken in 2019. In the 2016 elections, voter materials were provided in the Albanian language, but not Romany.

Women are underrepresented in political leadership positions and politics generally. The government has taken steps to increase women's participation, including through gender

quotas on electoral lists, though implementation is uneven. Draginja Vuksanović, the first female presidential candidate in Montenegrin history, won 8 percent of the vote in the 2018 poll.

C. FUNCTIONING OF GOVERNMENT: 5 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Đukanović has wielded vast personalized power for decades through his tenure as both prime minister and president, as well as during his time outside of government as chair of the DPS. He maintains extensive control over most public institutions. Although the constitution provides for a parliamentary system of government, Parliament passed a new law after Đukanović's April 2018 election that greatly expanded presidential powers, including by allowing the president to form councils, committees, and working groups. Critics claim that the changes could amount to a de facto move toward a semipresidential system of government.

Parliament remains weak and has limited capacity to exercise its oversight functions. Opposition boycotts of Parliament have further diminished the power of the legislative branch to act as a check.

C2. Are safeguards against official corruption strong and effective? 1 / 4 (-1)

Corruption and cronyism remain widespread, and modest efforts by authorities to address the problem, prompted in part by European Union (EU) accession requirements, have not produced significant results. A new anticorruption agency began its work in 2016, but a European Commission report published in May 2019 questioned the credibility and independence of the agency, in addition to its priority-setting, and noted the continued prevalence of high-level corruption and an overall lack of independence of various public institutions. Senior officials implicated in corruption schemes rarely face prosecution. Civil society organizations and independent media provide some accountability by reporting on official corruption and its effects.

In 2019, revelations of corrupt activities of public figures continued to reflect deep systemic problems in Montenegro. In January, businessman and regime insider Duško Knežević released secret video recordings—and later, secret audio recordings and documents—implicating numerous public figures from the state's key institutions in bribery scandals. Those implicated in wrongdoing in what became known as the “Envelope Affair” include Slavoljub Stijepović, the former mayor of Podgorica and current advisor to the president; as well as the supreme state prosecutor, Ivica Stanković; and former high officials of the Central Bank of Montenegro.

Score Change: The score declined from 2 to 1 due to widespread, unchecked corruption among government officials.

C3. Does the government operate with openness and transparency? 2 / 4

The government publishes some information online, but citizens have few opportunities for meaningful participation in public consultations on legislation and policy reforms. Budget plans are not widely available, nor is information on government contracts.

CIVIL LIBERTIES: 40 / 60 (-2)

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

A variety of independent media operate in Montenegro, and media coverage tends to be partisan and combative. The government frequently denies opposition media outlets

advertising contracts from publicly owned or controlled entities. Journalists self-censor to avoid threats, political pressure, costly defamation suits, or job loss. Reporters who cover corruption and organized crime risk violence. In May 2018, investigative journalist Olivera Lakić, who reports on crime and corruption among government elites, was shot in the leg outside her apartment. In February 2019, nine suspects were arrested on suspicion of involvement, but the investigation into the shooting was still ongoing at the end of the year. Separately, in December, investigative journalist Vladimir Otašević was assaulted by a bodyguard of the controversial DPS-affiliated businessman Zoran Bećirović, who watched the attack in the presence of his friend, state prosecutor Miloš Šošković.

Despite protests from civil society activists, the public broadcaster RTCG remains under tight control of the DPS. In December 2019, after the attack on Otašević, RTCG broadcast a doctored video from which the actual assault on Otašević was deleted, claiming there had been no physical contact during the incident.

In January 2019, a court convicted investigative journalist Jovo Martinović of drug trafficking and being a member of a criminal group, and sentenced him to 18 months in prison, in a long-running case related to his investigation of such groups as a journalist. An appeals court revoked the decision in October, and at year's end he was to be retried.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution guarantees freedom of religious belief. However, the canonically recognized Serbian Orthodox Church (SPC) and a self-proclaimed Montenegrin Orthodox Church continue to clash over the ownership of church properties. In December 2019, after the adoption of a highly controversial bill regulating religious property—targeting exclusively the SPC—a wave of road blockades and protest marches swept the country.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is guaranteed by law and generally upheld. However, in 2017, the rector of the University of Montenegro, who was appointed in 2014 and enacted a series of reforms, was removed by the new government, violating university autonomy. University professors and researchers remain disengaged from critical discussions of the sociopolitical situation in the country, as they may face repercussions; about a dozen of them publicly supported the 2019 protests.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

People are generally free to engage in public discussions. The existence of extensive, DPS-linked patronage networks has fostered an environment where vocal opposition to the government or its policies is widely believed to jeopardize employment opportunities, both in the public and private sector.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 3 / 4

While citizens generally enjoy freedom of assembly, authorities in the past have attempted to limit protests organized by the DF, and violence at demonstrations erupts occasionally. The 2019 protests were peaceful, with no incidents or attempts of violent suppression, but were often characterized by the DPS-controlled media as “anti-state.”

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Although most NGOs operate without interference, those that investigate corruption or criticize the government face pressure. During his 2018 presidential campaign, Đukanović made a number of inflammatory statements directed at civil society, saying in a television appearance that some NGOs and members of the media are “unscrupulous fighters for power,” willing to destroy the government in the pursuit of foreign donations. Civil society leaders condemned the remarks for creating a hostile environment for NGOs. In September 2019, during a speech organized by the Center for the Development of Nongovernmental Organizations, Prime Minister Marković invited NGOs to partner with the government as long as they remained disengaged from politics.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

There is freedom for trade unions, which remain relatively strong in the public sector. However, reports of intimidation of labor activists by employers continue.

F. RULE OF LAW: 10 / 16

F1. Is there an independent judiciary? 2 / 4

Efforts to bolster judicial independence continue, though the judiciary remains susceptible to pressure from the government, and judicial corruption remains a problem.

Secret audio recordings and official documents that were leaked in 2019 implicated Supreme State Prosecutor Ivica Stanković and president of the Supreme Court Vesna Medenica in bribery and corruption affairs. Coupled with the sentencing of the DF leaders following legal proceedings characterized by confusion and opacity, the events of 2019 reflected serious deficiencies in transparency, openness, and accountability in the judicial system.

F2. Does due process prevail in civil and criminal matters? 1 / 4 (-1)

Constitutional guarantees of due process are inconsistently upheld. Legal proceedings are lengthy and often highly bureaucratic, particularly when involving business dealings. Police frequently hold suspects in extended pretrial detention while completing investigations. Courts are poorly funded and often overburdened.

Two DF leaders, Andrija Mandić and Milan Knežević, who were charged with plotting an attempted coup in 2016 were found guilty in May 2019 and were each given sentences of up to five years in prison. Legal procedures surrounding the trial were chaotic and opaque, several witnesses recanted testimony, and many details of the alleged plot remained murky after the trial closed with numerous convictions. Aspects of the long-running case were denounced by the opposition as attempts by the DPS to bolster its dominant political position, and overall the affair reflected a lack of due process and adherence to proper procedures in criminal matters.

Score Change: The score declined from 2 to 1 because chaotic and opaque procedures accompanying the trial of those accused of plotting a 2016 coup reflect a lack of due process in criminal matters.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Violent crime is not a significant problem, although violence connected to organized crime take place, and several apparent executions by criminal gangs of rivals have taken place in recent years. Prison conditions do not meet international standards for education or health care, and prison guards reportedly abuse inmates regularly and with impunity.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Romany, Ashkali, Egyptians, LGBT+ people, and other minority groups face discrimination. Women in Montenegro are legally entitled to equal pay for equal work, but patriarchal attitudes often limit their salary levels, as well as their educational opportunities.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16 (-1)**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4**

The freedom of movement and the right of citizens to choose their residence, employment, and institution of higher education, are generally respected in practice. However, many jobs are awarded through patronage, limiting access for those without connections.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4 (-1)

The state sector dominates much of Montenegro's economy, and related clientelism, as well as corruption, pose obstacles to normal business activity. The minister of Sustainable Development and Tourism resigned in November 2019 after a video recording leaked showing two inspectors from the ministry demanding a kickback from a local businessman.

Score Change: The score declined from 3 to 2 due to new evidence that businesses face demands for bribes from government officials.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The government for the most part does not place restrictions on personal social freedoms. Domestic violence remains a problem. In December 2018, the government passed a draft law that would legalize same-sex unions, but in August 2019 the measure was rejected in the parliament after lawmakers from the ruling parties representing ethnic minorities voted it down.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Most workers employed in the private sector remain unprotected from exploitation and arbitrary decisions of their employers.

Trafficking in persons for the purposes of prostitution and forced labor remains a problem. The government does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts in this regard, according to the US State Department's 2019 *Trafficking in Persons Report*.

Morocco

Population: 35,600,000

Capital: Rabat

Freedom Status: Partly Free

Electoral Democracy: No

Note: The numerical scores and status listed here do not reflect conditions in Western Sahara, which is examined in a separate report.

Overview: Morocco holds regular multiparty elections for Parliament, and reforms in 2011 shifted some authority over government from the monarchy to the elected legislature. Nevertheless, King Mohammed VI maintains dominance through a combination of substantial formal powers and informal lines of influence in the state and society. Many civil liberties are constrained in practice.

KEY DEVELOPMENTS IN 2019

- In July, a court in Salé issued death sentences for three men convicted of the December 2018 murders of two Scandinavian women hikers in the Atlas Mountains. Authorities characterized the killings as an attack by the Islamic State militant group.
- Prominent journalist Hajar Raissouni was arrested in August with her fiancé and charged with extramarital sex and obtaining an illegal abortion. Each was sentenced in September to one year in prison, with the court rejecting evidence that Raissouni was not pregnant and was being treated for a blood clot. She, her fiancé, and her doctors all received royal pardons in October.
- Teachers' unions organized a series of protests during the year to demand better working conditions, at times drawing harsh police responses.

POLITICAL RIGHTS: 13 / 40 (-1)

A. ELECTORAL PROCESS: 5 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

Constitutional reforms in 2011 required the king to appoint the prime minister from the party that wins the most seats in parliamentary elections, but the reforms preserved nearly all of the king's existing powers. The monarch can disband the legislature, rule by decree, and dismiss or appoint cabinet members.

After the 2016 parliamentary elections, political disagreement over the composition of a new government consumed more than five months. In 2017, King Mohammed VI finally used his royal prerogative to appoint Saad Eddine Othmani, a former Party of Justice and Development (PJD) foreign minister, as prime minister, replacing Abdelilah Benkirane, also of the PJD. However, technocrats loyal to the palace obtained key economic portfolios, and the PJD was similarly excluded from the "strategic ministries" of interior, foreign affairs, justice, and Islamic affairs.

The Party of Progress and Socialism (PPS) left the governing coalition in early October 2019, and a new cabinet was announced later that month. The palace engineered a cabinet that was reduced in size, from 39 to 23 ministers, and numerous technocrats were appointed, though some of the most important ministries remained essentially unchanged.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The lower house of Parliament, the Chamber of Representatives, has 395 directly elected members who serve for five-year terms. Of these, 305 are elected from 92 multimember constituencies. The remaining 90 are elected from a single nationwide constituency, with 60 seats reserved for women and 30 for people under the age of 40. Members of the 120-seat upper house, the Chamber of Counselors, are chosen by an electoral college—made up of

professional, labor, and business organizations as well as local and regional officials—to serve six-year terms.

In the 2016 parliamentary elections, the PJD placed first with 125 seats in the Chamber of Representatives, followed by the royalist Party of Authenticity and Modernity (PAM) with 102. Both increased their share of seats compared with 2011. Istiqlal fell by 14 seats to 46; the National Rally of Independents (RNI) declined by 15 seats to 37; the Popular Movement (MP) dropped 5 seats to 27; and the Socialist Union of Popular Forces (USFP) fell by 19 seats to 20. The PPS won 12 seats, a decline of 6. Official turnout was 43 percent of registered voters, lower than the 45 percent in 2011 and representing only 23 percent of eligible voters.

Authorities placed limits on some foreign observers of the elections, and instances of vote buying and other irregularities were reported, but the elections provided a degree of genuine choice to voters.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The constitutional and legal framework allows for competitive legislative elections, but the transparency of the process is not guaranteed. Elections are overseen by the Interior Ministry, with some participation by the Justice Ministry, rather than an independent electoral commission. Approximately three million Moroccans live abroad, and the electoral laws made it exceedingly difficult for voters outside of Morocco to cast their ballots in 2016.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16 (-1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Morocco has a vibrant multiparty system, but the parties are generally unable to assert themselves relative to the power of the palace. Of the two largest parties, the PJD polls strongly in urban areas, while the PAM dominates rural areas. Smaller parties tend to be unstable and are sometimes built around the personalities of their leaders.

Justice and Charity (Al-Adl wa al-Ihsan) is an illegal Islamist movement that does not participate in elections. Nevertheless, it enjoys widespread support, and authorities largely tolerate its other activities. More recent social movements such as the reformist February 20th Movement, which emerged from the 2011 Arab Spring protests, and Hirak Rif, a campaign against inequality that began in the country's largely Amazigh (Berber) Rif region in 2016, also enjoy considerable popular support, but they have been subject to repression by the authorities.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4 (-1)

Prior to 2011, the PJD was a vocal, official opposition party, and its entry into government showed that the system allowed some rotation of power. However, this opportunity is permanently limited by the presence and influence of the monarchy, both formally and in practice. Although the PJD won a plurality of seats in the 2016 elections, it struggled to form a governing coalition, and its ability to exercise power has been undermined by the king's support for parties loyal to the palace.

The government reshuffling in October 2019 was led by the monarch and resulted in a smaller cabinet with a large share of palace-approved technocrats, leaving elected political parties with less representation and authority.

Score Change: The score declined from 2 to 1 due to a cabinet reorganization initiated by the king that reduced the power and representation of elected political parties and installed a large share of nonpartisan technocrats.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The constitution and informal practice give the king overwhelming influence over political affairs, including government formation. The monarch and his circle of advisers and associates also wield enormous private economic power that can be used to shape political outcomes more indirectly through patronage networks.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The political system features universal suffrage, but parties based on religious, ethnic, or regional identity are prohibited, and the concerns and interests of women and the Amazigh population are not adequately addressed.

Some 40 percent of the population is Amazigh, and the vast majority of Moroccans have Amazigh roots. Amazigh elites enjoy access to the monarchy and also have their interests represented in Parliament, but the bulk of the population is socially and economically marginalized. Recent unrest in Al-Hoceima, the surrounding Rif region, and other cities across the country stemmed in large part from inequities experienced by many Amazigh residents and their inability to find redress for their grievances through the political system. In his July 2019 Throne Day speech, the king promised a greater emphasis on development that would benefit all segments of society.

A system of reserved seats for women is meant to encourage their participation in the electoral process at both the national and local level, partly offsetting traditional social pressures that deter such engagement. Women won a greater share of seats in Parliament in 2016, taking 21 percent of the Chamber of Representatives, compared with 17 percent in 2011. Nevertheless, women remain underrepresented in party and cabinet leadership positions. The 2019 conviction of journalist Hajar Raissouni for supposedly having an illegal abortion and engaging in sex outside marriage underscored the need for greater political mobilization on behalf of women's rights, prompting a nationwide petition calling for an end to outmoded and discriminatory laws.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

While elected officials are duly installed in government, their power to shape policy is sharply constrained by the king, who sets national and foreign policy and commands the armed forces and intelligence services. Royal commissions tend to wield more power than government ministers.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is rife in state institutions and the economy. Despite official rhetoric about combating corruption, the palace and government have a mixed record on enforcement. The Central Authority for the Prevention of Corruption (ICPC) was strengthened under a 2015 law and renamed the National Commission for Integrity and Anti-Corruption (NCIAC). In December 2018, the king finally appointed the commission's leader after the post remained vacant for three years.

While profound reforms are needed to combat corruption, progress has been slowed by a lack of political will, low institutional capacity, and the influence of elites who benefit from the status quo.

C3. Does the government operate with openness and transparency? 1 / 4

Overall transparency is limited. Civil society leaders have faulted a controversial 2018 access to information law for provisions that criminalize “misuse” of government information or “distortion of content.” The government publishes budget and financial information online, and public officials—including Parliament members, judges, and civil servants—are required to declare their assets. However, the monarchy itself, with its vast array of economic interests, is not subject to these rules. Transparency is lacking with respect to the king’s health as well as his financial assets. In September 2019, the palace made a rare statement on Mohammed VI’s health, reporting that he was suffering from an acute respiratory ailment that would prevent a planned overseas trip.

CIVIL LIBERTIES: 24 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

The state dominates the broadcast media, but more affluent segments of the population have access to foreign satellite television channels. Although the independent press enjoys a significant degree of freedom when reporting on economic and social policies, the authorities use a number of financial and legal mechanisms to punish critical journalists, particularly those who focus on the king, his family, the status of Western Sahara, or Islam. The authorities also occasionally disrupt websites and internet platforms. Bloggers are harassed for posting content that offends the monarchy, although many online activists operate anonymously.

Human rights groups continued to criticize the government’s efforts to suppress reporting on the restive Rif region in 2019. Appeals courts upheld the 2018 convictions of a number of journalists related to their coverage of Hirak Rif, and the August 2019 arrest and September sentencing of Hajar Raissouni on abortion and extramarital sex charges were widely perceived as a reprisal for her journalistic writing about the protest movement.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Nearly all Moroccans are Muslims, and the king, identified as “commander of the faithful” in the constitution, has ultimate authority over religious affairs. Imams are required to obtain state certification, and mosques are monitored by the authorities. The government operates a well-financed training program for imams and female religious counselors tasked with promoting a state-sanctioned version of “moderate Islam,” which some critics charge is also intended to promote political quiescence.

Despite deep societal prejudices, the small Jewish community is permitted to practice its faith. The Christian community, which numbers approximately 50,000, also experiences prejudice, and Christian marriages are not legally recognized by the government.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Universities generally provide a more open space for discussion, but professors practice self-censorship when dealing with sensitive topics like Western Sahara, the monarchy, and Islam. Salafists, adherents of a fundamentalist form of Islam, are closely monitored

in universities. Periodic violence between university student groups, often stoked by Morocco's political, ethnic, and sectarian differences, inhibits the right to peaceful student activism.

In August 2019, Parliament passed a law that reestablished French as the language of instruction in Moroccan schools with respect to math, science, and other technical subjects, in part to help prepare students for French-language instruction at universities. Some opponents expressed preference for Chinese or English to improve Morocco's global economic competitiveness, while traditionalists preferred the reinforcement of Moroccan Arabic.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

There is some freedom of private discussion, but state surveillance of online activity and personal communications is a serious concern, and the arrests of journalists, bloggers, and activists for critical speech serve as a deterrent to uninhibited debate among the broader population. In November and December 2019, a rapper, YouTube commentators, and students posting on Facebook faced detention or imprisonment in a series of high-profile cases involving the suppression of critical views. In another prominent case, journalist Omar Radi was charged in December with insulting a magistrate in an April Twitter post that referred to a judge who had imposed harsh penalties against Rif protesters; his trial was scheduled for early 2020.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is restricted. The authorities sometimes use excessive force and violence to disperse protests, and harass activists involved in organizing demonstrations that express criticism of the government.

The government has suppressed protests in the Rif region that erupted after the 2016 death of Al-Hoceima fish vendor Mohcine Fikri. The vendor was crushed to death while trying to retrieve fish from a trash compactor after authorities confiscated it for being caught out of season; a video of the incident circulated online. The ensuing Hirak Rif protest movement against corruption and economic deprivation gained support from activists across Morocco.

The government reacted harshly to the movement, dispersing assemblies and arresting Nasser Zefzafi and other protest leaders in 2017. In 2018, Zefzafi and three other activists were sentenced to 20 years in prison for their role in the demonstrations, while an additional 50 activists were sentenced to between 1 and 15 years' imprisonment on lesser charges. The charges were upheld by an appeals court in April 2019. Zefzafi and other Hirak Rif leaders continued their protests from prison, engaging in hunger strikes and reportedly renouncing their Moroccan citizenship, a step that is forbidden by law.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Civil society organizations are quite active, but they are subject to legal harassment, travel restrictions, intrusive surveillance, and other impediments to their work. The authorities routinely deny registration to nongovernmental organizations (NGOs) with links to Justice and Charity or that assert the rights of marginalized communities. The Moroccan Association for Human Rights (AMDH), one of Morocco's most prominent NGOs, is frequently targeted by the government. According to Human Rights Watch, 16 AMDH events were cancelled between January 2017 and July 2018 due to pressure on venue owners or

security forces directly blocking access to event spaces. Access was similarly denied for at least five AMDH events in 2019. Amnesty International has been prohibited from carrying out research in Morocco since 2015.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers are permitted to form and join independent trade unions, and the 2004 labor law prevents employers from punishing workers who do so, but there are undue legal and employer restrictions on collective bargaining and strikes. The authorities sometimes forcibly break up labor-related protests. Unions are often closely affiliated with political parties.

Teachers' unions began protesting to demand better working conditions in February 2019 and were supported by other unions, civil society groups, and opposition political parties. In both February and March, police used water cannons to disperse protesters. Strikes and protests resumed in September as the school year started.

F. RULE OF LAW: 5 / 16 (-1)

F1. Is there an independent judiciary? 1 / 4

The court system is not independent of the monarch, who chairs the Supreme Council of the Judiciary. In practice, the courts are regularly used to punish perceived opponents of the government, including dissenting Islamists, human rights and anticorruption activists, and critics of Moroccan rule in Western Sahara.

F2. Does due process prevail in civil and criminal matters? 1 / 4 (-1)

Due process is often neglected. Law enforcement officers frequently violate legal and procedural safeguards against arbitrary arrest and detention, and many convictions rely on confessions that may have been coerced. Pretrial detainees are reportedly held beyond a one-year limit in practice, and there are no provisions in the law allowing for pretrial detainees to challenge their detentions in court. Some suspects, particularly those accused of terrorism, are held in secret detention for days or weeks before formal charges are filed.

The convictions of Hirk Rif protesters that were upheld on appeal in April 2019 were reportedly based on confessions obtained through torture, which the defendants all retracted during trial. Among other flaws in the process, the defendants were denied prompt access to lawyers after their arrests, and defense lawyers faced obstacles in accessing and presenting trial evidence.

The case against Hajar Raissouni also illustrated serious due process deficiencies. She and her fiancé were arrested in August and sentenced to a year in prison in September on charges of extramarital sex and obtaining an illegal abortion. The prosecution was widely seen as politically motivated; Raissouni noted that she was interrogated about her journalistic work after the arrest. She and her doctors, who were also prosecuted, said she received treatment for a blood clot, and the court ignored medical evidence that she was never pregnant. All of the defendants received royal pardons in October.

Score Change: The score declined from 2 to 1 due to a pattern of politicized prosecutions in recent years, including those against protest leaders and a well-known journalist who was wrongly convicted of an illegal abortion before receiving a royal pardon.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Cases of excessive force by police and torture in custody continue to occur. A number of the protesters detained in recent years have reported being beaten and injured during

arrest, and some have been subjected to prolonged solitary confinement while awaiting trial. Prisons often suffer from overcrowding.

Terrorism remains a threat to physical security in the country, though the authorities have had some success in preventing attacks. In December 2018, two Scandinavian women were murdered while hiking in the Atlas Mountains. Three assailants, who were avowed supporters of the Islamic State militant group, were sentenced to death for the crime in July 2019. Morocco has not carried out an execution since 1993.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Constitutional reforms in 2011 granted official status to Tamazight languages, which have been promoted in schools along with Amazigh culture. Nevertheless, Amazigh and other communities that do not identify with the dominant Arab culture tend to face educational and economic disadvantages. Civil society groups that promote Amazigh rights have faced government interference.

Gender equality was also recognized in the 2011 constitution, but women continue to face significant discrimination at the societal level and are underrepresented in the labor force. LGBT+ people face harsh discrimination and occasional violence. Same-sex sexual relations can be punished with up to three years in prison.

The government has granted temporary residency permits to refugees and migrants as part of an effort to regularize their status and provide them with basic services, which earned Morocco international praise in recent years. However, in 2018, authorities cracked down on refugees, asylum seekers, and migrants from sub-Saharan Africa. Beginning in July of that year, security forces conducted a series of raids in which thousands of people were arrested, bused to a remote area near the Algerian border, and abandoned. The arrests were condemned by international rights groups for violating international law, as well as the basic human rights of those affected.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Moroccan law guarantees freedom of movement and the ability to change one's place of employment or education, but in practice poor economic conditions and corruption limit these rights. Widespread bribery, nepotism, and misconduct within the educational sector constrain merit-based advancement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Well over a third of the land is collectively owned by tribes and managed by the Interior Ministry, and in recent years it has been subject to private development without fair compensation to previous occupants. Moreover, under tribal rules of inheritance, women cannot hold the rights to occupy and use such lands, leaving them more vulnerable to displacement. Ordinary inheritance rules also put women at a disadvantage, generally granting them half the property of an equivalent male heir.

Private business activity is hampered in part by the dominant role of the king and his family. Among other assets, Mohammed VI has a majority stake in the National Investment Company (SNI), a massive conglomerate with businesses in virtually every economic sector, including mining, tourism, food, banking, construction, and energy.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The 2004 family code granted women increased rights in the areas of marriage, divorce, and child custody, though a number of inequities and restrictions remain, and implementation of the code has been uneven. Domestic violence is rarely reported or punished due to social stigma. All extramarital sexual activity is illegal, which deters rape victims from bringing charges, among other repercussions.

A 2018 law criminalized domestic violence and forced marriage, and imposed more stringent penalties on those convicted of rape. Although the law was considered a step forward, critics faulted the legislation for failing to outlaw spousal rape, not providing a clear definition of domestic violence, and not mandating the government to provide greater support for victims.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Poverty is widespread, and economic opportunities are scarce for a large portion of the population. The deaths of two coal miners working in dangerous conditions in the town of Jerada in 2018 touched off protests and underscored chronic problems related to inequality and government neglect of certain industries and communities.

Child laborers, especially girls working as domestic helpers, are denied basic rights and are frequently abused by their employers. A 2018 labor law meant to protect young women employed as household workers requires employers to use written contracts, sets a minimum working age of 18 (after a five-year phase-in period during which 16- and 17-year-olds are allowed to work), mandates a day off each week, and sets a minimum wage. Rights groups criticized the legislation for failing to provide support to reintegrate domestic workers into society, and for permitting girls under 18 to work until 2023.

A 2016 law criminalized human trafficking; existing measures had defined and banned only some forms of trafficking and left many victims unprotected. Immigrant laborers, especially from sub-Saharan Africa, are often employed informally and subject to significant exploitation.

Mozambique

Population: 30,400,000

Capital: Maputo

Freedom Status: Partly Free

Electoral Democracy: No

Overview: The ruling party's unbroken incumbency before and since the introduction of multiparty elections in 1994 has allowed it to establish significant control over state institutions. The opposition has disputed the results of recent elections, and its armed wing fought a low-level conflict against government forces that persisted until a truce was signed in December 2016. Mozambique also struggles with corruption, and journalists who report on it and other sensitive issues risk violent attacks.

KEY DEVELOPMENTS IN 2019

- In August, President Filipe Nyusi of the ruling Front for the Liberation of Mozambique (FRELIMO), and Ossufo Momade, the leader of the Mozambique National

Resistance (RENAMO), signed a formal peace accord that paved the way for the year's elections in October. However, clashes between the national army and what police say were dissident RENAMO groups took place during the year, with at least seven deaths reported.

- Presidential, legislative, and provincial elections were held in October. After a campaign marred by violence that mostly targeted opposition candidates and supporters, and which saw the assassination of a prominent independent election observer, the ruling party overwhelmingly won the presidency and legislature and secured governorships in all 10 provinces.
- Domestic and international election observers and others decried the performance of the National Elections Commission (CNE). The body, whose members are effectively appointed by the government, was sharply criticized over its stewardship of the vote in Gaza Province, where CNE counted over 300,000 registered voters than voting-age adults counted there during 2017 census.
- Islamic extremists continued to carry out attacks in the northern districts of Cabo Delgado Province, and voting was not possible in some areas there due to the lack of security.

POLITICAL RIGHTS: 14 / 40 (-5)

A. ELECTORAL PROCESS: 3 / 12 (-2)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4 (-1)

The president, who appoints the prime minister, is elected by popular vote for up to two five-year terms. President Filipe Nyusi of FRELIMO won the presidential contest in 2019 with 73 percent of the vote, an increase of 20 percentage points compared to his victory in the last polls in 2014. Additionally, because FRELIMO won the most votes in all provinces, it received the right to select all 10 of the country's provincial governors. Turnout was reported at just over 50 percent.

The campaign period was marred by violence, much of which targeted opposition members or their supporters, and several politicians and activists were killed. Anastácio Matavel, a respected independent election observer, was shot and killed in October, with members of an elite police unit accused of carrying out the murder. Further violence was reported at dozens of polling stations on election day, as were instances of harassment of poll workers, notably those appointed by the opposition, with police taking part in the intimidation. Additionally, there were credible reports of ballot-box stuffing; interference with the registration of election observers, serious inaccuracies in the voting register, particularly in the Gaza Province, where the CNE's records showed more than 300,000 more voters living there than did 2017 census records; and irregularities in vote-tabulation processes. As in past elections, FRELIMO enjoyed a strong advantage due to its use of state resources to fund campaign activities and secure media coverage. A number of opposition rallies were prevented by authorities.

Opposition parties denounced the election as fraudulent, while a coalition of civil society organizations issued a sharp denunciation of the polls, saying they were neither free, fair, nor transparent; that the ruling party had captured the electoral machinery through the CNE's appointment process; and that the polls were the worst since the introduction of multiparty democracy in 1994.

International observers from the Community of Portuguese Language Countries (known as the CPLP, or Lusophone Commonwealth), the European Union (EU), and the US

embassy expressed concern about the reports of irregularities and election-related violence, but ultimately recognized the presidential election's outcome.

Score Change: The score declined from 2 to 1 because the year's presidential election was marred by violence and irregularities.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4 (-1)

Members of the 250-seat unicameral Assembly of the Republic are elected to five-year terms. The 2019 legislative elections were held concurrently with the presidential election. FRELIMO took 184 seats, up from 144 previously. RENAMO won 60 seats, down from 89 previously, and MDM took 6 seats, down from 17 previously.

The legislative polls were marred by the same violence, irregularities, and fraud allegations as the presidential election. Similarly, international observers objected to their conduct but accepted the results, while opposition parties rejected the elections, and a coalition of civil society groups called them patently flawed.

Score Change: The score declined from 2 to 1 because the year's parliamentary elections were marred by violence and irregularities.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Elections are administered by the CNE and a support body, the Technical Secretariat for Electoral Administration (STAE). FRELIMO controls the process by which the CNE members are appointed, and both domestic and international observers have long argued that this structure has led to the politicization of the body, and deeply undermines stakeholder confidence in its operations.

The CNE's administration of the 2019 elections drew sharp domestic and international criticism. Among other issues—including irregularities in distribution of campaign finance funding and ballot printing, and general opacity of operations—large discrepancies emerged between the CNE's voter rolls and records kept by the National Institute of Statistics, notably in Gaza Province, a FRELIMO stronghold. CNE records showed more than 300,000 more registered voters in Gaza than voting-age adults counted there during 2017 census.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16 (-2)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

The right to form political parties is largely respected. A preponderance of parties compete, although most lack resources to campaign effectively and build a public following. Opposition leaders face harassment and threats for speaking out against the government. Figures within FRELIMO perceived as acting in conflict with the aims of the party can encounter obstacles, including intraparty disciplinary measures.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4 (-1)

FRELIMO first took power in 1975, upon Mozambique's independence, and has remained in power since the 1992 agreement that ended the country's 1977–92 civil war and

since the introduction of multiparty elections in 1994. Since then, FRELIMO's use of public resources to fund campaign activities has provided it with an unfair electoral advantage.

In May 2018, the parliament overwhelmingly approved constitutional reforms that in coming years would allow the indirect election of provincial governors, district administrators, and mayors. The changes were viewed as beneficial to RENAMO and a step toward greater decentralization and political stability. However, FRELIMO harnessed pressure tactics, the advantages of incumbency, and apparent fraud to secure an overwhelming victory in the 2019 elections. Because the party won the most votes in all provinces, it may select all of the country's provincial governors, effectively making the previous year's constitutional reforms moot. Many analysts have expressed concern that the failure to balance the share of power through the 2018 reforms threatens the precarious peace in Mozambique.

Score Change: The score declined from 2 to 1 because despite the recent approval of constitutional reforms that were seen as beneficial to the main opposition party, the ruling party harnessed pressure tactics, the advantages of incumbency, and outright fraud to win the 2019 elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Unelected elites in FRELIMO, including military members and powerful business figures, retain great influence and play a large role in shaping the party's platform. Civil servants face acute pressure to campaign and vote for the ruling party, and to make financial contributions to it. Those who openly support opposition candidates face intimidation by elements of the party embedded in state administration, and by police.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4 (-1)

Ethnic minorities are generally able to participate fully in political life, and people from various ethnic groups hold high-level government positions. However, FRELIMO's support base lies in the extreme north and extreme south, and ethnic groups concentrated in other regions, such as the Ndau and Macua, are underrepresented.

In 2019, three districts affected by the regional conflict in Cabo Delgado Province could not vote, for security reasons. The decision effectively disenfranchised the many ethnic-minority voters who live there, notably members of the Makonde and Mwani ethnic groups that are concentrated in the region.

Score Change: The score declined from 3 to 2 due to the disenfranchisement of many minority voters in northern districts where voting was not held due to security concerns.

C. FUNCTIONING OF GOVERNMENT: 4 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4 (-1)

Power remains generally centralized in the executive branch, which dominates the parliament and all other branches of government. The 2018 constitutional reforms introduced some measures to reduce centralization, but these reforms were in effect overridden by FRELIMO's victory in the year's severely flawed elections.

Foreign donors have significant influence on policymaking, specifically as it relates to economic policy and public-sector reform. Business elites connected to FRELIMO have a

strong impact on government decisions, particularly on those related to foreign investment in the oil, gas, and agriculture sectors.

Score Change: The score declined from 2 to 1 because the current government's democratic legitimacy was undermined by the year's severely flawed elections.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains widespread at the highest levels of government. Patronage networks are deeply entrenched, with various groupings competing for state resources. The anticorruption legal framework is undermined by a variety of loopholes: for example, embezzlement is not included in the Anti-Corruption Law. A judiciary susceptible to pressure from the executive branch further complicates attempts to enforce anticorruption laws.

C3. Does the government operate with openness and transparency? 2 / 4

Despite the passage of a freedom of information law in 2014, it is difficult to obtain government information in practice.

CIVIL LIBERTIES: 31 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 2 / 4

State-run outlets dominate Mozambique's media sector, and authorities often direct such outlets to provide coverage favorable to the government. However, a number of smaller independent outlets provide important coverage.

Journalists frequently experience government pressure, harassment, and intimidation, which encourages self-censorship. The government is known to retaliate against journalists who criticize it by cancelling public advertising contracts. Journalists and political commentators appearing on television programs have been the targets of attacks and kidnappings in recent years. In late December there was an attempted kidnapping of Matias Guente, the editor of the newspaper *Canal de Moçambique*. He escaped, but was severely beaten.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is generally respected, but government responses to attacks by armed Islamists have involved closing mosques and detaining Muslim leaders, alarming human rights activists.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

There are no legal restrictions on academic freedom. However since 2015, when law professor Gilles Cistac was murdered after supporting RENAMO in a televised appearance, academics have been more hesitant to criticize the government. Indoctrination at primary schools has been reported, particularly in Gaza Province, where some teachers have added FRELIMO propaganda to their curricula.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Civil society groups claim that authorities monitor criticism of the government posted online. There have been reports of government intelligence agents monitoring the e-mails of opposition party members.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12 (-1)**E1. Is there freedom of assembly? 2 / 4**

Freedom of assembly is constitutionally guaranteed, but the right to assemble is subject to notification and timing restrictions. The government frequently disallows protests on the basis of errors in the organizers' official applications. In July 2018, one person was killed and two were injured when police responded with disproportionate violence to a protest against a mining company in Inhassunge District, whose activities had reportedly forced local residents to relocate.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4 (-1)

Most NGOs operate without significant legal restriction. However, rights defenders and members of groups perceived as critical of the government continue to report acts of intimidation, and these increased ahead of the 2019 election. NGOs involved in election-monitoring activity reported significant obstruction and harassment, including death threats. Separately, Fátima Mimbire, a researcher with Centre for Public Integrity (CIP), was the target of severe online harassment after CIP issued a report on corrupt government loan practices.

At the end of 2018, the registration of the Mozambican Association for the Defense of Sexual Minorities (LAMBDA) had still not been approved by the government. LAMBDA first applied for registration in 2008, and has had no success in attaining government approval despite multiple resubmissions. In 2019, it still remained in this sort of legal limbo, but in practice continues to operate, at times even in cooperation with local authorities.

Score Change: The score declined from 3 to 2 due to persistent harassment of civil society figures and rights activists.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers have the right to form unions, but a number of restrictions impede the right to strike and make the practice rare. Public-sector workers are not allowed to strike. In 2017, administrative and technical staff at Eduardo Mondlane University (UEM) organized a strike to protest the nonpayment of a bonus. The university declared the strike illegal, and riot police broke up the picket line using tear gas and rubber bullets.

F. RULE OF LAW: 7 / 16**F1. Is there an independent judiciary? 2 / 4**

Judicial independence is hampered by the dominance of the executive branch. The attorney general is directly appointed by the president, with no legislative confirmation process. Pressure from FRELIMO's leadership often impedes investigations into corruption and fraud. Former president Armando Guebuza and members of his administration have been credibly implicated in fraud and embezzlement scandals, but there have been no prosecutions. Observers claim that this judicial inaction results from the influence of FRELIMO's leadership.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Although due process rights are constitutionally guaranteed, these rights are not always respected in practice. RENAMO leaders assert that the police arrest members of their party arbitrarily. Due to resource constraints and an understaffed judiciary, lengthy pretrial detentions are common.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The December 2016 truce to halt more than a year of fighting between RENAMO and FRELIMO has held up since, though tensions between the leaders of both parties remain high. In August 2019, President Nyusi and RENAMO leader Ossufo Momade signed a formal peace accord that paved the way for the year's elections. However, clashes between the national army and what police say are dissident RENAMO groups that rejected the accord took place in the central region in 2019, leading to at least seven deaths. No one has been held accountable for a number of high profile, apparently politically motivated attacks that took place in late 2015 and 2016.

Residents of Cabo Delgado continue to suffer from violence committed by Islamist insurgents, with numerous deadly attacks against civilians reported in 2019. Security forces deployed to fight the militants have been accused of kidnappings and other abuses.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Mozambican police reportedly discriminate against Zimbabwean, Somali, and Chinese immigrants. People with albinism continued to face discrimination, persecution, and violence. Government efforts to protect people with albinism have been inadequate.

Women experience discrimination in education and employment; on average, women are less educated and earn less than men. Sexual harassment in the workplace and at schools remains widespread.

Homosexuality was decriminalized in 2015, but LGBT+ people face significant discrimination. The LGBT+ advocacy group LAMBDA has held training sessions for police officers aimed at helping them to address discrimination, including instances in which community members demand the arrest of LGBT+ people under defunct antigay laws.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4**

Although Mozambicans face no formal restrictions on domestic or international travel, movement is hampered by the presence of checkpoints manned by corrupt police officials, who often harass and demand bribes from travelers.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The law does not recognize private property outside urbanized areas; citizens instead obtain land use rights from the government. Many citizens are uninformed about the land law and fail to properly register their holdings. The government must approve all formal transfers of land use rights in an often opaque and protracted process. As a result, most land transactions occur on an extralegal market.

There is no legal restriction to private business.

Under customary law, women usually cannot inherit property. The government does not frequently intervene to protect women's property rights when inheritance is denied.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence is pervasive in Mozambique and laws against it are infrequently enforced. Early and forced marriages remain common in rural areas. Many girls are married before age 18.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Many women and girls from rural areas are at risk of becoming drawn into sex trafficking and domestic servitude. Government efforts to confront trafficking are improving but remain inadequate, according to the US State Department's most recent *Trafficking in Persons Report*, but authorities have made increased efforts to investigate trafficking claims and prosecute traffickers.

Child labor is permitted for children between 15 and 17 years old with a government permit. However, children under 15 frequently labor in the agriculture, mining, and fishing sectors, where they often work long hours and do not attend school. According to an August 2017 report released by the Ministry of Labor, Employment, and Social Security, more than one million children between the ages of 7 and 17 are actively employed.

Myanmar

Population: 54,000,000

Capital: Nay Pyi Taw

Freedom Status: Not Free

Electoral Democracy: No

Status Change Explanation: Myanmar's status declined from Partly Free to Not Free due to worsening conflicts between the military and ethnic minority rebel groups that reduced freedom of movement in the country.

Overview: Myanmar's transition from military dictatorship to democracy has stalled under the leadership of the National League for Democracy (NLD), which came to power in relatively free elections in 2015. Since then, it has failed to uphold human rights and to prioritize peace and security in areas affected by armed conflict. The military retains significant influence over politics, and the country faces increased international pressure regarding a 2017 military operation that forced around 740,000 members of the Rohingya minority, a mostly Muslim ethnic group, to seek refuge in Bangladesh, where they remain. Journalists, demonstrators, and ordinary people risk legal charges and detention for voicing dissent.

KEY DEVELOPMENTS IN 2019

- Tensions remained high in Rakhine State due to fighting between the ethnic Arakan Army and government forces. Fighting between the Myanmar military and ethnic minority rebels in Chin, Kachin, Karen, and Shan States increased during the year, displacing numerous civilians and limiting free movement. More than 900,000 Rohingya refugees from Myanmar's Rakhine State remained in Bangladesh.
- In July, the International Criminal Court (ICC) chief prosecutor requested authorization to begin an investigation into alleged crimes against humanity against the Rohingya; it was granted in November.
- The UN Independent International Fact-Finding Mission on Myanmar released its final report in September, finding that the 600,000 Rohingya still in Rakhine State remain "under threat of genocide."
- At the behest of The Gambia, the International Court of Justice (ICJ) initiated a case against Myanmar in November; Aung San Suu Kyi went to The Hague to personally defend the country against accusations of genocide in December.

- In May, following months of international pressure on their behalf, Reuters journalists Wa Lone and Kyaw Soe Oo—who were entrapped by police and subjected to an unfair trial in reprisal for their work—were released as part of a mass presidential amnesty and left the country shortly thereafter. However, dozens of other individuals continued to be prosecuted as a result of their expression or activism.

POLITICAL RIGHTS: 14 / 40 (+1)

A. ELECTORAL PROCESS: 5 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The legislature elects the president, who is chief of state and head of government. Military members of the legislature have the right to nominate one of the three presidential candidates, and the elected members of each chamber nominate the other two. The candidate with the largest number of votes in a combined parliamentary vote wins the presidency; the other two candidates become vice presidents, ensuring that a military nominee is always either president or vice president. Htin Kyaw, the NLD candidate, won the presidency in the 2016 election. He resigned in March 2018 and was replaced by Win Myint, one of NLD leader Aung San Suu Kyi's aides.

Aung San Suu Kyi holds the powerful position of state counselor, a post akin to that of a prime minister, which was created for her in 2016 through legislation designed to circumvent provisions in the 2008 military-drafted constitution that had barred her from running for president because members of her immediate family hold foreign citizenship.

The commander in chief of the armed forces holds broad powers, including control over security-related cabinet ministries, and is selected through an opaque process by the military-dominated National Defense and Security Council (NDSC).

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The bicameral Assembly of the Union consists of the 440-seat lower House of Representatives and the 224-seat upper House of Nationalities. Representatives serve five-year terms. A quarter of the seats in both houses are reserved for the military and filled through appointment by the commander in chief of the armed forces.

International electoral observers concluded that the 2015 legislative polls were generally credible and that the outcome reflected the will of the people, despite a campaign period marked by anti-Muslim rhetoric, the exclusion of Muslim candidates, and the disenfranchisement of hundreds of thousands of Rohingya. The NLD, with 57 percent of the overall popular vote in a first-past-the-post system, won 135 of the 168 elected seats in the upper house, 255 of 330 elected seats in the lower house, and 496 of 659 seats across 14 state and regional legislatures. The military-backed Union Solidarity and Development Party (USDP) placed second with 28 percent of the popular vote, 12 seats in the upper house, 30 in the lower house, and 76 in the states and regions. The remaining seats were captured by ethnic minority and other parties as well as independents.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Various features of the electoral framework undermine the democratic nature of the country's elections. These include the military's role in presidential nominations and appointments to both chambers of parliament, as well as rigid citizenship laws and excessive

residency requirements that prevent large numbers of people from voting or standing for office.

The Union Election Commission (UEC), which is responsible for electoral administration, is empowered to adjudicate complaints against itself. Its members are appointed by the president and confirmed by the legislature, which has only limited authority to reject nominees. Election monitors have expressed concern about the potential for early voting procedures to facilitate fraud.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4 (+1)

New political parties were generally allowed to register and compete in the 2015 elections, and only sporadic interference from government officials was reported. Ninety-one parties competed in the elections, and many of them convened meetings and large rallies throughout the country. Political parties have enjoyed relative freedom in their preparations for the 2020 elections, with several groups announcing their formation or merging to improve their competitive potential. Former junta leader and lower house speaker Shwe Mann announced the formation of a new political party in February 2019, as did former NLD member Thet Thet Khine in November.

However, competition remains skewed in part by the USDP's systematic support from the military. The constitution contains a requirement that political parties be loyal to the state, which carries the potential for abuse. Laws allow for penalties, including deregistration, against political parties that accept support from foreign governments or religious bodies, or that are deemed to have abused religion for political purposes or disrespected the constitution.

Score Change: The score improved from 2 to 3 because political parties have enjoyed relative freedom in their preparations for the 2020 elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

As evidenced by both the NLD's overwhelming parliamentary victory in 2015 and losses in the 2018 by-elections, there is a realistic opportunity for the opposition to increase its support and gain power through competitive balloting. However, the military's constitutional prerogatives, as well as its close ties to the USDP, limit the degree to which any opposition force can secure control over the executive or the legislature through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The results of the 2015 elections and subsequent transition talks suggested that the military had a waning ability or determination to influence electoral outcomes. Nevertheless, the military retains considerable power over political affairs, particularly in conflict areas where it has a dominant presence, and in 2015 the USDP reportedly benefited from pressure on public employees and students to attend rallies and cast ballots for the party.

In an effort to lessen direct pressure on members of the military and their families, in November 2019 the election commission announced a proposal to end to the practice of casting ballots from inside military barracks.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Members of minority groups face restrictions on their political rights and electoral opportunities. In particular, citizenship, residency, and party registration laws disadvantage ethnic and religious minorities, particularly the mainly Muslim Rohingya, the majority of whom were rendered stateless by the 1982 citizenship law. In 2015, under pressure from Buddhist nationalists, the president issued a decree revoking the temporary identification cards, or “white cards,” that had allowed Rohingya to vote in previous elections. A Constitutional Tribunal ruling later in 2015 then found that voting by white-card holders was unconstitutional. Nearly all Rohingya were consequently left off the voter rolls for the 2015 elections. In addition, a sitting Rohingya lawmaker from the USDP was barred from running in the polls. Under the 1982 citizenship law, only those who are descended from ethnic groups deemed to be indigenous to the country prior to 1823 are considered full citizens who can run for public office.

Muslims with citizenship documents were able to vote in 2015, but of more than 6,000 candidates on the final list, only about 28 were Muslim. No Muslim sits in the current parliament.

While ethnic parties generally fared poorly in the 2015 legislative elections, the Shan Nationalities League for Democracy (SNLD) and the Arakan National Party (ANP) performed well in their respective states.

Women remain underrepresented in the government and civil service, due largely to societal biases that discourage their political participation. Notwithstanding the prominence of Aung San Suu Kyi, whose father led Myanmar’s independence struggle, few women have achieved ministerial-level appointments.

C. FUNCTIONING OF GOVERNMENT: 4 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4**

Although elected officials are able to set policy in some subject areas, the military is guaranteed control over the Defense, Home Affairs, and Border Affairs Ministries. The military also effectively controls at least six seats on the powerful 11-member NDSC. In December 2018, the NLD announced that the General Administration Department—fundamental to Myanmar’s public administration—would move from a military to a civilian-controlled ministry.

The 2008 constitution allows the military to dissolve the civilian government and parliament and rule directly if the president declares a state of emergency. The military also retains its veto on amendments to the constitution; despite this, in January 2019 the NLD announced the formation of a parliamentary committee on constitutional change. Governance is contested in some areas between the armed forces and ethnic minority rebel groups.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Despite government initiatives aimed at curbing official corruption, it remains rampant at both the national and local levels. An Anti-Corruption Commission (ACC), established in 2014 and reformed in 2017 with 12 members appointed by the president, has brought a number of cases against high-ranking officials, including charges against the former chief minister of Tanintharyi Region in March 2019.

Privatization of state-owned companies and other economic reforms in recent years have allegedly benefited family members and associates of senior officials. The government has ignored tax evasion by the country’s wealthiest companies and individuals.

C3. Does the government operate with openness and transparency? 1 / 4

The government does not operate with openness and transparency. A draft Right to Information Law was developed in 2016, and a new draft was released in December 2017, but the measure remained stalled in the parliament during 2019. A proposed law on access to government archives publicized in July included heavy financial penalties and potential prison time for unauthorized access to certain information.

Some information about the budget has been released in recent years, but it receives limited parliamentary scrutiny. The military owns an extensive network of “crony companies,” the revenues from which enable it to avoid accountability and public scrutiny and engage in human rights violations, according to a UN report released in August 2019.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -4 / 0

The central government has long used violence, displacement, and other tactics to alter the demographics of states with ethnic unrest or insurgencies. The Rohingya in Rakhine State have faced particularly harsh restrictions for decades, including limits on family size and the ability and right to marry, the denial of legal status and social services, and disenfranchisement and loss of citizenship. Human rights experts and the United Nations have labeled the abuses against the Rohingya as crimes against humanity and ethnic cleansing, and some analysts have argued that they constitute either genocide or a precursor to genocide.

Repression of the Rohingya escalated in 2017, after rebels from the Arakan Rohingya Salvation Army (ARSA) attacked multiple police posts with rudimentary weapons. The military launched a severe counteroffensive against Rohingya communities across the northern part of the state, leading to reports of torture, rape, indiscriminate killings, and the burning of villages, worsening already-dire humanitarian conditions and causing an outflow of 740,000 Rohingya refugees to Bangladesh. Those refugees joined another 200,000 who had crossed into Bangladesh to escape previous rounds of persecution. Aung San Suu Kyi has drawn sharp criticism from international observers for her reluctance to explicitly condemn state violence against Rohingya civilians. The two governments have sporadically announced plans for a repatriation system to return refugees to Myanmar—in August 2019 they agreed on a list of 3,450 Rohingya to be returned out of a possible list of 22,000 identified by Bangladeshi authorities—but as conditions in Myanmar remain dire, these plans are unlikely to be implemented.

The UN Independent International Fact-Finding Mission on Myanmar released its final report in September 2019, finding that living conditions for the 600,000 Rohingya still in Rakhine State have worsened and they remain “under threat of genocide.” In July 2019, the ICC chief prosecutor requested authorization to begin an investigation into alleged crimes against humanity, including deportation, against the Rohingya, which was granted in November. At the behest of The Gambia, the ICJ initiated a case against Myanmar in November; Aung San Suu Kyi went to The Hague to personally defend the country against accusations of genocide in December.

CIVIL LIBERTIES: 16 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16

D1. Are there free and independent media? 1 / 4

Media freedom is restricted. Existing laws allow authorities to deny licenses to outlets whose reporting is considered insulting to religion or a threat to national security, and the

risk of prosecution under criminal defamation and a range of other restrictive laws encourages self-censorship. While internet access has expanded in recent years, online activity is also subject to criminal punishment under several broadly worded legal provisions, and an increasing number of journalists and social media users faced defamation and incitement cases filed by the military and politicians during 2019, according to local watchdog Athan. Separately, in June, authorities shut down the internet in parts of Rakhine and Chin states, citing security concerns, leading to a months-long blanket blackout of digital services and information flows.

Surveillance of journalists by the military-controlled Home Affairs Ministry remains a common practice, and reporters covering sensitive topics risk harassment, physical violence, and imprisonment. In the most prominent case, Wa Lone and Kyaw Soe Oo, two Reuters journalists who had investigated a 2017 massacre of Rohingya at Inn Din village in Rakhine State, were arrested after a police set-up; after a deeply flawed trial, they were sentenced in September 2018 to seven years in prison for violating the Official Secrets Act. The Supreme Court upheld the verdict on appeal in April 2019, but in early May, after 511 days behind bars, the pair were freed as part of a mass presidential amnesty of prisoners.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The constitution provides for freedom of religion. It distinguishes Buddhism as the majority religion, but also recognizes Christianity, Islam, Hinduism, and animism. The government occasionally interferes with religious assemblies and attempts to control the Buddhist clergy. Authorities discriminate against minority religious groups in practice, refusing to grant them permission to hold gatherings and restricting educational activities, proselytizing, and construction and repair of houses of worship.

Anti-Muslim hate speech and discrimination have been amplified by social media, and by some state institutions and mainstream news websites. The officially illegal Buddha Dhamma Parahita Foundation, formerly known as Ma Ba Tha, agitates for the protection of Buddhist privileges, urges boycotts against Muslim-run businesses, and disseminates anti-Muslim propaganda; respected mainstream monks such as Sitagu Sayadaw have also allegedly stoked religious hatred. Reports have detailed systematic discrimination against Muslims in obtaining identity cards, as well as the creation of “Muslim-free” villages with the complicity of officials.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Political activity on university campuses is generally restricted, and universities are not autonomous. Student unions are discouraged, have no formal registration mechanisms, and are viewed with suspicion by authorities. The Ministry of Education issued a directive in May 2018 that required students to get permission from their universities and the ministry itself to hold events on campus, obliging them to submit names and biographies of speakers, titles of public talks, and the number of people expected to attend. In February 2019, seven student union leaders at Yadanabon University in Mandalay received five-month sentences for organizing peaceful protests at which participants demanded increased security at their campus.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Private discussion and personal expression are constrained by state surveillance and laws that inhibit online speech. Dozens of defamation cases involving online commentary

have been filed under Section 66(d) of the 2013 Telecommunications Law, which includes bans on online activity deemed to be threatening or defamatory.

Social media users and those quoted in the media have faced prosecution for expressing their views on particular topics, particularly when they entail criticism of the authorities. In August 2019, prominent filmmaker Min Htin Ko Ko Gyi, who was arrested in April and has serious health concerns, was sentenced to a year in prison on charges of “undermining the military” for a Facebook post. Members of the Peacock Generation satirical poetry troupe were detained in April for performances posted on Facebook that were critical of the military, and five were sentenced in October to a year in prison.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

Unauthorized demonstrations are punishable with up to six months in prison under the Peaceful Assembly and Peaceful Procession Law; a variety of other vaguely defined violations can draw lesser penalties. Among a range of cases in 2019, two Kachin youth activists were sentenced to 15 days in jail under the law in September. Protesters no longer have to ask permission for assemblies, but they do need to notify authorities 48 hours in advance, and local officials often treat this process as a request for permission in practice. Separately, a blanket ban on protests in 11 townships of central Yangon has been in place since November 2017, though it is selectively enforced.

Authorities occasionally employ excessive force against peaceful protestors; in February 2019, police fired rubber bullets into a crowd demonstrating against a statue in Kayah State, injuring around 10; dozens of others were arrested and charged with incitement and defamation in protests earlier that month.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Local NGOs are generally able to comment on human rights issues and engage in governance work, although some barriers to their interaction with government ministries have increased. The Home Affairs Ministry issued implemented regulations in 2015 that require NGOs to obtain government approval prior to registration.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

A ban on independent trade unions was lifted in 2011, and union activity has taken root in Myanmar. Strikes by workers protesting labor conditions or the denial of rights take place regularly, including a protest by around 300 garment factory workers in September 2019. However, trade unionists continue to face retaliation for their efforts, and legal protections against abuse by employers are weak.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is not independent. Judges are nominated by the president, and lawmakers can reject the choice only if it is clearly proven that the nominee does not meet the legal qualifications for the post. The courts generally adjudicate cases in accordance with the government’s interests, particularly in major cases with political implications.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Administrative detention laws allow individuals to be held without charge, trial, or access to legal counsel for up to five years if they are deemed a threat to state security or sovereignty.

Although the parliament in 2016 repealed several provisions used to imprison dissidents, numerous individuals who are considered political prisoners continue to be held in the country. According to the Assistance Association for Political Prisoners (Burma), as of December 2019 there were a total of 74 political prisoners serving sentences in Myanmar, and 164 in pretrial detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Peace efforts by the NLD government remained stymied in 2019 by military offensives against various ethnic rebel groups, particularly in Shan and Kachin States, as well as by attacks from such groups against security forces and continued divisions among signatories and nonsignatories to a 2015 national cease-fire agreement. The NLD's own approach to dealing with ethnic minorities has also been faulted for inhibiting peace efforts.

Indiscriminate shelling, extrajudicial killings, forced disappearances, and other abuses by the military continue to be reported, while rebel groups engage in forced disappearances and forced recruitment. Areas in the north remain riddled with landmines planted by both rebels and the army. Authorities at times prevent aid groups from reaching populations affected by violence. Civilians continued to flee fighting in Shan, Kachin, Karen, and Chin States in 2019, leaving tens of thousands displaced at year's end. An intensification of military action in northern Rakhine State, in response to attacks on police posts by the ethnic Rakhine Arakan Army (AA) in January 2019, led to the killing of dozens and displacement of more than 30,000; the AA has also conducted indiscriminate attacks on civilians.

Prisons in Myanmar are severely overcrowded, and conditions for inmates are sometimes life-threatening.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Some of the country's worst human rights abuses, commonly committed by government troops, are against ethnic and religious minorities. The government's failure to protect victims, conduct investigations, and punish perpetrators is well documented.

The 1982 Citizenship Law does not allow for anyone who entered the country or is descended from someone who entered the country after 1948 to become a full citizen. Naturalization of spouses is only allowed if the spouse holds a Foreigner's Registration Certificate from before the law's enactment.

In addition to conflict-related violence, women are subject to discrimination in employment, against which there are no explicit legal protections. A number of laws create a hostile environment for LGBT+ residents. Same-sex sexual conduct is criminalized under the penal code, and police subject LGBT+ people to harassment, extortion, and physical and sexual abuse. In June 2019, a gay librarian committed suicide following harassment from university colleagues, bringing renewed attention to societal discrimination against LGBT+ individuals.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16 (-1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4 (-1)

Freedom of internal travel is generally respected outside of conflict zones for Myanmar citizens. However, Myanmar's large population of stateless residents have significant restrictions on their travel, particularly the 600,000 Rohingya who remain in Rakhine State

who are confined to camps and villages, and subject to arrest and detention for domestic travel attempts. Due to an intensification of the country's internal armed conflicts in recent years, internal travel in a number of states has been further restricted.

Numerous exiled activists who returned to the country after the transition to partial civilian rule have experienced substantial delays and evasion from government authorities when attempting to renew visas and residency permits. Illegal toll collection by state and nonstate actors remains a problem in some areas.

Score Change: The score declined from 2 to 1 due to an intensification of the country's internal armed conflicts in recent years, which has further restricted internal travel in the affected areas and for certain populations.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Contentious disputes over land grabbing and business projects that violate human rights continued in 2019. Myanmar's property-transfer laws prohibit transfers to or from a foreigner except in certain state-approved cases of inheritance, and require registration of foreign-owned property. Stateless residents, including the Rohingya, cannot legally buy or sell property or set up a business.

Instances of forced eviction and displacement, confiscation, lack of sufficient compensation, and direct violence against landholders by state security officials abound. Court cases are frequently brought against farmers for trespassing on land that was taken from them. A 2018 amendment to the Vacant, Fallow, and Virgin Lands Management Law required anyone living on land thus categorized (about 30 percent of Myanmar's land, predominantly in ethnic states and regions) to apply by March 2019 for a permit to continue using it; violators can also face two-year prison terms.

Multiple sources continued to report that Rohingya land and property have been either razed, confiscated, appropriated, or built on, often with the direct involvement of the military, and sometimes under the guise of development assistance.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Men and women formally enjoy equal rights on personal status issues, though there are restrictions on marriages of Buddhist women to non-Buddhist men. Laws that might protect women from domestic abuse, workplace sexual harassment, and rape are weak and poorly enforced, and such violence is an acute and persistent problem. The army has a record of using rape as a weapon of war against ethnic minority women, and security personnel typically enjoy impunity for sexual violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Human trafficking, forced labor, child labor, and the recruitment of child soldiers all remain serious problems in Myanmar, and the government's efforts to address them are inadequate. Child soldiers are enlisted by the military and ethnic rebel groups, which also recruit civilians for forced labor. Various commercial and other interests continue to use forced labor despite a formal ban on the practice since 2000. Trafficking victims include women and girls subjected to forced sex work and domestic servitude, as well as the expanding practice in several ethnic states of being sold as brides to men in China. People displaced by conflict are especially vulnerable to exploitation.

Namibia

Population: 2,500,000

Capital: Windhoek

Freedom Status: Free

Electoral Democracy: Yes

Overview: Namibia is a multiparty democracy, though the ruling party, the South West Africa People's Organisation (SWAPO), has been in power since independence. Protections for civil liberties are generally robust. Minority ethnic groups accuse the government of favoring the majority Ovambo in allocating services. The nomadic San people suffer from poverty and marginalization. Other human rights concerns include police brutality, the criminalization of same-sex sexual relations, and discrimination against women.

KEY DEVELOPMENTS IN 2019

- In October, the judiciary controversially blocked online access to court documents, which should have been available to the public, regarding the 2015 Kora Awards corruption saga. The documents were later made public, and an oversight committee claimed the judiciary's initial suppression of the documents was "inadvertent."
- In November, six former cabinet ministers and officials were arrested on corruption, fraud, and tax evasion charges. Allegedly colluding with an Icelandic fishing company to grant them preferential access to fishing in Namibia's waters, the former officials and ministers of the "Fishrot Six" scandal were implicated in what was considered one of the largest corruption cases in Namibia's modern history.
- In November, SWAPO presidential candidate Hage Geingob was reelected. Support for SWAPO candidates declined in the concurrent legislative elections, though they still won 65.5 percent of the vote.

POLITICAL RIGHTS: 31 / 40 (+2)

A. ELECTORAL PROCESS: 11 / 12 (+1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is both chief of state and head of government, and is directly elected for up to two five-year terms. In the November 2019 elections, Hage Geingob of SWAPO won the presidential race, receiving 56.3 percent of the vote; down from the 87 percent he won in the 2014 general elections. While international election observers deemed polls peaceful and credible, concerns were raised about the lack of verifiable paper trail for the results, long waits to vote, and delays in the counting and release of election results.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4 (+1)

The National Council, the upper chamber of the bicameral parliament, is comprised of 42 seats, with members appointed by regional councils for six-year terms. The lower house, the National Assembly, has 96 seats filled by popular election for five-year terms using party-list proportional representation. International election observers considered the 2019 polls as competitive and credible, though some logistical glitches with electronic

voting machines were reported, and concerns were raised about other aspects of the electoral process.

SWAPO's dominant position was challenged during the November 2019 elections. It lost its two-thirds majority in the 96-member chamber, winning 63 seats instead of its previous 77, with 65.5 percent of the vote down from 80 percent in the 2014 elections. Opposition parties performed well, including the newly formed Landless People's Movement, which received 4 seats. The main opposition party, Popular Democratic Movement (PDM), received the second most votes and claimed 16 seats.

Score Change: The score improved from 3 to 4 because November's general elections, some irregularities notwithstanding, were considered generally free and credible, and the results were accepted by stakeholders and the public.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The electoral framework is robust and generally well implemented. The controversy around use of electronic machines dominated the 2019 elections, with some party leaders expressing doubt about the integrity of the election results due to the lack of verifiable paper trail for the results. The courts dismissed a legal challenge on their use. The 2019 election results were declared free and fair by the Commonwealth Observer Group and the South African Development Community (SADC), although they raised concerns over other aspects of the electoral process.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties may form and operate freely. Registration requirements are not onerous and there were no time limits for parties wishing to register and participate in the 2019 general elections. However, candidate registration fees and campaign financing can place an undue burden on smaller parties with limited resources. Political parties with seats in Parliament receive funding annually from the government based on the number of seats they hold, which disproportionately benefits SWAPO due to its electoral dominance. Small opposition parties lack financial capacity and many do not have a broad membership base in all regions, making it difficult to mobilize electoral support.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4 (+1)

Opposition parties may freely compete in elections and generally do not encounter intimidation or harassment during election campaigns. In practice the opposition is weak and fragmented, and SWAPO's significant financial advantage over opposition parties further consolidates its control of the political system, making it difficult for rival parties to compete effectively in elections. Despite these challenges, opposition parties gained several seats in the 2019 elections, dislodging SWAPO from the two-thirds majority it held since 2014. Eleven of the fifteen political parties registered for the National Assembly elections secured seats in parliament.

Score Change: The score improved from 2 to 3 because the current opposition parties increased their share of legislative seats in the November elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People are generally able to express their political choices without undue influence from external actors, including the church and traditional leaders. However, the continued domination of SWAPO—an ideologically diverse party whose energies are often consumed by intraparty disputes—limits voters' ability to directly express a preference for particular policies.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The constitution guarantees political rights for all, and the government makes efforts to uphold these rights. Namibia has made great strides in increasing women's representation in Parliament; women currently hold 48 of 104 seats in the National Assembly. Nevertheless, women are often discouraged from running for political office. Election observer missions commended Namibia on the inclusion of youth and women in party lists and as contesting candidates.

Almost all of the country's ethnic groups are represented in Parliament and in senior political positions. However, members of the ethnic San have faced restrictions on their political rights due to widespread discrimination and marginalization. LGBT+ people face discrimination that hampers their ability to openly advocate for their interests.

C. FUNCTIONING OF GOVERNMENT: 8 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4**

Namibia has a functioning system of democracy with a government and a national legislature that freely execute duties and determine policies. However, 2014 reforms increased executive power, including by adding members of parliament who are appointed by the president and by limiting the National Council's power to review certain bills. The growing presence of China and its close relationship with the country's political elites continue to raise questions about possible Chinese influence on the country's governance.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Namibia has a sound legal framework for combating corruption. However, concerns remain that anticorruption laws are inconsistently enforced, and difficulties in accessing information held by government departments present barriers to gathering evidence. Light sentences on high profile cases and low prosecution and conviction rates undermine the work of the Anti-Corruption Commission. After a September report from the head of the anticorruption body detailed a shortage of technical skills and resources necessary to fight corruption in the public service and the public procurement system, integrity officers were appointed in government ministries and regional offices.

In July 2019, a Namibian court convicted and sentenced the former Minister of Education, Arts, and Culture for abusing her position to a fine of N\$50,000 (US\$3,540) or six months in jail.

In November 2019, six former cabinet ministers and officials were arrested on corruption, fraud, and tax evasion charges. Allegedly colluding with Icelandic fishing company to give them preferential access to fishing in Namibia's waters, the "Fishrot Six" ministers were implicated in one of the largest corruption scandals in Namibia's history.

C3. Does the government operate with openness and transparency? 2 / 4

Namibia lacks access to information laws despite government promises to finalize this legislation. The country further lacks an institutional culture of openness and transparency. Proactive disclosure of public information and state contracts is limited and clouded in secrecy. There is also no frequent disclosure of private interests by public representatives. A veil of secrecy exists over the extractive industry, military spending, statehouse upgrades, state security infrastructure, and private funding of political parties. In October 2019 the judiciary blocked public access to documents relating to the state recovery of N\$23 million (US\$1.66 million) paid to a friend of the president in the fraudulent Kora Awards, an event that never happened. The documents were later made public ostensibly after the case was brought to the Judicial Services Commission, which claimed that the concealment was “inadvertent.”

CIVIL LIBERTIES: 46 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Namibia’s constitution guarantees media freedom and freedom of expression. In practice, journalists face few legal restrictions and may generally work without risking their personal safety. While self-censorship is common in state media, private media remains critical of the government. In a landmark victory for media freedom, the Supreme Court in April 2019 upheld a 2018 high court judgment which rejected Namibia’s Central Intelligence Services request to ban the *Patriot* newspaper from publishing a story revealing improper use of public funds.

However, challenges remain. The absence of information laws obstructs investigative journalism. In June 2019, the SWAPO Youth League secretary threatened to monitor the work of state-owned media critical of the ruling party. In October, the Namibian Broadcasting Corporation reportedly defied an instruction from the ruling party to rerun coverage of their rally, manipulating and augmenting how large the crowd looked. In September, the defense minister warned citizens and journalists not to record videos of the soldiers and police.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is guaranteed by law and generally respected in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Freedom of expression is guaranteed in law and generally observed in practice. Social media is increasingly used to express political dissent, although the majority of citizens see need to avoid criticizing the government. In January 2019, Minister of Information and Communication Technology (MICT) Stanley Simataa warned citizens against insulting leaders. In June, members of SWAPO tabled a motion in Parliament calling for the regulation of social media to address perceived abuses, including insults of political leaders. The government has reportedly acquired significant capabilities to conduct surveillance of citizens on various forms of communication. However, the legal framework for doing so remains questionable.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12**E1. Is there freedom of assembly? 3 / 4**

Freedom of assembly is guaranteed in law and is usually observed in practice but can be restricted during a national emergency. Unlike in the past, the majority of peaceful protests in 2019 proceeded without major incidents. However, in January 2019 young people from Keetmanshoop claimed police used excessive force during their protest against discriminatory employment practices in the local governor's office. In February, residents of Karasburg organized a protest march against police brutality in their area.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Human rights groups generally operate without interference, though government leaders sometimes use public platforms to attack civil society.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Constitutionally guaranteed union rights are respected and observed in practice, though essential public sector workers do not have the right to strike. Collective bargaining is not widely practiced outside the mining, construction, agriculture, and public service industries. Union membership has declined in recent years, with 25 percent of the labor force unionized.

F. RULE OF LAW: 11 / 16**F1. Is there an independent judiciary? 3 / 4**

By law and in practice, the separation of powers is observed, and judges are not frequently subject to undue influence. The establishment of the Office of the Judiciary in late 2015 affords the system administrative and financial independence. However, the judiciary lacks adequate resources, announcing in May 2019 it needed an additional N\$64.2 million (US\$4.55 million) to clear case backlogs and implement new legislation. Judges are appointed by the president upon the recommendation of the Judicial Service Commission, a body whose composition the president has some influence over. The court's initial decision in October 2019 to block online public access to court papers implicating the president and justice minister in the Kora Awards fraud case, has raised questions about the judiciary's integrity.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Namibia's constitution protects the rule of law and the right to a fair trial. However, equal access to justice is obstructed by many factors, including economic and geographic barriers, a shortage of public defenders, lack of resources, and delays and backlogs in the court system that can last up to a decade. In September, reports exposed that the absence of a magistrate at the Oshakati Regional Court had delayed the finalization of many important court cases dating back to 2005. The reported assaults and killings of civilians during Operation Kalahari Desert and its predecessor Operation Hornkranz raise questions regarding the right to a fair trial, despite government claims that these incidences were not deliberate.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Namibia is free from war and insurgencies. However, police brutality is a problem, as well as abuse of suspects in custody. In January 2019, young people from Keetmanshoop claimed the police used unnecessary force during a protest at the local governor's office

against preferential employment in government agencies at the expense of unemployed youth in the area. During Operation Kalahari Desert in 2019—a joint crime prevention effort of the police and the army—the Legal Assistance Centre (LAC) reported a dozen cases of police brutality. In June, a Zimbabwean taxi driver was killed by a member of Kalahari Desert Operation while fleeing a roadblock. In September, another civilian was killed by a soldier for recording a police raid on his personal device. That same month, the People’s Litigation Centre lodged a complaint with the International Criminal Court (ICC) regarding the increase in violence against civilians.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

While the constitution guarantees the right to equality and prohibits discrimination, challenges remain. The San people face widespread societal discrimination and marginalization and are without access to land. In June 2019, San communities from the Omakeke Region complained of being sidelined by government’s developmental programs and criticized the Division for Marginalized Communities (DMC) for failing to address their needs. They further condemned the group’s resettlement program for denying them rights to land ownership.

Same-sex sexual relations remain criminalized (though the prohibition is not enforced) and women face widespread discrimination. Increased government support and NGO educational programs about the condition of people living with albinism, who are targeted by ritual killings, has helped improve their living experiences, although challenges still remain.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement is a constitutionally guaranteed right generally observed in practice. In October 2019, the government announced the scrapping of reentry visa requirements for holders of permanent residence permits who have not lived outside the country for two consecutive years if they want to enter or reside in Namibia. The illegal fencing of communal land and its impact on freedom of movement and access to resources found in communal areas remained a challenge. In October 2019, villagers in Suni, a town in the Kavango West Region, reported fears of losing access to their land following planned fencing without their consent. The joint crime operation between the police and the army has also impacted freedom of movement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Private property rights are guaranteed in law and largely respected in practice. The constitution prohibits expropriation without compensation. There are no legal barriers to women’s access to land. However, customs regarding inheritance procedures and property rights limit women.

Land rights remain a contentious and unresolved issue. The Commission of Inquiry into Ancestral Land Rights and Restitution, an outcome of the Second National Land Conference which took place in October 2018, seeks to address this complex topic.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Not all groups enjoy social freedoms. LGBT+ people face harassment, discrimination, and attacks. Same-sex marriages are not recognized, and many churches have indicated

their unwillingness to recognize or perform them. Legal challenges from people in same-sex partnerships exist in the courts, seeking either residency permits or recognition of their marriages. Sodomy laws exist though there have been no recent convictions. Rates of gender-based violence and rape are high. Forced and child marriages occur; approximately 7 percent of girls are married before turning 18.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

The constitution outlaws slavery and servitude, however Namibia lacks minimum standards required to fully address human trafficking. Forced child labor is rife in the agricultural sector and in people's homes. In 2019 the National Referral Mechanism (NRM), Standard Operating Procedures (SOPs), and the National Plan of Action on Gender-Based Violence took effect, all to combat human trafficking. In August 2019, there were about 20 cases before the courts and 15 cases subject to police investigation. In July, a woman was convicted for trafficking a 15-year-old girl. In spite of these positive developments, the 2018 Combating of Trafficking in Persons Act is still pending. The inadequate funding of organizations fighting this scourge poses further challenges.

Nauru

Population: 10,000

Capital: Yaren District

Freedom Status: Free

Electoral Democracy: Yes

Overview: People in Nauru generally enjoy political rights and civil liberties, though the government has taken steps to sideline its political opponents—particularly the Nauru 19 a group who had been charged with a variety of crimes in connection with a 2015 antigovernment protest. Corruption is a serious problem. Asylum seekers and refugees housed in Nauru under an agreement with Australia live in dire conditions, and the country has attracted sustained international criticism over the persistent reports of abuses against them.

KEY DEVELOPMENTS IN 2019

- Lionel Aingimea was elected president of Nauru in the August 2019 parliamentary elections, defeating the incumbent Baron Waqa.
- In July, members of the Nauru 19 filed official legal actions against the government after the death of former president Sprent Dabwido. The members claim that the government's deliberate delay in returning Dabwido his passport prevented him from accessing cancer treatment in Australia in time to survive the illness.
- In December, the Nauru 19 were sentenced to time in jail. Critics condemned the entirety of the proceedings as broken, unfair, and indicative of a judiciary that lacked independence.
- Conditions in the Australian refugee and asylum-seeker processing center on Nauru worsened throughout the year, particularly after February when the Nauruan government passed controversial legislation that enabled them to block the medical evacuation of refugees in critical condition.

POLITICAL RIGHTS: 34 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Nauru is a parliamentary republic, and the parliament chooses the president and vice president from among its members.

In the August 2019 parliamentary elections, which were independently monitored by the Pacific Islands Forum, incumbent president Baron Waqa lost reelection in his constituency, and thus the opportunity to be reelected president. Lionel Aingimea was subsequently chosen to be president, winning with 12 votes to 6 over rival David Adeang.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 19-member unicameral Parliament is popularly elected from eight constituencies for three-year terms. The 2019 parliamentary elections occurred in August. Although the Pacific Islands Forum sent a monitoring mission, no report was made available by the end of 2019.

Then-president Waqa was accused of manipulating the electoral rolls by granting citizenship to around 118 foreigners who would go on to vote for him. Because there were only 7,000 voters registered, this could have had a significant impact on the election's outcome. However, Waqa did not win reelection.

Only two women were elected into Parliament in the 2019 election; one of who was an incumbent.

In February 2019, former president Waqa proposed changing the constitution to extend representatives terms to four years. However, no such changes appear to have been made by the end of 2019.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The electoral laws are generally fair and implemented impartially. The Nauru Electoral Commission is responsible for managing the entire election process. Voting is compulsory.

In the August 2019 elections, a recount was conducted for the Ubenide electorate after six paper ballots were discovered in the parliamentary chamber. The recount did not change the outcome of the election and there was no evident manipulation of the initial tally.

In July 2019, a former representative alleged that bribery was rife in the electoral process. He claimed that candidates routinely buy motorcycles and kitchenware for constituents, yet nothing is done about it. He believes that laws curbing free speech in the country, which include a law that criminalizes criticism of the government, deter people from discussing the issue.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Although political parties are permitted, most candidates run as independents.

A contempt-of-court law enacted in May 2018 was criticized as being designed to intimidate opposition figures and others who supported the Nauru 19. The law makes criticism of witnesses, judicial officers, or legal representatives in a pending court matter illegal, as well as undermining judicial officials or the authority of courts. Violations of the law, which contains exemptions for government officials deemed to be acting in good faith

or the interests of national security, are punishable by fines of up to \$20,000 for individuals and \$50,000 for corporations.

In 2019, the government continued its prosecution and persecution of the Nauru 19, in what legal experts had declared an example of a “bullying government, using the arms of the state to persecute its opponents.” Despite this, a blacklisting of members of the Nauru 19 was lifted in September, although newly elected president Lionel Aingimea denied that the government had ever taken steps to prevent them from traveling or gaining employment.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Intense political rivalries created political instability prior to 2013. However, former president Waqa served two full terms before losing his seat as a representative and being replaced by Lionel Aingimea in 2019. The 2019 elections were generally regarded as free and fair, though some observers accused former President Waqa’s government of “number boosting” by granting citizenship to foreigners in a bid to increase his support base.

The 2019 elections also featured significant turnover of representatives, with about half of incumbents losing their seats in parliament.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People’s political choices are generally free from domination by powerful interests that are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The constitution provides for universal suffrage. However, widely held biases regarding the role of women in society have discouraged women’s participation in politics and elections; just two women won seats in Parliament in August 2019. Including the two representatives elected into the 2019 parliament, only three women have been elected in Nauru’s modern history.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The freely elected Parliament, led by the speaker, sets and makes policy. However, Australia has had considerable influence over politics because its bases its processing center for asylum seekers on Nauru. Australia has detained many refugees on the island indefinitely, which is a significant source of income for Nauru’s government.

This processing center was the center of much controversy throughout 2019. In February, the Nauruan government rushed through regulations that enabled them to block medical referrals, made by overseas doctors, for asylum seekers and refugees held in the processing center. This regulation came after new laws in Australia that allowed doctors to compel the transfer of sick refugees from Nauru to Australia (called the “medevac” law). Using this regulation in November, Nauru blocked the evacuation of 20 asylum seekers approved for medical transfer to Australia.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption remains a problem. Allegations of improper payments to senior government officials, including former President Waqa, by an Australian phosphate company emerged

in 2016, and an investigation by Australian federal police remained ongoing in 2019. Legal proceedings related to the scandal also took place in Singapore in 2018, where a local company was fined for bribing a Nauruan member of Parliament.

The Australian Broadcasting Corporation reported in 2018 that many family members of Nauruan politicians owned shares of the land where the Australian-run processing center is situated, and disproportionately benefit from their ability to collect high rents or secure high-paying jobs or other contracts at the center.

In 2019, the Paladin scandal shed light on the extent of corruption involved in the treatment of refugees, and the companies hired for related services, on Nauru. The Australian auditor general opened an investigation into its contracts with the Nauru government in March.

In April, former president Sprent Dabwido—who had signed the offshore detention deal with Australia during his time as president—claimed that the money Nauru received from Australia for hosting of the asylum processing center had led to vast amounts of corruption. The government and then-president Waqa denied these allegations.

C3. Does the government operate with openness and transparency? 2 / 4

Nauru lacks a law on access to public information, but the Government Information Office releases some budget figures. Government officials are not required to disclose financial information. A 2017 audit of the 2013–14 government accounts ended a 15-year gap between government audits, a gap which officials blamed on an absence of qualified staff.

CIVIL LIBERTIES: 43 / 60 (–1)

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16

D1. Are there free and independent media? 2 / 4

Freedom of expression is constitutionally guaranteed but not always respected in practice. Foreign journalists have a particularly difficult time operating in Nauru, as the government has implemented restrictions that appear to be aimed at deterring outside coverage of conditions for asylum seekers and refugees. Since 2014, foreign journalists have been subject to a visa application fee of roughly \$6,000, up from approximately \$150 previously.

Ahead of the 2018 Pacific Islands Forum, held in Nauru, the government banned the Australian Broadcasting Corporation from entering the country, describing it as an “activist media organization.”

The 2016 Crimes Act introduced criminal charges for defamation, now punishable with up to three years in prison. Similarly, the Administration of Justice Act, a contempt-of-court law passed in 2018, serves as a deterrent for journalists to publish pieces critical of the government and the judiciary.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides for freedom of religion, which the government generally respects in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Authorities are not known to illegally monitor private online communications. For three years, the government blocked Facebook, citing a need to protect users from obscene and pornographic content; the policy more likely represented another example of the government attempting to restrict coverage of the Australian processing center for asylum seekers. The ban was ultimately lifted in 2018.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 3 / 4

The constitution upholds the right to assemble peacefully, but this right has not always been respected in practice. Demonstrations related to the treatment of asylum seekers housed at the Australian processing center are often repressed. Members of the Nauru 19 group, who were arrested for their 2015 antigovernment protests, were sentenced to jailtime in December 2019.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

There are no legal restrictions on the formation of nongovernmental organizations (NGOs) in Nauru. There are several advocacy groups for women, as well as development-focused and religious organizations. However, authorities have interfered with the operations of activists seeking to improve the treatment of asylum seekers.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

There are no formal trade unions and only limited labor protection laws, partly because there is little large-scale private employment. The rights to strike and to collectively bargain are not protected by law.

F. RULE OF LAW: 9 / 16 (-1)

F1. Is there an independent judiciary? 2 / 4

There have been concerns about undue influence on the judiciary from government officials, who have been accused of dismissing judges for unfavorable rulings. Many are concerned that government officials have pressured the judiciary in connection with the Nauru 19 case.

The Supreme Court is the highest authority on constitutional issues in Nauru. Appeals had previously been heard in the high court of Australia, but in March 2018, Nauruan Justice Minister Adeang announced that the country would sever links with Australia's justice system, citing both onerous costs associated with case proceedings in another country, and the need for Nauru to establish greater independence. However, some skeptics viewed the development as a means of denying the Nauru 19 an avenue to appeal their cases. Nauru later signed memoranda with neighboring Pacific countries, including Papua New Guinea, Kiribati, Solomon Islands, and Vanuatu, to provide justices for Nauru's new Court of Appeals.

The Nauruan government has been accused of interfering with the judicial process and undermining the rule of law. Australian Supreme Court Justice Geoffrey Muecke claimed the government terminated his contract as a result of his granting a permanent stay for the Nauru 19 court proceedings. He claimed the government also pressured the sentencing magistrate to issue maximum penalties to members of the group.

Despite these recent developments, President Aingimea, elected in August 2019, claimed that neither he nor the preceding government had interfered with the judiciary's independence. In December, the Nauru government accused supporters of the Nauru 19 of being in contempt of court, while Nauru's Chief Justice insisted that the government had not

interfered in the proceedings of the Nauru 19 case. Despite these claims and as a result of the events surrounding the Nauru 19 case, the New Zealand government withdrew its financial support for the Nauruan judiciary.

F2. Does due process prevail in civil and criminal matters? 2 / 4 (-1)

Though the constitution provides for due process rights, the resumption of legal proceedings against the so-called Nauru 19 as well as changes to the appellate jurisdiction indicate that due process is not always respected in practice.

In 2017, the government passed a law that distinguishes between public servants who testify in favor of the government or against it. Analysts said it appeared that those who miss work to testify against the government would be placed on leave without pay, and that the law appeared to represent an attempt to discourage civil servants from testifying in favor of the Nauru 19.

Legal proceedings against the Nauru 19, which had been permanently stayed in September 2018 by Justice Muecke, were renewed after the stay was overturned by the Nauru Appeals Court in June 2019. Muecke had been fired after granting the stays on proceedings in 2018. In October 2019, the protesters launched a new appeal, seeking again to have a permanent stay placed on the charges. However, this appeal was denied by the courts, and the Nauru 19 were sentenced to jail time in December 2019.

Legal experts in Australia and New Zealand criticized the entire legal and judicial process for the Nauru 19 case as unjust. During its four year period, reports emerged of plagiarism, corruption, exploitation and mistreatment of judges (specifically, Geoffrey Muecke, who claimed that parts of his contract had not been paid), bias in the judiciary, denial of legal representation, and more. While court proceedings were ongoing, the members of the group were jailed. Critics claimed that the entire process represented a breakdown of the rule of law and set a “chilling precedent” for the future of the Nauruan judiciary.

Score Change: The score declined from 3 to 2 due to recent structural changes to the judiciary and rulings associated with the high-profile Nauru 19 case that effectively eliminated defendants’ access to a fair trial and avenues for appeal.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Civilian authorities control the small police force. Nauru has no armed forces; Australia provides defense assistance under an informal agreement.

The Australian processing center for asylum seekers has received considerable international criticism for poor treatment of asylum seekers housed there. Few arrests have been made in connection with alleged abuses of its residents.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution provides for equal treatment regardless of race, country of origin, ethnicity, politics, or gender, but those rights are not always protected in practice. There are few legal protections against discrimination, which is notably a problem for women in the workplace. In 2016, the government decriminalized homosexuality, which had previously been punishable by up to 14 years of hard labor.

Reports of widespread abuse of refugees and asylum seekers forcibly transferred to Nauru under its agreement with Australia continued in 2019. Crimes committed against asylum seekers outside the processing center, where most refugees are housed, frequently

go uninvestigated. The asylum seekers suffer from grossly inadequate housing; denial of health care for life-threatening conditions; and a high rate of self-harm attempts among residents—who wait, at times, for years for their asylum applications to be processed. Rates of self-harm among refugee was found to be 200 times more likely than that of Australian citizens. Thoughts of self-harm among children were particularly alarming, and reports of this mental health issue were ignored by authorities. The last children were evacuated off of Nauru and resettled in the United States in February 2019. In March, reports from the Australian Broadcasting Corporation (ABC) found that refugees had been exposed to prolonged periods to asbestos.

In February, after Australia passed a bill allowing doctors to compel the medical evacuation of refugees, the Nauruan government hurried through legislation that gave them the right to deny such actions. In November, the Nauruan government denied the transfer of over 20 individuals for medical reasons, all of whom had been vouched for by Australian doctors.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Most people in Nauru are free to move around the island. However, while asylum seekers were granted freedom of movement across the island in 2015, there are limits on their ability to leave, including in order to accompany family members who receive emergency medical care in Australia, and they face significant difficulties in obtaining employment and education. Many asylum seekers still live in tents and converted storage containers at the Australian processing center, where they remain under heavy surveillance. In October 2018, the aid group Doctors Without Borders (MSF) was asked by Nauru officials to stop providing care for asylum seekers, and the group subsequently left the country. In the days afterward, MSF condemned conditions for the asylum seekers and refugees in Nauru and claimed they had been forced out.

The government has withheld the passports of some political opponents in recent years, including at least three people associated with the Nauru 19, among them two former opposition lawmakers. These two opposition lawmakers blame the government for the death of former president and Nauru 19 member Sprent Dabwido. Legal action, filed in July 2019 by the two former lawmakers, claims that the Nauruan government delayed in returning Dabwido his passport, preventing him from receiving treatment for cancer in Australia in time to be cured.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The constitution protects the right to own property and people in Nauru are able to freely establish businesses. However, as of 2014, foreigners must pay approximately \$4,500 a year for a business visa, up from \$300.

In his ruling on the Nauru 19 case, Judge Muecke said that the government of Nauru maintained an unwritten blacklist under which the Nauru 19 were denied employment and the right to conduct business on the island.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Domestic violence, which mostly affects women, remains a serious problem, and children are also vulnerable to violence. However, authorities have taken some efforts to

address these problems, notably by approving the new protections within the 2017 Domestic Violence and Family Protection Bill, and the 2016 Child Protection and Welfare Act. Marital rape was also made a criminal offense in 2016. Same-sex marriage is not recognized by law. Abortion is only allowed when the mother's life is in danger, but not in cases of rape; the ban on abortion in cases of rape sparked controversy in 2016, with regard to the treatment of a pregnant asylum seeker who said she was raped at the Australian-run processing center.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

With the exception of asylum seekers, individuals generally enjoy equal economic opportunities. However, economic opportunities are limited to sectors such as phosphate mining and the public sector.

There are no health and safety laws to protect workers outside the public sector, and issues relating to dust exposure for phosphate miners are of serious concern. According to the US State Department, there have been no reports of human trafficking in Nauru in recent years.

Nepal

Population: 28,600,000

Capital: Kathmandu

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Since the end of a decade-long civil war in 2006, Nepal has held a series of competitive elections and adopted a permanent constitution. As politics have stabilized, pressure on journalists has decreased, and authorities have been more tolerant of peaceful assembly. However, political protests are still occasionally marred by violence, and corruption remains endemic in politics, government, and the judicial system. Other problems include gender-based violence, underage marriage, and bonded labor. Transitional justice bodies have struggled to fulfill their mandates.

KEY DEVELOPMENTS IN 2019

- CK Raut, the leader of the Alliance for Independent Madhesh (AIM), agreed to refrain from supporting an independent state in the Tarāi region after he was released from detention in March. The AIM, renamed Janamat (Mandate), endorsed his agreement in May.
- In February, anticorruption agency commissioner Raj Narayan Pathak resigned after a video of him accepting a bribe was publicized; he then became the subject of a corruption case in March and a money laundering investigation in May. Both matters were ongoing at year's end.
- In October, lower-house speaker Krishna Bahadur Mahara resigned from his post after a parliamentary employee accused him of rape. Authorities arrested Mahara in November, and his case remained pending at year's end.
- Parliament considered draft legislation that would create new media regulators and replace an existing cybercrime law through much of the year, despite concerns from nongovernmental organizations (NGOs) that they would restrict speech. The bills remained under consideration at year's end.

POLITICAL RIGHTS: 25 / 40**A. ELECTORAL PROCESS: 10 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4**

The president is the head of state and is elected to up to two five-year terms by a parliamentary electoral college and state assemblies. The prime minister is elected by Parliament. The legitimacy of executive office holders is largely determined by the conduct of legislative and provincial elections.

Khadga Prasad Sharma Oli was sworn in as prime minister in February 2018 after his party, the Communist Party of Nepal–Unified Marxist-Leninist (CPN-UML), won majorities in the upper and lower houses of Parliament in late 2017. A European Union (EU) election observation mission declared the 2017 polls largely credible, despite incidents of pre-electoral violence at some campaign events.

The current president, Bidhya Devi Bhandari, was reelected in March 2018.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 275-seat House of Representatives are elected to five-year terms; 165 are directly elected in single-seat constituencies, while 110 are elected by proportional representation. The National Assembly has 59 members; 56 are indirectly elected to six-year terms by an electoral college comprised of provincial and local leaders, while 3 are nominated by the president.

Local elections—the first since 1997—were held in several stages in 2017. National and provincial elections were held late in 2017. The polls were generally well conducted and saw healthy turnout, and the results were accepted by participating parties. However, the Rastriya Janata Party–Nepal (RJP-N), an umbrella group representing ethnic Madhesis, boycotted several rounds of local polls due to grievances related to provisions in the 2015 constitution.

While more peaceful than the 2013 election period, election-related violence did occur in 2017. Police killed three people during a CPN-UML campaign rally. There was sporadic violence in the lead-up to the national elections, in which one temporary police officer was killed. There was a significant uptick in violent incidents before elections held in the south, which were related to interparty tensions and separatist opposition.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The legal framework for elections is largely sound and facilitates the conduct of credible polls. However, Parliament has yet to address the grievances that many have with the 2015 constitution, including province demarcation, proportional representation based on population, and provisions in the citizenship law.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4**

Political parties are generally free to form and operate. Opposition figures do sometimes face arrest. AIM leader CK Raut was arrested in 2018 on charges of disturbing law and order and voicing views against the state and nationality over his remarks at a demonstration. Raut

was released in March 2019 after agreeing to refrain from supporting an independent Madhesi state. In May, the AIM was renamed the Janamat (Mandate) Party and endorsed Raut's agreement with the government; it then competed in a local by-election in late November.

In 2018, the Communist Party of Nepal–Maoist (UCPN-M) and the CPN-UML, which formed an alliance to contest the 2017 parliamentary election, merged to form the Nepal Communist Party (NCP).

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Opposition parties have a realistic chance of gaining power through elections. The CPN-UML won control of the government as an opposition party following the 2017 elections. Smaller opposition parties have difficulty gaining power at the national level, partly due to a 3 percent threshold parties must reach to win proportional-representation seats in the lower house. However, smaller parties perform better at the local level.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

People's ability to freely exercise their political choices is limited by sporadic outbursts of political violence, as well as by heavy-handed security agents who at times have cracked down on political demonstrations. There were reports of vote buying during the 2017 campaign period.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Though the constitution has requirements for the participation of women and minorities in the legislature, social discrimination continues to hinder the political involvement of these groups. A limited definition of citizenship has resulted in the disenfranchisement of stateless people. Bhandari is Nepal's first female president, and 32.7 percent of lower-house lawmakers are female; however, few women hold senior political positions.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Nepal ratified a new constitution in 2015, an important step in its democratic transition. Successful legislative elections were held in 2017, with new lawmakers seated in 2018. However, despite democratic improvements and political stabilization, representative rule is not fully consolidated.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is endemic in Nepali politics and government and often goes unpunished. Corruption by officials obstructed the delivery of foreign aid provided to Nepal after a 2015 earthquake, though aid is slowly being distributed to survivors.

Nepal's top anticorruption agency, the Commission for Investigation of Abuse of Authority (CIAA) has been more active in recent years. In 2017, it accused Chudamani Sharma, former director of the Tax Settlement Commission's Inland Revenue Department, of embezzlement and granting improper tax exemptions; the case was still ongoing at the end of 2019.

The CIAA has been affected by corruption within its ranks, however. In February 2019, commissioner Raj Narayan Pathak resigned after a film of him accepting a bribe was made

public. The CIAA filed a corruption case against him in March, while a money laundering investigation was launched in May; those cases were pending at year's end. In March, the CIAA accused one of its inspectors of corruption, after he was discovered accepting a bribe to settle a complaint.

C3. Does the government operate with openness and transparency? 1 / 4

The government generally operates with opacity. The Election Commission, the Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP), among others, have been criticized for lack of transparency. Mechanisms for utilizing the 2007 Right to Information Act are poorly defined, and the law is inconsistently enforced.

CIVIL LIBERTIES: 31 / 60 (+2)

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16 (+1)

D1. Are there free and independent media? 2 / 4

Nepal's 2015 constitution guarantees freedom of expression and prohibited prior restraints on press freedom, though these rules can be suspended in a national emergency. The constitution does not prohibit future press restraints for national security reasons. In addition, high-level government officials attempt to muzzle media criticism through pressure, intimidation, and legal maneuvers.

A 2018 criminal code revision criminalizes publicizing private information about a person without consent, photographing an individual without consent, and "disrespectful" satire. Press freedom advocates argued that the code could be used to prosecute journalists engaged in newsgathering, though no major examples of this surfaced in 2019.

However, authorities have used the National Transaction Act (NTA), which is meant to fight cybercrime, to target journalists. In April 2019, Arjun Giri, an editor at weekly newspaper *Tandav News*, was arrested under the NTA after writing an article detailing fraud at a private company; the Kathmandu District Court ordered his release later that month.

In May 2019, national news agency Rastriya Samachar Samiti (RSS) probed three of its journalists for translating a report on the Dalai Lama's hospital visit. RSS does not report on subjects that interfere with Nepali foreign policy; China, which funds Nepali development projects, restricts Tibetan Buddhist practices, including devotion to the Dalai Lama.

Nepali artists were also targeted by the government during 2019. In June, comedian Pranesh Gautam was arrested for violating the NTA after posting a critical review of a feature film on his YouTube channel. Gautam was released later that month. In October, police arrested musician Samir Ghising for antisocial behavior after he was depicted using marijuana in a music video. Ghising was released later that month.

Parliament considered legislation that could further restrict press freedom during 2019. In February, the Information Technology Bill, which would replace the NTA, was introduced. The Media Council Bill, introduced in May, would, along with the Mass Communications Bill, create new government-controlled media regulators. Human Rights Watch (HRW) and the Committee to Protect Journalists (CPJ) voiced opposition to the bills, which remained under consideration at year's end.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Like the interim constitution before it, the 2015 constitution identifies Nepal as secular, signaling a break with the Hindu monarchy that was toppled after the 1996–2006 civil war and formally abolished in 2008. Religious freedom is protected under the constitution, and

tolerance is broadly practiced, though some religious minorities occasionally report harassment. Muslims in Nepal are particularly impoverished, occupying a marginalized space. Proselytizing is prohibited under a 2017 law, and some Christians have been prosecuted under this law.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4 (+1)

The government does not restrict academic freedom, and much scholarly activity takes place freely, including on political topics. Authorities exercise some control over the primary education curriculum, but have relatively little over universities. Neither professors nor students face repercussions for political speech, and peaceful campus protests are tolerated. However, student unions affiliated with major political parties sometimes clash violently, and police occasionally use force to disperse them. In February 2019, student groups affiliated with the Nepali Congress party attacked each other over a dispute on age limits for student leaders during demonstrations in Sānepā; police used force to disperse them. Despite this, student clashes have become less common in recent years.

Minorities, including Hindi- and Urdu-speaking Madhesi groups, have complained that Nepali is enforced as the language of education in government schools.

Score Change: The score improved from 2 to 3 because campus violence involving partisan student unions and police has grown less common in recent years.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

The freedom to engage in private discussions on sensitive topics has expanded somewhat with Nepal's political stabilization. However, authorities have occasionally cracked down on individuals who criticize the government on social media.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12 (+1)

E1. Is there freedom of assembly? 3 / 4 (+1)

Although the constitution guarantees freedom of assembly, security forces have violently dispersed protests and demonstrations, particularly in the south, where a large Madhesi population and related secessionist movement exist. Previous Madhesi demonstrations have been met with violent reprisals from security forces, but no major incidents were recorded in 2019; Janamat held a peaceful rally in Kathmandu in November.

Score Change: The score improved from 2 to 3 due to reductions in protest-related violence and police repression compared to the previous year.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Although the constitution allows NGOs to form and operate in Nepal, legal restrictions make this difficult in practice. The District Administration Office (DAO), which is responsible for registering NGOs, is often understaffed and lacks essential resources. Foreign NGOs must enter project-specific agreements with the Nepali government. There is a widespread view that NGOs should not be overly political, which hinders some groups from engaging in certain forms of public advocacy.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The 2015 constitution provides for the right to form trade unions. Labor laws protect the freedom to bargain collectively, and unions generally operate without state interference. Workers in a broad range of “essential” industries cannot stage strikes.

F. RULE OF LAW: 6 / 16**F1. Is there an independent judiciary? 2 / 4**

The 2015 constitution provides for an independent judiciary. However, judicial independence is compromised by endemic corruption in many courts.

The state has generally ignored local court verdicts, Supreme Court decisions, and National Human Rights Commission (NHRC) recommendations addressing crimes committed during the 1996–2006 civil war. The government also sought to weaken the NHRC with a proposed amendment to human rights law; the May 2019 amendment would give the attorney general the power to bring human rights cases and would prohibit the NHRC from opening regional and local offices. The amendment remained under consideration at year’s end.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutional due process guarantees are poorly upheld in practice. Arbitrary arrests do occur. Heavy case backlogs and a slow appeals process result in long pretrial detentions. The government provides legal counsel to those who cannot afford their own, but only at a defendant’s request. Those unaware of this right often end up representing themselves.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Rights advocates continue to criticize Nepal for failing to punish abuses and war crimes committed during the 1996–2006 civil war.

Due to a lack of will on the part of the security forces and political parties, neither the TRC nor the CIEDP, key transitional justice bodies, have implemented reforms demanded by the UN or the Supreme Court. The mandates of both transitional bodies were extended by one year in February 2019, though the terms of its members expired in the spring. Although the TRC and CIEDP have received thousands of reports of human rights violations and enforced disappearances, no alleged perpetrators have been prosecuted.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The 2015 constitution includes rights for sexual minorities. The first passport on which the holder was permitted to select a third gender was issued in 2015. However, LGBT+ people reportedly face continued harassment by the authorities and other citizens, particularly in rural areas.

The constitution frames the protection of fundamental human rights for Nepali citizens only. This potentially leaves equal rights of noncitizens, including migrants and people who cannot prove citizenship, unprotected.

Tibetans in Nepal face difficulty achieving formal refugee status due to Chinese pressure on Nepal’s government. Women often do not receive the same educational and employment opportunities as men.

Children living with disabilities are sometimes excluded from the education system, or face segregation in the classroom.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement is generally respected in Nepal. There are legal limits on the rights of refugees to move freely, but restrictions are rarely enforced. Citizens generally enjoy choice of residence, though bribery is common in the housing market as well as the university admittance process.

In rural areas, women remain subject to *chaupadi*, a traditional practice in which menstruating women are physically separated from their families and communities; the practice was criminalized under a 2018 law. The first arrest under this law took place in December 2019; a Nepali man was arrested after his sister-in-law died of smoke inhalation in a *chaupadi* hut. Later that month, authorities demolished several hundred huts.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Although citizens have the right to own private businesses, starting a business in Nepal often requires bribes to a wide range of officials. Licensing and other red tape can be extremely onerous. Women face widespread discrimination when starting businesses, and customs and border police are notoriously corrupt in dealing with cross-border trade. Foreigners generally cannot own land.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Gender-based violence against women remains a major problem. In June 2019, the national police reported an 18 percent increase in rape during the first 8 months of its 2018–19 reporting period over the previous year. In October 2019, lower-house speaker Krishna Bahadur Mahara resigned his post after an employee of Parliament accused him of rape in September. Authorities detained him in November, and his case remained pending at year's end.

The 2009 Domestic Violence Act provides for monetary compensation and psychological treatment for victims, but authorities rarely prosecute domestic violence cases and these are sometimes handled informally.

Underage marriage of girls is widespread. In June 2019, the UN Children's Fund (UNICEF) reported that Nepal had one of the world's highest child marriage rates.

Foreign men married to Nepali women must wait 15 years to obtain naturalized citizenship, while foreign women married to Nepali men can immediately become citizens. Children of foreign-born fathers and Nepali mothers must apply for naturalized citizenship, while children of foreign-born mothers and Nepali fathers are automatically granted citizenship.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Trafficking of children and women from Nepal for prostitution in India is common, and police rarely intervene. Bonded labor is illegal but remains a serious problem. Child labor also remains a problem; children can be found working in the brickmaking, service, and other industries, as well as in forced begging and sex work.

The 2015 earthquake left millions of people homeless. Many of those affected lack opportunities for social mobility, as they struggle to recover from the disaster.

Netherlands

Population: 17,300,000

Capital: Amsterdam

Freedom Status: Free

Electoral Democracy: Yes

Overview: The Netherlands is a parliamentary democracy with a strong record of safeguarding political rights and civil liberties. Nevertheless, Muslims and immigrants experience harassment and intimidation, and polarization around cultural identity issues has increased. Harsh policies toward irregular migrants and asylum seekers have been a source of controversy. The Kingdom of the Netherlands also has overall responsibility for human rights compliance on six Caribbean islands. Corruption, prison conditions and asylum policies are of concern on the islands.

KEY DEVELOPMENTS IN 2019

- A law allowing for many asylum-seeking, long-term resident children to apply for a pardon (Kinderpardon), entered into force in January. The legislation sought to resolve the cases of around 700 children whose residence status had long been uncertain after their asylum applications were turned down.
- In January and April, multiple international observers voiced concerns over the treatment of Venezuelan refugees on Caribbean islands belonging to the Kingdom of the Netherlands, and the Dutch government's inadequate response to the crisis. Thousands of Venezuelans sought refuge on the Dutch islands and were denied asylum, expelled from the territories, or detained for unreasonably long periods.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The Netherlands is a parliamentary constitutional monarchy. The prime minister is the head of government, appointed by the parliament after elections. The incumbent prime minister, Mark Rutte, won a third term following elections for the Second Chamber of parliament in March 2017, leading a cabinet of his own People's Party for Freedom and Democracy (VVD) alongside the Christian Democratic Appeal (CDA), the Democrats 66 (D66), and the Christian Union.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The Netherlands has a parliament that consists of the First Chamber, elected indirectly by the members of the twelve provincial councils; and the Second Chamber, which is directly elected to terms of four years. Elections for the provincial councils in March 2019 led to the government losing its majority in the First Chamber; it has started to depend on ad hoc majorities in upper chamber to have bills signed off.

The nationalist Forum for Democracy (FvD) party gained a plurality of the vote in the Provincial Council elections (14.5 percent). Party leader Thierry Baudet was criticized for

attempting to justify sexist and white supremacist statements as legitimate cultural commentary, leading to some defections of elected representatives in provincial councils and in the First Chamber.

The elections were well administered, and all parties accepted the results.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections are administered by the Electoral Council, which works impartially and professionally.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties operate freely. The Elections Law does not impose any undue restrictions on the creation of political parties and the registration of candidates for elections.

Government funding extends to all parties with at least 1,000 members and at least one seat in parliament.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

In the 2017 Second Chamber elections, a number of opposition parties gained seats and three of them joined the new government. After the March 2019 provincial elections, newcomer FvD made significant gains, winning the most votes and seats of any individual party, and removing the governing coalition's majority from the upper chamber.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

The people are free to make their own political choices without pressure from groups that are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Minority groups participate freely in the political process. Some political parties specifically cater to the (perceived) positions of religious groups or ethnic minorities.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Government policies reflect the choices of freely elected members of parliament. Inordinate influence of corporate interests over government policies continued to be criticized by investigative journalists and NGOs.

C2. Are safeguards against official corruption strong and effective? 4 / 4

The Netherlands has low levels of corruption and anticorruption mechanisms are generally effective.

Both chambers of parliament continued deliberations on the Council of Europe's Group of States against Corruption (GRECO) observation that insufficient safeguards exist to

prevent conflicts of interest and regulate dealings with lobbyists and other third parties. By the end of the year, several of GRECO's recommendations had been implemented.

C3. Does the government operate with openness and transparency? 4 / 4

Laws are in place recognizing the right to request government information, and they are generally enforced, although critics contend that long delays in responding to requests for information are common. A bill that would require the government to make documents available online rather than by request was awaiting parliamentary discussion at the end of the year after being amended in January 2019 to enhance the government's ability to implement it.

Parliamentary questions about the Tax Administration having unlawfully terminated childcare allowances were insufficiently answered. Parents who requested their files were provided with heavily redacted documents that obscured information used to decide their cases. In December 2019 this led to the resignation of State Secretary for Finance Menno Snel.

CIVIL LIBERTIES: 59 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

A free and independent press thrives in the Netherlands. A journalist was detained for refusing to testify in a judicial investigation by supplying information from a source in October 2019; the detention was cancelled by court after one night.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution guarantees freedom of religion, which is generally respected in practice. A prohibition of burqas and niqabs in public establishments and on public transport came into force in August 2019. Little to no enforcement by the agencies involved and by law enforcement was reported.

The freedom to create religious schools, traditionally considered an important component of freedom of religion, was challenged in mainstream debate with respect to Islamic establishments, after the government antiterrorism agency claimed that teachers at one secondary school in particular seemed to foment hatred towards nonbelievers and rejection of a pluriform society. This caused a significant controversy, especially after the school was refused government funding, but this step was annulled in an administrative court decision in November 2019.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is largely respected in the Netherlands.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no restrictions on freedom of speech or expression, apart from the criminalization of hate speech. The exact interpretation of hate speech provisions continued to be debated. The appeal case against the conviction of member of parliament Geert Wilders for calling for the reduction of the number of Moroccans in the Netherlands, continued amidst discussion about alleged inappropriate interference of the Ministry of Justice in decision-making on the case.

In February 2019, the official Review Committee for Intelligence and Security Services published its first report on the implementation of the Intelligence and Security Services Act of 2018. The committee expressed dissatisfaction over the level of security and risk assessment in information exchange with foreign security services.

In March 2019, parliament adopted legislation abolishing the criminalization of insulting the king and his family as well as foreign heads of state. Nonetheless a man was prosecuted for insulting the queen in October.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally guaranteed and generally respected in practice by authorities. However, multiple instances of organized groups attacking peaceful protesters have occurred in recent years. Fourteen people, who had attacked individuals protesting the popular blackface figure Black Pete in 2018, were prosecuted and convicted in July 2019. In November 2019, an internal gathering of the main protest group, Kick Out Black Pete, was violently interrupted by an ad hoc vigilante group, a number of whom were arrested by police.

Discussion continued on the extent to which authorities are bound to facilitate assemblies that may severely obstruct traffic or otherwise affect public “security.” Most of this debate in 2019 was around the perceived difference of facilitation of farmers’ protests against environmental policies as opposed to climate justice protests. While disruptive farmers’ protests were largely facilitated by police, several protests by climate activists were broken up over obstructing traffic or, in the case of Amsterdam Airport Schiphol, “security” considerations.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate freely and without interference from the government or nonstate actors.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers’ rights to organize, bargain collectively, and strike are protected.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent, and the rule of law generally prevails in civil and criminal matters.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The right to a fair trial is legally guaranteed and respected in practice. The Dutch Council for the Judiciary expressed increasing concern over the level of financing made available for the justice system.

Defendants have access to legal counsel, and counsel is provided for them if they cannot afford an attorney. The Netherlands Bar Association raised alarm over increasingly insufficient financial compensation of lawyers, threatening the availability of free legal aid, in particular in administrative and civil cases. Additional funding was offered by the government for the years 2020 and 2021.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The police are under civilian control, and prison conditions mostly meet international standards. The United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment at the end of 2018 urged improvements with respect to prison conditions and treatment of asylum seekers in the Caribbean parts of the Netherlands in particular. Sub-standard prison conditions continued to be reported throughout 2019, notably on the Caribbean island Sint Maarten.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The Netherlands has antidiscrimination laws and hate speech laws on the books. While Dutch society is known for its tolerance, rising anti-immigrant sentiment in recent years has been accompanied by more open expression of anti-Islamic views. The European Commission against Racism and Intolerance, while applauding a range of government initiatives, denounced the continued strong influence in mainstream political discourse and in media reporting of “xenophobic, fear-fueling rhetoric.”

Muslims and immigrants experienced harassment and intimidation. Persistent labor market discrimination on ethnic grounds, of older people, of pregnant women, and of disabled people continued to be documented.

Leader of the far-right FvD party, Thierry Baudet, has been widely criticized for his sexist and white supremacist views, which he has attempted to pass off as legitimate cultural commentary. In March 2019, his remarks caused several politicians to distance themselves from him, and the right-wing FvD. Political analysts have noted that Baudet has expanded the political base of the radical right, raising concerns over the spread of racial and gender-based discrimination throughout the country.

The police struggle with severe discriminatory behavior. Many ethnic minorities report ill-treatment by the police. The need for police programs to increase personnel diversity and to tackle ethnic profiling was seen both outside and inside the police force.

A Children’s Pardon (Kinderpardon) was issued in January 2019, allowing up to 700 long-term resident children who were initially denied asylum to apply for the pardon and stay in the country. Ultimately, the fate of many children was undetermined at the end of the year.

The Caribbean islands that are part of the Netherlands lack proper asylum procedures. Thousands of Venezuelan refugees were reportedly refused any kind of permit to stay on the islands. The Netherlands Red Cross provided emergency assistance but called on the government to come to a “structural solution.” The UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment criticized the Netherlands on this issue. Alarming reports emerged of Venezuelans regularly being expelled from Curaçao. At the same time, some asylum seekers were kept in long-term detention without an apparent prospect of their asylum claim being processed.

Dutch asylum policies have long drawn criticism for being unduly harsh. In November 2019 the Dutch State Secretary for Asylum and Migration announced the end of the standard provision of a legal advisor to asylum seekers on their first meeting with immigration authorities. It would only be provided for appeals following a rejected application.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Residents generally enjoy freedom of movement and choice of residence, employment, and institution of higher education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 4 / 4

Property rights are legally protected and generally upheld in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Personal social freedoms are largely respected.

Domestic violence is a persistent problem, with an annual estimate of between 200,000 and 230,000 severe or repeated cases. The Netherlands Institute for Human Rights called for more government attention to underlying factors such as stereotyped gender roles.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

The governmental National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children noted in February and March 2019 updates that between 2013 and 2017 the number of criminal prosecutions for trafficking had strongly declined from 257 to 144, out of the total estimated annual number of cases of 5,000 to 7,500. The Rapporteur in particular reprehended the very low number of prosecutions for labor exploitation.

New Zealand

Population: 5,000,000

Capital: Wellington

Freedom Status: Free

Electoral Democracy: Yes

Overview: New Zealand is a parliamentary democracy with a long record of free and fair elections and of guaranteeing political rights and civil liberties. Concerns include discrimination against the Māori and other minority populations, as well as reports of foreign influence in politics and the education sector.

KEY DEVELOPMENTS IN 2019

- In March, 51 people were killed and many more were injured when a right-wing extremist opened fire at two mosques in Christchurch. The attacker, who was motivated by anti-immigrant and anti-Muslim beliefs, perpetrated the worst mass shooting in New Zealand's modern history.
- Following the Christchurch attack, the government worked with social media platforms to limit the transmission of footage of the attack.
- New Zealand's Privacy Commissioner criticized the Terrorism Suppression Bill, debated in parliament in December, for the broad surveillance and monitoring powers it would give authorities.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

A governor general, appointed by the United Kingdom's Queen Elizabeth II on advice from the prime minister, represents the British monarch as New Zealand's ceremonial head

of state. The prime minister, who is head of government, is appointed by the governor general and is usually the leader of the majority party or coalition in the directly elected parliament. Jacinda Ardern, leader of the Labour Party, became prime minister in 2017 following that year's legislative elections, which were considered well administered and credible.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 120 members of parliament's single chamber, the House of Representatives, serve three-year terms. The mixed electoral system combines voting in geographic districts with proportional representation. In the 2017 elections, no single party won the 61 seats required to form a government. Although the incumbent National Party led with 56 seats, the Labour Party, which won 46 seats, formed a coalition with two smaller parties: New Zealand First, a populist and anti-immigration party that claimed 9 seats, and the Green Party, which took 8 seats. Elections in New Zealand are generally well administered, and their results considered credible.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The legal framework supports democratic elections, and elections are implemented fairly in practice. The independent New Zealand Electoral Commission administers polls and referendums, promotes compliance with electoral laws, and provides public education on electoral issues.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

New Zealanders are able to organize political parties without undue legal restrictions or other obstacles, and parties are free to operate and campaign for support.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The political system has experienced regular democratic transfers of power between rival parties. Power has traditionally alternated between the center-left Labour Party and the center-right National Party. Currently, the National Party serves as a strong opposition force in parliament.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People are generally able to act on their political preferences without undue influence from powerful groups. However, several studies in recent years have raised concerns over the likelihood that sizable political donations from Chinese businesspeople and other Chinese figures have influenced the policy positions of political parties and lawmakers.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Political rights and electoral opportunities are granted to all New Zealand citizens, and permanent residents have the right to vote. The New Zealand Bill of Rights Act 1990 codifies civil and political rights and all draft legislation is assessed against that Act. Seven

of parliament's constituency seats are reserved for representatives of the Māori population, though Māori may also vote or run in general electoral districts. In the 2017 elections, Golriz Ghahraman, from Iran, became the first refugee to win a seat in parliament.

Women are relatively well represented in politics, and the government has taken steps to encourage their participation. Ardern is the third woman to serve as the country's prime minister.

In November 2018, the Supreme Court confirmed a lower court's finding that a 2010 law disenfranchising all prisoners serving sentences was inconsistent with the country's Bill of Rights. Previous rules had allowed prisoners serving terms of less than three years to vote. The decision had no immediate effect, as it did not require parliament to change the law. Restrictions on prisoners' voting rights particularly affect indigenous people, who comprise a disproportionate share of inmates.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The prime minister and cabinet ministers, with the support of a majority in the House of Representatives, determine and implement the government's policy agenda without improper interference from any unelected entity.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Government corruption is not considered a significant problem in New Zealand, and cases of official malfeasance are routinely investigated and prosecuted.

Despite the country's strong anticorruption record, there is some concern about a "revolving door" between political or government posts and private-sector lobbying groups, which could entail conflicts of interest.

C3. Does the government operate with openness and transparency? 4 / 4

The government operates with a high level of transparency, and new legislation is openly discussed in parliament and the media. Parliamentary records, government policies, and commissioned reports are published online and readily available as required by law. The government upholds transparency in budgetary procedures, and members of parliament must submit annual financial disclosure statements.

CIVIL LIBERTIES: 57 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

New Zealand has a free and robust independent media sector, including a Māori-language public network and radio station.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is protected by law and generally respected in practice. Only religious organizations that wish to collect donations and receive tax benefits need to register with the government, and the process is not onerous.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom typically prevails at all levels of instruction. However, concerns persist regarding Chinese interference in New Zealand's higher education sector. Beginning

in late 2017 and throughout 2018, a prominent China studies professor at the University of Canterbury in Christchurch, Anne-Marie Brady, was subjected to a campaign of intimidation, including threatening letters, damage to her car, and theft of materials related to her research, which has been critical of the Chinese Communist Party. Reports of Chinese government attempts to influence student groups and monitor Chinese students in New Zealand also emerged in 2017.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

New Zealanders are free to discuss personal views on sensitive topics. However, new intelligence and security legislation adopted in 2017 allows law enforcement agencies to access private communications under certain conditions in order to protect national security. Separately, state security officials warned the government in late 2017 that Beijing may have attempted to “unduly influence expatriate communities.”

A Terrorism Suppression Bill was considered by the Foreign Affairs, Defence, and Trade Select Committee in December 2019. The bill was criticized by the privacy commissioner, particularly for provisions that would allow the authorities to impose stringent control orders on individuals who have been involved in terrorism activities abroad, including allowing authorities to monitor a subject’s movements and restrict their internet access.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The government generally respects freedom of assembly. Large protests on a variety of topics have proceeded without incident in recent years, though in July 2018 police prevented protesters demonstrating against the use of a chemical pesticide from crossing Auckland’s Harbour Bridge, claiming it would not be in the interest of public safety.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

There are no significant restrictions on nongovernmental organizations’ ability to form, operate, and solicit funds.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers may freely organize and bargain collectively, and trade unions actively engage in political debates and campaigns. Workers also have the right to strike, with the exception of uniformed police personnel.

F. RULE OF LAW: 14 / 16 (-1)

F1. Is there an independent judiciary? 4 / 4

The New Zealand judiciary is generally independent. Most judges are appointed by the governor general on the recommendation of the attorney general, who first consults with senior jurists.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Law enforcement practices and court procedures provide for due process protections in civil and criminal matters. Defendants and detainees are presumed innocent until proven guilty and by law must immediately be notified of the charges against them.

Pretrial detention durations have increased in recent years, as authorities have tightened bail requirements and relaxed the time limit in which cases must be concluded.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4 (-1)

Though rates of violent crime are relatively low, and residents have legal recourse to seek redress for violations of their physical security, the March 2019 Christchurch terrorist attacks were the worst mass shooting in New Zealand's modern history. The shooting, which took place at two mosques during lunchtime—when members of the communities were inside praying—and killed 51 people, was preplanned and accompanied by an 87-page manifesto filled with anti-immigrant and anti-Muslim hate speech. However, the government has been criticized for its limited action in combatting Islamophobia in the country.

Prison conditions generally meet international standards, though some facilities are poorly equipped to house detainees with disabilities or mental health problems.

Following the March 2019 terrorist shooting attack at two mosques in Christchurch, New Zealand government representatives collaborated with tech companies, including Google and Facebook, to ensure the removal of material on online platforms depicting the attack, as well as implementing future measures to prevent any livestreaming of potential future attacks and the spread of extremist content online.

Score Change: The score declined from 4 to 3 due to terrorist attacks on two mosques that killed 51 people, the worst mass shootings in the country's modern history.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The 1993 Human Rights Act protects all people in New Zealand from discrimination on the basis of gender, religion, ethnicity, and sexual orientation, among other categories, and its provisions are generally respected in practice. However, Māori—who account for approximately 16 percent of the population—and Pacific Islanders experience some discrimination in schools, the workplace, and the health system. Indigenous people are also disproportionately represented in the penal system, accounting for just over half of the prison population as of May 2019. Recent campaigns to recruit more officers of Māori, Pacific Islander, and Asian descent aim to improve cultural and ethnic sensitivity within the police force, and to combat profiling and discrimination.

The yearly Child Poverty Monitor Technical Report outlines the national issue of child poverty in New Zealand. Children of Māori and Pacific Islander descent are especially vulnerable to this problem. The current government has been criticized for its ineffective efforts to combat the issue of child poverty, despite it being a priority of their policy agenda. The 2019 Technical Report recognized that the government has taken steps to combat the issue, but noted that significant acceleration of such actions was necessary.

Women continue to face some disparities in employment, including a 9.3 percent gender pay gap and underrepresentation in leadership positions in both the public and private sectors. The government enforces strong legislation protecting the rights of LGBT+ people.

The New Zealand Human Rights Commission has raised concerns that refugees are not always given sufficient information to enable them to access important services such as interpreters, housing, and English language instruction. Separately, asylum seekers are sometimes detained alongside criminal inmates while their identity is being confirmed. Despite these issues, the government has been accepting of refugees, and has increased the number it would allow entry over the past several years. In October 2019, the government ended a policy seen by many as discriminatory: it had previously restricted the number of refugees from Africa and the Middle East. In December, Prime Minister Ardern reiterated

to the Australian government that New Zealand would maintain its resettlement offer for the refugees currently detained in Nauru.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The government respects freedom of movement, and neither state nor nonstate actors place undue restrictions on people's ability to change their place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

New Zealand's legal and regulatory frameworks are broadly supportive of private business activity and provide strong protections for property rights.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Personal social freedoms are broadly protected, including on issues like marriage and divorce. Same-sex marriage was legalized in 2013, and same-sex couples may jointly adopt children. However, violence against women and children remains a critical problem in many communities. A 2016 government paper reported that one in three women has been a victim of sexual violence in her lifetime. Abortion is legal under certain conditions, such as when the mental or physical health of the woman is at risk. New Zealand's Law Commission recommended to the justice minister in 2018 that the laws be amended to treat abortion as a health issue rather than a criminal matter, including by repealing criminal offenses related to abortion.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Residents generally have access to economic opportunities, but the Māori and Pacific Islander populations have disproportionately high rates of unemployment, affecting their economic and social mobility.

Migrant workers are vulnerable to exploitative conditions including forced labor in industries such as fishing, agriculture, construction, hospitality, and domestic service. The government has taken action to combat these abuses.

Nicaragua

Population: 6,500,000

Capital: Managua

Freedom Status: Not Free

Electoral Democracy: No

Note: To read this report in Spanish, please [click here](#).

Overview: The election of Sandinista leader Daniel Ortega in 2006 began a period of democratic deterioration marked by the consolidation of all branches of government under his

party's control, the limitation of fundamental freedoms, and unchecked corruption in government. In 2018, state forces, with the aid of informally allied armed groups, responded to a mass antigovernment movement with violence and repression. The rule of law collapsed as the government moved to put down the movement, with rights monitors reporting the deaths of at least 325 people, extrajudicial detentions, disappearances, and torture. The crisis continued into 2019 as arbitrary arrests and detentions continued, and perceived government opponents reported surveillance and monitoring.

KEY DEVELOPMENTS IN 2019

- In May, following the death in state custody of a political prisoner, the opposition Civic Alliance for Justice and Democracy suspended its participation in a dialogue with the government aimed at negotiating a solution to the country's political crisis. The government then formally ended the talks in August.
- Between March and June, authorities released almost 400 political prisoners detained during the 2018 protests, though many were released to house arrest. However, arbitrary detentions have continued, prompting a condemnation by the UN High Commissioner for Human Rights (OHCHR) in November of the government's "persistent repression of dissent and the ongoing pattern of arbitrary arrests."
- In June, the government passed an amnesty law for crimes committed in the context of the 2018 antigovernment protests. Critics worried that the law effectively shields state authorities from prosecution for extrajudicial killings and other abuses, and bans people who had been detained for protesting from participating in future demonstrations.
- State harassment and repression against the media continued. *El Nuevo Diario*, one of the country's oldest newspapers, announced in September that it was being forced to close because authorities were preventing it from obtaining newsprint and ink.

POLITICAL RIGHTS: 10 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The constitution provides for a directly elected president, and elections are held every five years. Constitutional reforms in 2014 eliminated term limits and required the winner of the presidential ballot to secure a simple plurality of votes.

President Ortega was reelected in 2016 with over 72 percent of the vote in a severely flawed election that was preceded by the Supreme Court's move to strip the main opposition candidate, Eduardo Montealegre, of control of his Independent Liberal Party (PLI), leaving him no political vehicle to run for president. The decision crippled the PLI, and Ortega's closest competitor, Maximino Rodríguez of the Constitutionalist Liberal Party (PLC), received just 15 percent of the vote, with no other candidate reaching 5 percent. Ortega's wife, Rosario Murillo, ran as his vice presidential candidate.

Ortega's Sandinista National Liberation Front (FSLN) won 135 of 153 mayorships contested in 2017 municipal elections. There were reports ahead of the polls that the FSLN had ignored local primary surveys in order to put its preferred candidates up for election. Seven people were killed in postelection clashes between government and opposition supporters, according to the Nicaraguan Center of Human Rights (CENIDH).

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The constitution provides for a 92-member unicameral National Assembly. Two seats in the legislature are reserved for the previous president and the runner-up in the most recent presidential election. Legislative elections are held every five years.

In 2016 legislative elections, Ortega's FSLN increased its majority to 70 seats in the National Assembly, followed by the PLC with 13 seats. The PLI won just 2 seats, in contrast to the 26 seats it won in the 2011 election. Ortega refused to allow international election monitoring. Montealegre was expelled from the PLI a few months ahead of the polls, severely damaging the party's competitiveness.

Nicaragua's North Caribbean Coast Autonomous Region (RACCN) and South Caribbean Coast Autonomous Region (RACCS) have regional councils, for which elections were held in March 2019; the FSLN won the largest share of the vote in each. The only independent observer group reported a number of irregularities, including the participation of voters from ineligible areas; low turnout; and a heavy military presence in several municipalities while polling took place.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The Supreme Electoral Council (CSE) and judiciary generally serve the interests of the FSLN. In 2016, the CSE pushed 16 opposition members of the National Assembly from their seats in response to their failure to recognize the Supreme Court's move to expel Montealegre from the PLI; later that year it certified Ortega's reelection following a severely flawed electoral process.

The acting head of the CSE, Lumberto Campbell, was sanctioned by the United States in November 2019 over the CSE's role in "undemocratic tactics to ensure that President Ortega and his allies win elections, including ordering government employees to vote for Ortega and other FSLN candidates." Earlier, in 2017, then CSE head Roberto Rivas was sanctioned by the United States because, among other offenses, he allegedly "perpetrated electoral fraud undermining Nicaragua's electoral institutions." Rivas resigned in May 2018.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4**

Political parties face legal and practical obstacles to formation and operations. Party leaders are easily co-opted or disqualified by Ortega-aligned institutions. Membership in the FSLN is often required in order to hold civil service positions, discouraging people from registering as members of other parties. Under 2014 constitutional reforms, legislators must follow the party vote or risk losing their seats.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Years of political repression under Ortega, including through politicized court rulings and other measures that prevented opposition figures from participating in politics, severely limited the ability of the opposition to gain power through elections, and very few opposition figures hold legislative seats or other government positions. In 2018, police and progovernment armed groups employed lethal force against peaceful opposition and

antigovernment protesters, and thousands of protest participants were arbitrarily detained and arrested. While such largescale violence was not repeated in 2019, heavy-handed repression of the opposition has continued. The government has refused to discuss electoral reforms or early elections as called for by the Nicaraguan population.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

President Ortega has consolidated all branches of government and most public institutions, as well as the country's media, under his party's control, allowing him and the FSLN great influence over people's political choices.

Public-sector workers experienced pressure to keep away from the antigovernment protest movement in 2018. Hundreds of health professionals were dismissed from public hospitals for providing assistance to protesters or for their alleged role in antigovernment demonstrations.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Minority groups, especially the indigenous inhabitants of Nicaragua's eastern and Caribbean regions, are politically underrepresented across parties, and the government and FSLN largely ignore their grievances. The 2018 crackdown signaled Ortega's intolerance of activism that could be perceived as challenging his government, including by indigenous activists and other segments of the population seeking greater political rights.

As per a new municipal electoral law approved in 2012, half of each party's candidates for mayoralties and council seats must be women. Women also hold 45 percent of National Assembly seats. In practice, successful political advocacy by women is generally restricted to initiatives that enjoy the support of the FSLN, which has not prioritized women's policy concerns.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The FSLN dominates most public institutions. The tripartite alliance between government, private business, and organized labor, which is recognized in Article 98 of the constitution, has become less functional since the private sector began to distance itself from the government upon the violent events of 2018. The manipulation of the 2016 election and the expulsion of 16 opposition politicians from the legislature prevented elected representatives from determining government policies.

Under constitutional reforms in 2014, Ortega has a wide degree of discretionary powers to set policy.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Because the justice system and other public bodies are generally subservient to Ortega and the FSLN, there is little chance that allegations of corruption against government officials will see a thorough investigation or prosecution. Corruption charges against high-ranking government officials are rare, while corruption cases against opposition figures are often criticized for being politically motivated.

Ortega's sons and daughters have been appointed to prominent positions such as ambassador and presidential adviser.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations and policymaking are generally opaque. The 2007 Law on Access to Public Information requires public entities and private companies doing business with the state to disclose certain information. Government agencies at all levels generally ignore this law.

Ortega rarely holds press conferences. The Communications and Citizenry Council, which oversees the government's press relations, is directed by Vice President Murillo and has been accused of limiting access to information.

In September 2019, the government prevented members of an Organization of American States (OAS) delegation from entering the country. The mission had been tasked with conducting high-level diplomacy seeking "a peaceful and effective solution to the political and social crisis in Nicaragua."

CIVIL LIBERTIES: 21 / 60 (-1)**D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16 (-1)****D1. Are there free and independent media? 1 / 4**

The press has faced increased political and judicial harassment since 2007, when Ortega returned to power, with the administration engaging in systematic efforts to obstruct and discredit media critics. Journalists covering the political crisis have been subject to threats, arrest, and physical attacks. The Inter-American Commission on Human Rights (IACHR) has granted protectionary measures to several journalists in light of harassment and death threats.

Repression of journalists has become acute since the current political crisis broke out in 2018. As that year's protest movement grew, the state ordered television companies and mobile phone service providers to stop transmitting several independent news channels through their systems. Numerous outlets have been raided and closed. In December 2018, police raided and confiscated equipment from the facilities of the digital news platform Confidential and the television program *Esta Semana*, and closed the news station 100% Noticias. In September 2019, the government announced that it would not return 100% Noticias to its owners until it had completed its investigations of station director Miguel Mora, and news director Lucía Pineda. Both had been charged with terrorism and detained in 2018, though they were released in June 2019.

In September 2019, the newspaper *El Nuevo Diario* announced that it would close after nearly 40 years. The newspaper's director said that the government was preventing it from obtaining paper and ink, a problem that also persists for the newspaper *La Prensa*—though it remained open at year's end. Earlier, in January 2019, prominent journalist Carlos Fernando Chamorro announced that he had gone into exile due to threats.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4 (-1)

Religious freedom was generally respected prior to the 2018 crisis, though some Catholic and evangelical church leaders had reported retaliation by the government for criticism of the Ortega administration, including the confiscation or delay of imported goods and donations. Since the political crisis opened in 2018, however, church officials have been denounced and smeared by authorities for accompanying or defending antigovernment protesters, progovernment mobs have attacked churches where antigovernment protesters were sheltering, and members of the clergy have received threats and experienced surveillance. There have been reports that Ortega supporters have infiltrated parishes and harassed or

intimidated parishioners at church services. In April 2019, Silvio José Báez, the auxiliary bishop of Managua, who had been critical of Ortega, was recalled to the Vatican after receiving numerous death threats.

Faith leaders have criticized attempts by the Ortega administration to co-opt religious belief for political ends. The government has required public employees to attend government-sponsored religious festivals, making them miss official Catholic Church events.

Score Change: The score declined from 3 to 2 due to increasing state harassment of clergy and parishioners.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Prior to the 2018 crisis, academic freedoms were generally respected, although some academics refrained from open criticism of the government. Since then, teachers have reported being required to attend training that promotes government views and reaffirms the government's version of the 2018 political crisis. In the public primary and secondary school system, there have been reports of students being required to attend progovernment rallies, and of pro-FSLN materials displayed in school buildings.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

In 2019, repression and intimidation by state and progovernment forces contributed to a generalized climate of fear and terror that continues to restrict free expression. The families of victims of regime violence are subjected to routine monitoring and surveillance. In 2019, the Special Rapporteurship on Economic, Social, Cultural, and Environmental Rights (REDESCA) of the IACHR reported concerns about discrimination and retaliatory threats against state employees who disagreed with or acted against state policy.

Access to the internet remains unrestricted, and many people still speak their minds freely on social networks.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly deteriorated severely in 2018, when at least 325 people were killed and at least 2,000 were injured in a ferocious crackdown on an antigovernment protest movement that began that April, after authorities announced social security reforms; it soon turned into a broader antigovernment movement aimed at forcing the regime from power. A majority of the abuses have been attributed to the national police and armed allied groups, which the OHCHR said in an August 2018 report operate with "total impunity." In September of that year, the national police issued a statement declaring unauthorized marches and demonstrations "illegal." Police have since denied permits for public demonstrations, and have occupied public spaces to prevent protests.

In 2019, police blocked or dispersed a number of attempted demonstrations. More than 100 people were arrested March 2019 for attempting to protest in Managua, but ultimately released. A protest in April meant to commemorate the start of the protests the year before was prevented by riot police, who surrounded groups of marchers before they could begin marching; an opposition coalition said 22 people were arrested. In September, police violently dispersed another gathering commemorating the death of a teenager who was killed at a protest the previous year. And in November, more than a dozen activists were arrested

and charged with trafficking ammunition and firearms after they attempted to deliver water to a Masaya church where relatives of detained prisoners were on a hunger strike.

An amnesty law passed in June 2019 states that protesters who are released must not take part in actions that lead to further “crimes,” effectively prohibiting them from again participating in antigovernment demonstrations.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Groups critical of the government or that focus on issues like corruption have operated within an increasingly restrictive environment under the Ortega administration, which among other measures has used registration laws to choke off their sources of funding. Since April 2018, human rights defenders and leaders of civil society organizations have experienced severe harassment, arbitrary detention, and arbitrary expulsion. Twelve NGOs, most of which focused on democracy, human rights, or press freedom, saw their registration cancelled at the close of 2018. Human rights organizations reported continued monitoring and surveillance in 2019.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The FSLN controls many of the country’s labor unions, and the legal rights of non-FSLN unions are not fully guaranteed in practice. Although the law recognizes the right to strike, approval from the Ministry of Labor is almost never granted. Employers sometimes form their own unions to avoid recognizing legitimate organizations. Employees have reportedly been dismissed for union activities, and citizens have no effective recourse when those in power violate labor laws.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary remains dominated by FSLN and PLC appointees, and the Supreme Court is a largely politicized body controlled by Sandinista judges.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Since protests erupted in April 2018, UN investigators and other human rights organizations have documented rampant violations of due process. These include widespread arbitrary arrests and detentions by police and allied progovernment forces, failure to produce search or arrest warrants, no discussion of detainees’ rights, no public registry of detainees or their location, and individuals being held incommunicado during initial detention.

The government announced in February 2019 that it would release political prisoners detained during the 2018 protests. Between mid-March and mid-June, the government released nearly 400 people imprisoned for activities related to the 2018 protests; 286 of those were released under house arrest while charges against them remained active. Released prisoners were subjected to harassment and surveillance. Defense attorneys of political prisoners also reported being harassed. Throughout 2019, the Ortega administration refused to release information about the status of prisoners to their families or attorneys. In November, a spokesperson for the OHCHR condemned the government’s “persistent repression of dissent and the ongoing pattern of arbitrary arrests.”

An amnesty law passed in June 2019 covers crimes committed during the 2018 protests. Although the law acknowledges that crimes covered by international treaties, such as crimes against humanity, would be excluded from the amnesty, critics feared that the law would be used to shield the state and its agents from responsibility for past abuses.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The 2018 antigovernment protest movement was met with violent repression by police and informally allied armed forces, resulting in the deaths of at least 325 people. In an August 2018 report on repression of the protest movement, the OHCHR detailed severe abuses including psychological and physical torture of detainees, including sexual violence, forced confessions, disappearances, and extrajudicial killings. In 2019 there were reports of dozens of antigovernment activists being killed in more remote parts of the country, allegedly by police and paramilitaries. Additionally, in May, Eddy Montes Praslin, who was reportedly jailed in October 2018 after complaining to police that progovernment activists were occupying his property, was shot and killed at La Modelo prison near Managua. News of his death prompted the opposition Civic Alliance for Justice and Democracy to withdraw from a dialogue with the government until authorities released individuals designated as political prisoners by the International Committee of the Red Cross (ICRC). The dialogue ended in August when the government formally canceled it.

Changes to the military code and national police passed in 2014 give the president power to deploy the army for internal security purposes and appoint the national police chief, and permitted the police to engage in political activity. The 2015 sovereign security law has been criticized for militarizing civilian agencies.

In April 2019, the Office of the UN High Commissioner for Refugees (UNHCR) estimated that 62,000 Nicaraguans fled the country in 2018 and 2019, with 55,000 seeking asylum in Costa Rica alone. By October, according to the agency, an estimated 82,000 Nicaraguans had left the country, with more than 68,000 in Costa Rica.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution and laws nominally recognize the rights of indigenous communities, but those rights have not been respected in practice. Approximately 5 percent of the population is indigenous and lives mostly in the RACCN and the RACCS.

The country's LGBT+ population is subject to intermittent threats and discriminatory treatment.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4**

The 2018 collapse of institutions, that year's bloody crackdown on dissenters, and continuing government repression since have created a climate of fear and mistrust that discourages free movement. Poor infrastructure limits movement in some majority-indigenous areas.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights are protected on paper but can be tenuous in practice. Titles are often contested, and individuals with connections to the FSLN sometimes enjoy an advantage during property disputes. Conflict over land in the RACCS between indigenous Miskito residents and settlers continued in 2019, resulting in numerous deaths of Miskito individuals. The Center for Justice and International Law (CEJIL) warned in a report issued in August that Miskito communities in the north could be at risk of extinction due to land invasions.

Individuals and communities in the construction zone for a planned interoceanic canal report have reported intimidation by surveyors and anonymous actors, though the project appeared to have stalled.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Individuals enjoy broad freedom in their interpersonal relationships and in their personal appearance.

Domestic violence remains widespread and underreported, and few cases are ever prosecuted. The 2012 Comprehensive Law against Violence toward Women addresses both physical and structural forms of violence, and recognizes violence against women as a matter of public health and safety. A 2013 reform to the law allows mediation between the victim and accuser, despite concerns from rights groups. The family code includes protections for pregnant minors and the elderly, establishes equal duties of mothers and fathers, and prohibits physical punishment of children. It defines marriage as a union between a man and a woman and, as such, deprives same-sex couples the right to adopt children or the ability to receive fertility treatment.

Abortion is illegal and punishable by imprisonment, even when performed to save the mother's life or in cases of rape or incest. The criminalization of abortion can cause women to seek out risky illegal abortions that can jeopardize their health.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Nicaragua is a source country for women and children forced into prostitution; adults and children are also vulnerable to forced labor, notably in the agriculture and mining sectors, and as domestic servants. While recognizing the government's "significant efforts" to tackle human trafficking, the 2019 US State Department's *Trafficking in Persons Report* said the country did not demonstrate increasing efforts over the previous year, and that the Caribbean coastal regions continued to be disproportionately affected due to weaker institutions there.

Much of the economy is informal, and workers in these sectors lack legal protections associated with formal employment. The legal minimum wage is inadequate to cover the cost of basic goods.

Niger

Population: 23,300,000

Capital: Niamey

Freedom Status: Partly Free

Electoral Democracy: No

Overview: The current regime in Niger was democratically elected in 2011 and reelected in 2016 in a polling process plagued by serious irregularities. The struggle to meet security challenges posed by active militant groups has served as an alibi for the government to restrict civil liberties. Security, transparency, and gender equality are limited.

KEY DEVELOPMENTS IN 2019

- In March, the ruling Party for Democracy and Socialism (PNDS) selected Interior Minister Mohamed Bazoum to run as its presidential candidate in the 2020 elections. The incumbent, Mahamadou Issoufou, has promised to abide by the constitution and not seek a third term in office.
- The political climate remained tense, as the 2020 presidential and district elections approached. The opposition and some from the majority have raised concerns about the current Independent National Electoral Commission (CENI), which was installed unilaterally by the ruling majority. The opposition has boycotted political dialogue with the government, and has rejected the new electoral code adopted in June as well as a process for renewing the electoral list.
- Civil society activists were arrested and imprisoned based on opinions they published in social media. In March, a lecturer at the University of Niamey was released after being held for three months in jail over a Facebook comment. In Zinder, an activist arrested in 2018 was released in November after spending 19 months in prison on allegations of “participation in an insurrectional movement” and “conspiracy against state security.”
- The security situation in Niger deteriorated. During the year, jihadists escalated attacks in northern Tillabéri, resulting in the deaths of dozens of soldiers. Violent criminal groups from Nigeria, from which thousands have fled to Niger due to violent raids on villages, kidnappings, sexual violence, and killings, have crossed over to the southern region of Maradi, near the Nigerian border, and committed similar attacks.

POLITICAL RIGHTS: 20 / 40**A. ELECTORAL PROCESS: 6 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4**

The president is directly elected to up to two five-year terms. President Mahamadou Issoufou was reelected for a second term in 2016. The year’s elections took place in a context of political tension, as Amadou, Issoufou’s most significant challenger, was jailed during the entire electoral process, accused of involvement in a baby-trafficking scandal. The elections themselves were plagued with irregularities including vote buying, underage voting, and rigging of election results.

President Issoufou has promised to respect the constitutional term limit and leave office in 2021. In March 2019, the ruling Party for Democracy and Socialism (PNDS), selected Interior Minister Mohamed Bazoum as its presidential candidate in the 2020 election.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

There are 171 seats in the unicameral National Assembly, 158 of which are directly elected from 8 multimember constituencies; 8 which are reserved for minority representatives, who are elected directly from special single-seat constituencies; and 5 that are reserved for Nigeriens living abroad.

In the 2016 polls, PNDS won 75 seats in the 171-seat legislature, while Amadou’s Nigerian Democratic Movement for an African Federation (MODEN/FA) won 25 seats, and former prime minister Seini Oumarou’s National Movement for a Developing Society (MNSD) took 20 seats. Thirteen smaller parties divided the remaining seats. The elections took place as several opposition candidates were held in prison after being accused of involvement in

a foiled coup attempt, or participation in unauthorized protests. The polls, held concurrently with the year's presidential election, were plagued by similar irregularities.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The electoral code offers a framework for fair elections. However, the opposition, pointing to reports of widespread irregularities in the 2016 polls, among other issues, has cast doubt over the impartiality and capacity of the Independent National Electoral Commission (CENI), which with the Constitutional Court approves lists of candidates and validates election results.

In 2017, the government and the opposition disagreed once again over the appointment of a new electoral commission to organize the 2020 presidential and legislative elections; the government unilaterally appointed the new electoral commission after the opposition boycotted the process.

In June 2019, Parliament adopted a new electoral code. In October the electoral commission launched the process of enrollment in a biometric voter list, which the country has pledged to use for the first time in 2020.

As the December 2020 elections approached, the opposition continues its boycott of the electoral process, rejecting the electoral commission and the electoral code adopted in June 2019 as "tailor-made" to serve the interest of the ruling majority.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

By law, political parties may freely organize and conduct their activities. However, the PNDS-led government has employed a variety of tactics to interfere in the operation of opposition parties, including persecution of opposition leaders and the co-optation of key opposition figures. In 2017, opposition leader Hama Amadou, while in exile in France, was sentenced to one year in prison for alleged involvement in a baby-trafficking operation. He lost an appeal of the sentence in April 2018, and that June was removed from his seat in the National Assembly. In November 2019, Amadou returned from exile and is now serving his sentence in prison.

In 2018, other members of the opposition were temporarily arrested on charges of participation in unauthorized protests. The electoral rules prevent candidates from running campaigns before the start of the campaign period in December 2020, but the opposition has accused Mohamed Bazoum of campaigning unlawfully, as he tours the country to mobilize his supporters.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

In theory, the opposition can mobilize support and increase its membership. However, the opposition has suffered from a lack of leadership, partly due to the absence of Amadou, who is now in prison after spending three years in exile. Opposition parties are divided into five different coalitions and face serious difficulties in challenging the overwhelming dominance of the ruling coalition. In addition, the government's continuous repression of members of the opposition and attempts to co-opt key leaders have further hindered the opposition's ability to mobilize its base and gain power through elections. Members of the opposition have raised alarms over the rising insecurity in several regions, in particular in

Tillabéri, which is the opposition's stronghold. Such insecurity could seriously hinder the opposition's ability to campaign and could potentially disturb polling operations in the region. In late 2019, the rise of violence and insecurity in Tillabéri and Tahoua prompted the electoral commission to question if the process of registration for the electoral list would be able to continue.

In September, opposition groups protested to assert their rejection of the electoral commission, the electoral code, and the process of renewing the electoral list, and at year's end were indicating they would boycott the polls.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Niger has experienced a number of military coups, the most recent in 2010, and the influence of the military still looms over the political sphere. The government claimed to have foiled another coup attempt in 2015, though it did not produce evidence. In December 2018, multiple military officers were arrested; though no formal charges have been issued, the timing and circumstances of the arrests appear similar to those of the alleged foiled coup attempt in 2015.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The law provides for equal opportunity for all Nigeriens to seek political office and participate in political processes. However, in practice women have been underrepresented both in elected and cabinet positions. A parity law calls for women to hold 10 percent of parliamentary seats and 25 percent of cabinet positions. While the law has improved women's representation, the quota has not been respected, nor does it guarantee that women participate equally once elected or appointed to cabinet positions.

While two ethnic groups, Hausa and Zarma (or Djerma), have dominated many government positions, ethnic minorities are increasingly visible in politics, particularly Tuareg and Arabs.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Elected representatives were duly installed into office following the 2016 polls. However, the harassment of the opposition during the 2016 presidential and legislative election campaigns, as well as irregularities in the elections themselves, damage the government's legitimacy.

C2. Are safeguards against official corruption strong and effective? 2 / 4

There are a number of anticorruption authorities and programs. The High Authority for Combating Corruption and Related Crimes (HALCIA) is the official anticorruption body. The government operates an anticorruption hotline, and has established a program aiming to end corruption in the judiciary. The HALCIA is active in tracking cases of corruption and informing the public about its ongoing investigations. However, the government often has refused to carry through HALCIA's recommendations or to pursue in court cases of corruption that the High Authority identified. No one in government has been held accountable for the so-called Uraniumgate scandal that emerged in 2017, which involved reports that a high-ranking official had in 2011 illegally certified a \$320 million uranium transaction, and that the national treasury never received the money. Corruption is thought to be particularly

high in the country's taxation agencies. Bribes are sometimes required to gain access to public services.

Over the last few years, the International Crisis Group (ICG) has found increasing evidence of relationships between traffickers and politicians. In March 2019, an adviser to the president of National Assembly was arrested in Guinea-Bissau transporting 800 kilograms (1,800 pounds) of cocaine, though there is no proof of involvement by the National Assembly president himself in the trafficking.

C3. Does the government operate with openness and transparency? 2 / 4

Implementation and enforcement of the 2011 Charter on Access to Public Information and Administrative Documents has been uneven. Government information related to the mining, uranium, and oil sectors, and state-operated companies, is often not disclosed.

In January 2019, the government announced that it would take steps to resume its participation in the Extractive Industries Transparency Initiative (EITI). In 2017, Niger, a global leader in uranium production, withdrew from EITI after the organization suspended the country; EITI cited its failure to meet standards for transparent licensing allocation and contract disclosure, lack of a comprehensive public license register, and other concerns.

CIVIL LIBERTIES: 29 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16 (-1)

D1. Are there free and independent media? 2 / 4

In 2010, Niger adopted a press law that eliminated prison terms for media offenses and reduced the threat of libel cases. However, journalists continue to face difficulties, including occasional police violence while covering protests, and detention or prosecution in response to critical or controversial reporting. In April 2018, Baba Alpha, a journalist with Bonferey TV, was expelled to Mali after spending a year in prison after being convicted of using forged identity documents, with which authorities said he had been able to acquire Nigerien citizenship. Alpha had long been a government critic, and rights groups expressed concern about his conviction and expulsion to Mali, a country in which he had never lived. Various media outlets were also closed in 2018 for failure to pay taxes.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4 (-1)

Freedom of religion is guaranteed by law, but there are some constraints on religious expression and worship in practice. In June 2019, citing security concerns, the government adopted a new law that imposed greater control over religious activities, including building worship places, preaching, and religious education. Protests erupted in Maradi after an influential imam was arrested for criticizing the law, and during the protests, a group of rioters burnt down a church. Furthermore, the rise of jihadists groups has increased the threat of violence against Christians. In May 2019, jihadists attacked a church in Tillabéri near the border with Burkina Faso, injuring a priest.

Score Change: The score declined from 3 to 2 due to attacks against Christian places of worship during the year.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally upheld, but insecurity and heavy-handed responses to campus protests can impede academic freedom. In April 2019, gunmen attacked a team

of researchers in Tillabéri Region and stole their vehicle. In April 2018, police responded violently to a student protest at the University of Niamey over the expulsion of five students who had allegedly assaulted a faculty member. Dozens of students were injured and university campuses were temporarily closed. In December 2018 a professor at the University of Niamey was arrested for a Facebook comment in which he questioned the circumstances surrounding the death of a cadet officer, and was detained until March 2019.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Freedom of expression is generally upheld in Niger. However, the government has shown some intolerance of criticism, and has prosecuted people over remarks posted to social media platforms. In October 2019, for example, a government-employed physician was terminated after she criticized inequality in access to cancer treatment.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

Freedom of assembly is constitutionally guaranteed, but authorities do not always respect this right in practice, and police have at times used force to break up demonstrations. In 2017, the government announced the prohibition of public protests on “business days.” Citing this law, in May 2019, authorities prohibited protests associated with a planned “citizen action day” civil society groups had organized to protest electricity and water cuts. An activist arrested in Zinder in connection with participation in the 2018 protests against the Finance Law was released in November 2019 after spending 19 months in prison on charges including “participation in an insurrectional movement” and “conspiracy against state security.”

In 2018, authorities refused to authorize several public protests, most of which were organized in opposition to the Finance Law, which raised taxes on housing and electricity, or against the presence of foreign military forces in the country. In March 2018, over two dozen activists were arrested on charges of participation in one such protest that went ahead without authorization. Authorities forcibly dispersed the gathering, and many of those arrested spent months in prison.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

The government occasionally restricts the operations of nongovernmental organizations (NGOs), and a lack of security in certain regions also impedes their functioning. In April 2019, assailants attacked the office of Doctors Without Borders (MSF) in Diffa, burning several vehicles and the entire office building. In May, jihadists stole MSF vehicles, one of which was used in an attack against the army later that month. Due to the insecurity, some NGOs suspended their activities, and in May and October, the government temporarily imposed a military escort requirement for humanitarian organizations working in certain conflict areas, further restricting their work.

Earlier, in October 2018, authorities expelled a doctor from MSF for announcing what they alleged was a “false” death toll from malaria.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

While the constitution and other laws guarantee workers the right to join unions and bargain for wages, a large portion of the workforce is employed informally and lacks access to formal union representation. The legal definition of “essential” workers not permitted to strike is broad, and the can invoke mandatory arbitration processes to settle strikes.

F. RULE OF LAW: 6 / 16**F1. Is there an independent judiciary? 1 / 4**

The constitution provides for an independent judiciary, and courts have shown some level of independence, though the judicial system is subject to executive interference. Recent rulings against opposition leaders and civil society activists have decreased trust in the judiciary.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Arbitrary arrests and imprisonments are frequent. Many people accused of crimes are held in pretrial detention for extended periods of time, sometimes in the same population as people convicted of crimes. In 2018, several military officers accused of plotting a coup against Issoufou's regime in late 2015 received between 5- and 15-year prison sentences, but only after they had spent over two years in pretrial detention.

States of emergency declared in several regions allow the army to engage in mass arrests and detain those suspected of links with terrorist organizations.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The security situation continued to deteriorate in many parts of the country in 2019. Jihadists have intensified assaults on military barracks, resulting in substantial losses for the Nigerien army. In December 2019, 71 soldiers were killed in a jihadist attack against a military outpost in Inates. Also in 2019, violent criminal groups from Nigeria, where thousands have fled to Niger due to violent raids on villages, kidnappings, sexual violence, and killings, have crossed over to the southern region of Maradi, near the Nigerian border, and committed similar attacks.

A reliance on nonstate armed groups to conduct counterterrorism operations has inflamed intercommunal tensions near the Niger-Mali border, leading to instances of violence. Furthermore, increased attacks by jihadist groups on the Burkina Faso border have prompted concerns about the potential for a new jihadist hotspot in that area. The government has extended states of emergency in the regions of Diffa, Tillabéri, and Tahoua several times in response to ongoing attacks.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The rights of ethnic minority groups are protected by law. While two ethnic groups, Hausa and Zarma (or Djerma), have dominated economic-leadership positions, Tuareg and Arabs are increasingly represented. Same-sex sexual activity is not illegal in Niger, but same-sex relationships are highly stigmatized, and there is no protection against discrimination based on sexual orientation. Although the 2010 constitution prohibits gender discrimination, women suffer widespread discrimination in practice. The application of the law by customary courts often discriminates against women.

Niger has made efforts to welcome Malian and Nigerian refugees and other forcibly displaced populations.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4**

The constitution guarantees freedom of movement, but in practice free movement is hampered by militant activity and bribery by security officials who guard checkpoints.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

A number of complications undermine legal guarantees of the right to own property. Few people hold formal ownership documents for their land, though customary law provides some protection. However, the enforcement of both state and customary law often gives way to tensions and confusion. Women have less access to land ownership than men due to inheritance practices and inferior status in property disputes.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Family law gives women inferior status in divorce proceedings. Female genital mutilation was criminalized in 2003 and has declined, but it continues among a small percentage of the population. Penalties for rape are heavy, but societal attitudes and victims' fears of retribution discourage reporting, and when rape is reported it is often poorly investigated. Domestic violence is not explicitly criminalized, though women may lodge criminal allegations of battery against partners. Some cases have resulted in convictions, but reporting is similarly discouraged in practice.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Although slavery was criminalized in 2003 and banned in the 2010 constitution, it remains a problem in Niger. Estimates of the number of enslaved people vary widely, but is generally counted in the tens of thousands. Niger remains a source, transit point, and destination for human trafficking.

Nigeria

Population: 201,000,000

Capital: Abuja

Freedom Status: Partly Free

Electoral Democracy: No

Overview: While Nigeria has made significant improvements to the quality of its elections since the transition to democratic rule in 1999, the 2019 presidential and National Assembly elections, which saw President Muhammadu Buhari reelected and the All Progressives Caucus (APC) regain its legislative majority, were marred by consistent irregularities. Corruption also remains endemic in the petroleum industry, a key sector of the economy. Security challenges, including the ongoing insurgency by the Boko Haram militant group, kidnappings, and communal and sectarian violence in the restive Middle Belt region, threaten the human rights of millions of Nigerians. The response by the military and law enforcement agencies to the widespread insecurity often involves extrajudicial killings, torture, and other abuses. Civil liberties are also undermined by religious and ethnic bias, and discrimination against women and LGBT+ people remains pervasive. The vibrant media landscape is impeded by criminal defamation laws, as well as the frequent harassment and arrests of journalists who cover politically sensitive topics.

KEY DEVELOPMENTS IN 2019

- President Muhammadu Buhari of the All Progressives Congress (APC) won reelection in February in a contest marred by violence, the intimidation of electoral officials, and a one-week delay in the poll that weakened voter confidence. Turnout in the presidential election stood at 35.7 percent, the lowest ever recorded in a Nigerian electoral contest. The APC also secured a majority in both houses of the National Assembly in a contest held concurrently with the presidential election.
- Boko Haram, the Islamist militant group, intensified its activities in the northeast throughout the year, leading to at least 1,000 civilian deaths in the country by December.
- The Islamic Movement of Nigeria (IMN), a Shiite Muslim group calling for a religious government in Nigeria, was classified as a terrorist organization and banned, after followers clashed with security forces in the capital city of Abuja in July.
- Efforts to reform the vital oil sector remained in limbo throughout the year, after President Buhari's veto of legislation in 2018. The reform bill, which was first introduced in the National Assembly in 2001, remained under consideration by legislators as the year closed.

POLITICAL RIGHTS: 22 / 40 (- 3)**A. ELECTORAL PROCESS: 6 / 12 (- 3)****A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4 (- 1)**

The president can serve a maximum of two four-year terms, and is elected by a qualified majority vote. In addition, the president must win at least 25 percent of the votes cast in 24 states. President Muhammadu Buhari of the All Progressives Congress (APC) was reelected in February 2019, winning 53 percent of the vote. His challenger, Atiku Abubakar of the People's Democratic Party (PDP) won 39 percent. Other candidates shared 8 percent of the vote.

The federal election was marred by a one-week delay in voting, which was announced the morning of the election, undermining confidence in the Independent National Electoral Commission (INEC). International election observers noted serious irregularities when the election was held, including election-related violence, vote buying, and the intimidation of election officials and voters. Turnout for the presidential election, at 35.7 percent, was the lowest ever recorded in Nigeria. Abubakar legally challenged the election results in March; the Supreme Court dismissed his appeal in October and recognized President Buhari's reelection.

Nigerian voters returned to the polls in early March to elect governors and assemblies in 29 states; these local races were also marred by pervasive intimidation efforts. A supplementary election was held to resolve five gubernatorial and 40 local legislative races later that month as a result. The European Union (EU)'s Election Observation Mission (EOM) reported that INEC officials were often targeted in the federal and state elections, with the observers noting incidents of sexual assault, abduction, and murder.

Score Change: The score declined from 3 to 2 due to significant deficiencies in the electoral process, including a last-minute postponement of voting, delays at polling places that disenfranchised voters, insufficient transparency surrounding vote counting, the obstruction of observers, and violence and intimidation, including by the security forces.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4 (- 1)

Members of the bicameral National Assembly, consisting of the 109-seat Senate and the 360-seat House of Representatives, are elected for four-year terms.

The APC won 217 seats in the House of Representatives, with the PDP winning 115, candidates from other parties winning 20, and 8 going undeclared. In the Senate, the APC won 65 seats, while the PDP won 39 and the Young Progressives Party (YPP) won 1. Three seats went undeclared in the upper house.

The 2019 National Assembly election took place concurrently with the presidential race, and election observers reported similar irregularities, including violence, intimidation of voters and officials, vote buying, and other forms of interference and coercion; election observers noted incidents where political party officials directed some voters on how to cast their ballots at polling stations. INEC declined to certify winning candidates in two Assembly races because their local returning officers operated under duress.

Score Change: The score declined from 3 to 2 due to significant deficiencies in the electoral process, including a last-minute postponement of voting, delays at polling places that disenfranchised voters, insufficient transparency surrounding vote counting, the obstruction of observers, and violence and intimidation, including by the security forces.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4 (- 1)

The 1999 constitution and the Electoral Act of 2010 provide the legal framework for the country's elections. In 2018 and 2019, the National Assembly passed amendments to the 2010 legislation designed to strengthen equal airtime obligations for broadcasters, make the voter register and election results more accessible to voters, and extend federal electoral regulations to local races. President Buhari vetoed the legislature's reform bill four times during this period, citing inconsistencies with existing law; no electoral reform package was enacted in time for the 2019 election.

The EU's observers reported that the 2019 Nigerian elections were administered in general accordance with existing procedures, but also warned that the last-minute delay to presidential and congressional races in February affected voter turnout, confused voters, and undermined their confidence in the electoral process. Other observers also noted INEC's apparent lack of preparedness to fulfill some of its obligations; the organization's electoral security committee, which is co-chaired by Nigeria's national security advisor, was not in operation by election day.

Score Change: The score declined from 3 to 2 because the last-minute postponement of the presidential elections and attempts to change electoral laws created confusion among voters and candidates, and undermined public confidence in the electoral process.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4**

Nigerians generally have the right to organize in different political parties. There were 91 registered political parties and 73 candidates for president in the 2019 contest, the largest number of parties and candidates since the country's 1999 transition to democracy.

A constitutional amendment signed by President Buhari in May 2018 allowed independent candidates to compete in federal and state elections for the first time. The president also signed a “Not Too Young to Run” bill that same month, lowering the age of eligibility to run for political office from 40 to 35 years. However, a lack of internal party democracy and high fees make it difficult for prospective candidates to vie for major party nominations.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Nigeria’s multiparty system provides an opportunity for opposition parties to gain power through elections, as demonstrated by President Buhari’s victory over his predecessor, Goodluck Jonathan, in 2015. Buhari’s election marked the first time in Nigerian history that a sitting president was peacefully replaced. Opposition parties can also gain influence when legislators cross the aisle; a wave of APC legislators defected to the PDP during the 2015–19 legislative session, ultimately depriving that party of its majority.

New political parties have successfully entered the National Assembly in recent years; the new YPP won its first Senate seat in 2019. The All Progressives Grand Alliance (APGA), which was formed in 2003, won nine seats in the lower house in 2019. However, two parties—the APC and PDP—still overshadow their competitors, occupying most elected offices in the country.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Citizens’ political choices remain impaired or undermined by vote buying and intimidation, the influence of powerful domestic and international economic interests, and the local domination of either the Nigerian military or illegal armed groups in certain regions of the country. Powerful “godfathers,” or wealthy political sponsors, often dispense patronage and use their considerable influence to cultivate support for the candidates they back, and in return, winning candidates use their political offices to further enrich their backers.

Military personnel and armed gangs have also been known to interfere in the voting process. INEC reported that voting stations in Rivers State were invaded by soldiers and gangs during the gubernatorial election in March 2019, and local officials were unlawfully arrested. This led to the suspension of vote counting, and another election was held in Rivers later that month.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Nigeria’s legal framework generally provides for equal participation in political life by the country’s various cultural, religious, and ethnic groups. However, politicians and parties still often rely on voters’ ethnic loyalties, and the interests of a given group may be poorly addressed in areas where it forms a minority or when affiliated parties are not in power.

Women enjoy formal political equality, but restrictive societal norms limit their participation in practice. The number of women elected to the National Assembly declined after the 2019 election. Seven women were elected in the Senate, the same number as in the 2015 election. Only 12 women were elected to the House of Representatives in 2019, a decline from 20 in 2015. Women are also poorly represented in the president’s cabinet, holding only 7 of its 43 seats after President Buhari named his cabinet in July 2019.

Same-sex relationships were criminalized and LGBT+ advocacy groups were banned in 2014, when former president Goodluck Jonathan signed the Same-Sex Marriage (Prohibition) Act. LGBT+ people are deterred from openly running for office or working to advance their political interests.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Elected officials generally make and implement policy in Nigeria, but their ability to do so is impaired by factors including corruption, partisan conflict, poor control over areas of the country where militant groups are active, and the president's undisclosed health problems, which have caused him to seek treatment outside the country in recent years.

In addition, the president has demonstrated a willingness to obstruct government bodies while in office. In September 2019, President Buhari appointed an economic advisory council that superseded a constitutionally mandated economic management body chaired by Vice President Yemi Osinbajo. In November, Nigerian media reported that Buhari dismissed 35 of Osinbajo's aides, and the vice president had been bypassed on several presidential decisions.

C2. Are safeguards against official corruption strong and effective? 2 / 4

The Nigerian government has attempted to reduce corruption in public and private institutions, but the practice remains pervasive, particularly in the oil and security sectors. A whistleblower policy introduced in 2016, which rewards Nigerians who provide information on government corruption, led to the recovery of 594 billion naira (\$1.6 billion) in stolen funds by November 2019, according to the finance ministry.

Nigerian politicians have been locked in an effort to curb corruption in the oil sector since at least 2001, when legislators first considered an expansive Petroleum Industry Bill. Since then, legislators have split the massive bill into three components in an effort to secure its passage. The National Assembly passed the first of these items, the long-awaited Petroleum Industry Governance Bill (PIGB), in 2018, but President Buhari refused to sign it, objecting to large budgetary allocations for the proposed Petroleum Regulatory Commission (PRC). The Senate passed the bill again in April 2019, removing the PRC budget mechanism in an effort to resolve the impasse. Efforts to pass the bill were still ongoing at the end of the year.

Anticorruption groups have voiced concern over President Buhari's commitment to keep corrupt individuals from the cabinet after he appointed Timipre Sylva as a deputy petroleum minister in July 2019. Sylva, a former governor of Bayelsa State, was arrested by the Economic and Financial Crimes Commission (EFCC) on charges of fraud in 2013. The EFCC alleged he stole 19 billion naira (\$53 million), but the case was dismissed in 2015, with the Federal High Court ruling that Sylva was denied due process by the EFCC.

Nigerian customs officials have also been susceptible to corruption, allowing smuggled goods to enter the country through porous customs checks in return for bribes. In response, Nigeria took the step of closing its borders with neighboring Benin in August 2019 and with Niger in September. The Nigeria Employers' Consultative Association (NECA), an umbrella organization for private businesses in the country, criticized the decision and called for a campaign to improve customs practices instead. The Economic Community of West African States (ECOWAS), which counts all three countries as members, also objected to the move, warning that the border closure would hamper the region's free trade agreement. The land border remained closed at the end of 2019.

C3. Does the government operate with openness and transparency? 2 / 4

The 2011 Freedom of Information Act guarantees the right to access public records, but nongovernmental organizations (NGOs) have criticized government agencies for routinely refusing to release information sought through the law. The law has also encountered resistance in some states. In 2018, Lagos State declined to make its education budget public in response to a freedom of information request. In 2019, a court in Edo State ruled that the federal act did not apply in states that did not adopt it.

CIVIL LIBERTIES: 25 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16****D1. Are there free and independent media? 2 / 4**

Freedom of speech, expression, and the press are constitutionally guaranteed. However, these rights are limited by laws on sedition, criminal defamation, and publication of false news. Sharia (Islamic law) statutes in 12 northern states impose severe penalties for alleged press offenses. Internet service providers sometimes block websites at the request of the Nigerian Communications Commission (NCC). This is particularly true for websites advocating for independence for Biafra, a secessionist state in the eastern reaches of the country that rebelled against the government from 1967 to 1970, when it collapsed. The government has also accused journalists of undermining its national security when reporting on operations against Boko Haram.

Government officials also restrict press freedom by publicly criticizing, harassing, and arresting journalists, especially when they cover corruption scandals, human rights violations, separatist and communal violence, or other politically sensitive topics. Amnesty International reported that at least 19 journalists suffered verbal abuse or physical assaults through September 2019, and were subject to indiscriminate arrest and detention.

In January 2019, the military raided offices of the *Daily Trust*, a daily newspaper, in the capital city of Abuja and in the northeastern city of Maiduguri. The newspaper's northeast regional bureau chief, Uthman Abubakar, and reporter Ibrahim Sawab were detained during the raid, and the newspaper was accused of publishing classified information involving operations against Boko Haram. Abubakar was held for two days, but neither journalist was charged with an offense. In November, security forces fired live rounds into a protest in front of Department of State Security (DSS) headquarters in Abuja, and shot at journalists who covered the event. One reporter later stated he was assaulted by DSS personnel during the fracas.

In August, Nigerian security forces detained activist and journalist Omoyele Sowore, who organized the #RevolutionNow protests over election irregularities, ahead of a protest scheduled to take place in Lagos, Nigeria's largest city. Sowore, who is also the publisher of news website Sahara Reporters, was accused of threatening public safety and social harmony in the country for his call to protest. Protesters who took part in the August 2019 event were arrested by security forces, along with Sahara Reporters journalist Victor Ogungbemi. Amnesty International, which called for Sowore's release, was subsequently placed on a watch list by the Nigerian government, which accused it of repeating a message advocating for insurrection from the group on its Twitter account.

Sowore was eventually charged with treason, money laundering, and the cyberstalking of President Buhari; he was released on bail in early December 2019 but was rearrested within hours of his release, sparking renewed criticism. Prosecutors released Sowore on bail on Christmas Eve, after his mother pleaded for his release in an interview broadcast by CNN.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Religious freedom is constitutionally protected in Nigeria, but the government has also embarked on crackdowns against religious groups that have questioned its authority. Nigeria has also been locked in a long struggle against Boko Haram, the militant group that has itself targeted civilians based on their religious affiliation. State and local governments have also been known to endorse de facto official religions in their territory, placing limits on religious activity.

The Nigerian government's conflict with the Islamic Movement of Nigeria (IMN) escalated in August 2019, when a court in Abuja banned the Shiite Muslim organization and labeled it a terrorist organization. The move came after July clashes between the IMN and security forces in Abuja, which began with a protest in front of the foreign ministry and ended with the deaths of at least 11 of the movement's members as well as a journalist witnessing the event. The IMN, which advocates for Islamic rule in Nigeria, considers its leader, Sheikh Ibrahim el-Zakzaky, to be the ultimate source of authority in the country, and the IMN does not recognize the government in Abuja.

The government has responded violently, with security forces cracking down on IMN activities. In late 2015, security forces raided el-Zakzaky's compound, arresting him and his wife, and killing at least 300 members of the organization before burying them in a mass grave. Dozens of IMN members were killed in another army operation in late 2018.

Despite a 2016 court order to release him, el-Zakzaky and his wife were only freed in late August 2019 to seek medical attention in India. El-Zakzaky refused treatment and returned to DSS custody in Nigeria, claiming his medical team was altered without his permission, and that he was placed under excessive restrictions by Indian security personnel.

Nonstate actors have also attempted to limit religious freedom. The militant group Boko Haram has deliberately attacked Christians and moderate Muslims during its armed campaign, along with their respective houses of worship.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The federal government generally respects academic freedom. However, some state governments mandate religious instruction in elementary and secondary curriculums, and student admission and faculty hiring policies are subject to political interference. Boko Haram's assault on secular education has included the closure or destruction of primary, secondary, and tertiary institutions. UNICEF estimated in 2018 that Boko Haram had abducted over 1,000 children since 2013, and the insurgency had left some three million children in northern Nigeria without access to a school.

In late September 2019, authorities rescued 300 men and boys from an Islamic school in the northern city of Kaduna, many of whom were found in chains; many freed students subsequently reported physical torture and sexual abuse at the hands of school staff. Police arrested the principal and six teachers as a result. These unregulated schools, which focus on Islamic religious instruction, have operated for decades, but some parents have also patronized these schools for corrective services for lack of a robust juvenile rehabilitation system in much of the country.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Nigerians are generally free to engage in discussions on politics and other topics, though expression of critical views on political leaders or sensitive subjects like the military,

religion, and ethnicity occasionally leads to arrests or violent reprisals. By 2018, both houses of the National Assembly had passed the Digital Rights and Freedom Bill, which would expand freedom of expression online by regulating government surveillance and prohibiting the suspension of internet services. The bill was sent to the president in February 2019, but Buhari declined to sign the bill in March, stating that it covered too many technical subjects and did not address them extensively. A revised version of the bill was making its way through the National Assembly as 2019 ended.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

The right to peaceful assembly is constitutionally guaranteed. However, federal and state governments frequently ban public events perceived as threats to national security, including those that could incite political, ethnic, or religious tension. Rights groups have criticized federal and state governments for prohibiting or dispersing protests that are critical of authorities or associated with controversial groups, including the IMN and the Indigenous People of Biafra (IPOB), a separatist group. In July 2019, President Buhari announced a ban on IMN activities after an Abuja court upheld his government's request to classify it as a terrorist organization.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Nigeria has a broad and vibrant civil society. However, members of some organizations face intimidation and physical harm for speaking out against Boko Haram, or encounter obstacles when investigating alleged human rights abuses committed by the military against Boko Haram suspects. Groups operating in the restive Niger Delta region face similar impediments.

In September, the military ordered the closure of the offices of two international NGOs, Mercy Corps and Action against Hunger, over allegations that they were aiding and abetting Boko Haram. The suspensions were temporarily lifted in October.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Under the constitution, workers have the right to form and join trade unions, engage in collective bargaining, and conduct strikes. Nevertheless, the government forbids strike action in a number of essential services, including public transportation and security.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 2 / 4

Judicial independence is constitutionally and legally enshrined. The judiciary has achieved some degree of independence and professionalism in practice, but political interference, corruption, and a lack of funding, equipment, and training remain important problems.

The chief justice of the Supreme Court, Walter Onnoghen, was himself suspended from office after he was accused of failing to disclose assets in foreign bank accounts in February 2019. The suspension was announced only weeks before the presidential election, sparking fears of a politically motivated effort to remove Onnoghen from office ahead of the contest. Onnoghen was convicted of falsely declaring his assets in April, and was banned from holding public office for 10 years, despite an attempt to tender his resignation in February.

The former judge appealed his conviction, with an appeals court ruling that the suspension order violated Onnoghen's right to a fair hearing later in the year. Despite this,

Onnoghen's passport was seized in December 2019, amid speculation that the president was angered by the judge's appeal.

F2. Does due process prevail in civil and criminal matters? 1 / 4

There have been numerous allegations of extortion and bribe taking within the police force. Federal and state authorities have been criticized for disregarding due process, with prolonged pretrial detention of suspects even after courts ordered their release on bail. Former national security adviser Sambo Dasuki, who was arrested in 2015 on corruption charges, was only granted bail in December 2019, despite four court rulings ordering his release on bail.

According to a September report by Human Rights Watch (HRW), thousands of children suspected of supporting Boko Haram remained in military detention. According to HRW, children held in detention received no education, and were sometimes subjected to abuse by the soldiers present in detention facilities.

The United Nations (UN) reported that between January 2013 and March 2019, the military arrested and detained over 3,600 children, including 1,617 girls, who were suspected of involvement with non-state armed groups. HRW subsequently reported that 2,200 minors were subsequently released, but many of these minors were ostracized by their communities because of their assumed support of Boko Haram.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The military has been repeatedly criticized by local and international human rights groups for extrajudicial killings, torture, and other abuses, including during counter-insurgency efforts in the northeast and operations against separatist movements in the southeast.

The northeast has been affected by a resurgence in Boko Haram activity in 2019. In January, the militant group killed at least 60 people in the town of Rann in Borno State, according to Amnesty International. In April, a faction of Boko Haram loyal to the Islamic State militant group attacked a military base in Mararrabar Kimba, on the outskirts of the city of Maiduguri, killing five soldiers. The Council on Foreign Relations (CFR) reported that Boko Haram was responsible for 1,136 deaths in Nigeria in 2019, compared to 872 in 2018.

A rolling conflict between farmers and the Fulani, a semi-nomadic Muslim ethnic group, has continued to destabilize the north of the country in 2019. The Fulani have abandoned degraded grasslands in the north, coming into increased conflict with farmers as they travel south to find new grazing lands for their herds.

Increasing banditry in the northwestern states of Kaduna, Katsina, and Zamfara led to hundreds of deaths during the year. By the end of September 2019, more than 160,000 people were internally displaced by banditry across the northwest. Various vigilante groups are active in Nigeria, with the National Assembly attempting to give official recognition to one, the Vigilante Group of Nigeria (VGN), in 2017. President Buhari refused to sign legislation recognizing the group in 2018, though the Assembly attempted to secure recognition again in July 2019. By the end of the year, the VGN still lacked official recognition.

Kidnapping has become an acute concern in Nigeria in 2019, with 685 kidnappings recorded in the first quarter. While kidnapping has been a tactic of Boko Haram during its insurgency, the US Consulate General in Lagos noted its increasing use by criminals demanding ransom, as well as by factions in intercommunal conflicts elsewhere in the country.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Despite constitutional safeguards against ethnic discrimination, many ethnic minorities experience bias by state governments and other societal groups in areas including employment, education, and housing.

Women are subject to widespread societal discrimination regarding matters such as education and employment. Many poor families choose to send sons to school while daughters become street vendors or domestic workers. Women also face significant legal disadvantages in states governed by Sharia statutes.

LGBT+ Nigerians face widespread discrimination by the government and society at large. Nigerians convicted of engaging in same-sex relationships can be imprisoned for as long as 14 years due to federal legislation enacted in 2014, while 12 northern states maintain the death penalty for same-sex relations. LGBT+ people are also subject to assault by police officers during arrests, extortion attempts, and discrimination when accessing public and private services. A 2017 survey of Nigerians showed widespread opposition to LGBT+ rights in the country, with 90 percent of respondents supporting the criminalization of same-sex relations. Only 39 percent of respondents said they believed LGBT+ people deserved equal access to public services.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedoms of internal movement and foreign travel are legally guaranteed. However, security officials frequently impose dusk-to-dawn curfews and other movement restrictions in areas affected by communal violence or by Boko Haram activities. More than 2.5 million people remained internally displaced by the conflict in northeastern Nigeria by the end of 2019.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Nigeria's poorly regulated property rights system hinders citizens and private businesses from engaging in the efficient and legal purchase or sale of land and other types of property. Bribery is a common practice when starting a business and registering property. However, the climate for private enterprise in recent years has benefited from advancements in credit accessibility, ease of starting a business, ease of paying taxes, and property registration.

Women belonging to certain ethnic groups are often denied equal rights to inherit property due to customary laws and practices.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Despite the existence of strict laws against rape, domestic violence, female genital mutilation, and child marriage, these offenses remain widespread, with low rates of reporting and prosecution. Women and girls in camps for displaced persons have reported sexual abuse by members of the military and other authorities. Boko Haram's attacks on women's rights have been particularly egregious, with victims often subjected to forced marriage and rape, among other acts.

Abortion is illegal unless the life of the mother is in danger. As a result, many women seek out dangerous illegal abortions, finding themselves at risk of medical complications. As many as 1.3 million women sought clandestine abortions in 2012, according to a 2015

study conducted by researchers at the University of Ibadan; 212,000 of them sought medical attention for complications, while another 285,000 suffered serious health consequences but did not receive further medical treatment.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Nigerian organized crime groups are heavily involved in human trafficking. Boko Haram has subjected children to forced labor and sex slavery. Both Boko Haram and a civilian vigilante group that opposes the militants have forcibly recruited child soldiers, according to the US State Department.

Meanwhile, implementation of the 2003 Child Rights Act, which protects children from sexual exploitation and other abuses, remains uneven; a UNICEF child protection specialist noted that 11 northern states have not implemented the legislation during public remarks delivered 2019.

The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) continues to rescue trafficking victims and prosecute some suspected traffickers, but its funding is reportedly inadequate, and there have been few prosecutions against labor traffickers. Survivors of trafficking operations often find their freedom of movement withheld by NAPTIP in poorly-managed shelters, and experience discrimination when seeking access to public services after their release.

North Korea

Population: 25,700,000

Capital: Pyongyang

Freedom Status: Not Free

Electoral Democracy: No

Overview: North Korea is a one-party state led by a dynastic totalitarian dictatorship. Surveillance is pervasive, arbitrary arrests and detention are common, and punishments for political offenses are severe. The state maintains a system of camps for political prisoners where torture, forced labor, starvation, and other atrocities take place. While some social and economic changes have been observed in recent years, including a growth in small-scale private business activity, human rights violations are still widespread, grave, and systematic.

KEY DEVELOPMENTS IN 2019

- The United States and North Korea held talks on limiting the advance of the country's nuclear weapons program, with Supreme Leader Kim Jong-un meeting US president Donald Trump in February and June. Despite these efforts, talks between the two countries failed to produce any significant accord, and North Korea held ballistic missile tests throughout the year. In December, the country launched a satellite designed to enhance its nuclear deterrence ability.
- North Korea secured the return of two fishermen who requested resettlement in South Korea in November. The South Korean government declined to consider their claims after they were accused of killing 16 of their fellow crew members before traveling south, despite fears that the fishermen would be tortured if they

were returned to North Korea. The two were the first defectors to be returned since the end of the Korean War in 1953.

POLITICAL RIGHTS: 0 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Kim Jong-un became the country's supreme leader after the death of his father, Kim Jong-il, in 2011. The elder Kim had led North Korea since the 1994 death of his own father, Kim Il-sung, to whom the office of president was permanently dedicated in a 1998 constitutional revision. In 2016, the State Affairs Commission (SAC) was established as the country's top ruling organ, and Kim Jong-un was named its chairman. Kim also holds a variety of other titles, including first chairman of the National Defense Commission—previously the highest state body—and supreme commander of the Korean People's Army.

In March 2019, Kim was reelected chairman of the Supreme People's Assembly (SPA), the country's legislature, and given a new title of "supreme representative of all the Korean people and the supreme leader of the Republic." In April, Choe Ryong-hae, a highly placed aide to Kim, became the president of the SPA's 15-member Presidium, a standing committee that manages the legislature's day-to-day affairs when the full body is not in session.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Members of the 687-seat SPA, North Korea's unicameral legislature, are elected to five-year terms. All candidates are preselected by the Democratic Front for the Reunification of the Fatherland (DFRF), a coalition dominated by the ruling Korean Workers' Party (KWP) alongside a handful of subordinate parties and organizations. Each candidate then runs unopposed. Voting is compulsory for citizens who are at least 17 years old, and turnout commonly approaches 100 percent in legislative contests.

The last election for the SPA was held in March 2019, with electors voting for preselected candidates in all 687 seats. Turnout stood at 99.99 percent. This was the first election where Kim Jong-un was not listed as a candidate in the SPA elections, due to an amendment to the constitution. Local elections were held in late July 2019 for 27,876 posts, with voter turnout at 99.98 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Although there is a clear framework for conducting elections, including official election monitors, the system's structure denies voters any choice and rules out any opposition to the incumbent leadership. The government uses the mandatory elections as an unofficial census, keeping track of whether and how people voted, and interprets any rejection of the preselected candidates as treason.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

North Korea is effectively a one-party state. Although a small number of minor parties and organizations legally exist, all are members of the DFRF.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Any political dissent or opposition is prohibited and harshly punished. The country has been ruled by the KWP since its founding, and the party itself has always been controlled by the Kim family; Kim Jong-un has held the chair of the KWP since 2016. His late father, Kim Jong-il, was dubbed the “eternal general secretary” of the party after his death.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The general public has no opportunity for political participation, and even KWP elites operate under the threat of extreme penalties for perceived dissent or disloyalty. The party is subject to regular purges aimed at reinforcing the leader’s personal authority, and the regime has executed senior officials who have fallen out of favor with Supreme Leader Kim.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

North Korea is ethnically homogeneous, with only a small Chinese population and a few non-Chinese foreign residents. Foreigners are not allowed to join the KWP or serve in the military or government. Religious groups are harshly suppressed and unable to organize politically. Women hold few leadership positions in the ruling party and hold only 112 of the SPA’s 687 seats; the system does not allow these representatives to independently address the interests of women. The government typically denies the existence of LGBT+ people in North Korea.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

North Korea has no freely elected officials. Kim Jong-un and his inner circle determine the policies of the government, and the SPA gathers for brief sessions once or twice a year to unanimously approve all decisions.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is believed to be endemic at every level of the state and economy, and government officials commonly engage in bribery. There are no independent or impartial anticorruption mechanisms.

Small-scale local markets have become a prime target of corrupt police officers, who solicit bribes from the operators and detain those who cannot pay. Market participants also pay bribes to supervisors at their official workplaces, to avoid discipline or imprisonment for abandoning their state-assigned roles. A 2019 UN report on the country’s prison system noted that North Koreans often paid bribes to avoid arrest, mitigate their treatment while in detention, and secure family visits.

C3. Does the government operate with openness and transparency? 0 / 4

The government is neither transparent in its operations nor accountable to the public. Information about the functioning of state institutions is tightly controlled for both domestic and external audiences.

CIVIL LIBERTIES: 3 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 0 / 16****D1. Are there free and independent media? 0 / 4**

All domestic media outlets are run by the state. Televisions and radios are permanently fixed to state channels, and all publications and broadcasts are subject to strict supervision and censorship. The government occasionally allows a small number of foreign books, films, and television programs to be distributed and aired in the country, but this remains rare.

In recent years, several foreign news agencies have established bureau offices in Pyongyang. North Korea allowed the Associated Press (AP) to open the country's first foreign in 2012, though it is no longer active. The AP was followed by Japanese agency Kyodo News, Chinese agency Xinhua, and Agence France Presse (AFP), which still maintain a physical presence in the country. Access is still tightly controlled for these organizations, and the government has been known to expel media crews in retaliation for their work. Select foreign media are often invited into the country to cover key political events and holidays, although authorities strictly manage their visits.

Voice of America (VOA), Radio Free Asia (RFA), the British Broadcasting Corporation (BBC), and several South Korean outlets broadcast shortwave and medium-wave Korean-language radio programming into North Korea, though the government works to jam these stations; the BBC reported that its shortwave station was jammed on its first day in operation in late 2017.

Campaigns to send information into the country via USB thumb drives and SD cards are common, and North Koreans have constructed homemade radios to receive foreign broadcasts. However, the consumption of foreign radio broadcasts and possession of contraband devices are subject to severe punishment if detected by authorities, including the death penalty.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Although freedom of religion is guaranteed by the constitution, it does not exist in practice. State-sanctioned churches maintain a token presence in Pyongyang, but some North Koreans are known to practice their faith furtively. Intense state indoctrination and repression preclude free and open exercise of religion. Crackdowns are common and North Koreans caught practicing a religious faith are arrested and face harsh punishment, including imprisonment in labor camps. Foreigners caught proselytizing also risk arrest and detention.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

There is no academic freedom. The state must approve all curriculums, including those of educational programs led by foreigners. Although some North Koreans are permitted to study abroad at both universities and short-term educational training programs, those granted such opportunities are subject to monitoring and reprisals for perceived disloyalty.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

Nearly all forms of private communication are monitored by a huge network of informants. Domestic 3G service has been available since 2008, with around five million users

nationally. Mobile phones operating on this network are used as surveillance tools against their users, recording their application usage and intranet browsing history, and randomly taking screenshots of their activity. Newer mobile phones have also been designed to circumvent users' efforts to consume contraband media.

Smartphone users do not have access to the global internet, and connect to a state-run intranet. However, a small number of elites have internet access, connecting to it through their own service. Domestic and international mobile services are kept strictly separate, and crackdowns on users of Chinese-origin phones have been reported.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is not recognized, and participants in any unauthorized gatherings are subject to severe punishment, including prison sentences.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

There are no legal associations or organizations other than those created by the state and ruling party.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Strikes, collective bargaining, and other organized labor activities are illegal and can draw severe punishment for participants, including prison sentences.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

North Korea's judiciary is subordinate to the political leadership in law and in practice. According to the constitution, the Central Court, the country's highest court, is accountable to the SPA, and its duties include protecting "state power and the socialist system."

F2. Does due process prevail in civil and criminal matters? 0 / 4

The right to due process is not respected in practice. The UN estimated that between 80,000 and 120,000 political prisoners were held in internment camps in a 2014 report that documented consistent violations of due process.

High-ranking government officials are also at risk of arbitrary detention if they fall out of favor with Supreme Leader Kim. North Korea's special envoy to the United States, Kim Hyok Chol, was placed in government custody in June 2019, after efforts to secure a new summit between Kim Jong-un and US president Donald Trump failed that February. Supreme Leader Kim's translator, Sin Hye Yong, was reportedly placed under investigation that month. South Korea's intelligence agency reported that the envoy was still alive in July, despite speculation that he was executed for his negotiating failure.

Foreign visitors are at risk of detention for allegedly breaking North Korean law. In late June 2019, Alek Sigley, an Australian student studying at Kim Il-sung University, was detained by the authorities and accused of espionage. The student regularly wrote and tweeted about daily life in Pyongyang for the website NK News before his detention. Sigley was released with the assistance of the Swedish embassy in Pyongyang, and deported as an action of "humanitarian leniency" after he was convicted of incitement against the government in July 2019.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Documented North Korean human rights violations include widespread torture, public executions, forced labor by detainees, and death sentences for political offenses.

Defectors who seek safe haven in third countries are sometimes returned, and are subject to torture and disproportionate punishment if their bids to escape are unsuccessful. North Korean escapees who travel to China are considered economic migrants and are turned back, where they are subject to torture, harsh imprisonment, or execution. North Korean authorities have also employed stricter domestic controls in an effort to arrest the flow of defectors. While over 2,700 defectors arrived in South Korea in 2011, only 771 reached the country between January and September 2019, according to Human Rights Watch (HRW).

In November 2019, the South Korean government returned two North Korean fishermen who were suspected of murdering 16 fellow crewmen, claiming they did not receive protection under South Korean law because of their alleged acts of murder. HRW criticized the move, warning that South Korea's decision to surrender the fishermen violated international law because they would likely be tortured in North Korea. Defectors living in South Korea subsequently claimed that the fishermen received death sentences that December.

North Korea's nuclear program threatens the security of the entire Korean peninsula, though the US and North Korea have held several talks to limit the program's development in 2019. An inconclusive summit between Supreme Leader Kim and President Trump took place in February, followed by an impromptu meeting in the Demilitarized Zone (DMZ) that separates the two Koreas in June, and a meeting between officials in Stockholm in October. Despite these efforts, talks have stalled, and North Korea continued testing ballistic missiles throughout the year. In December, North Korea launched a satellite to enhance its nuclear deterrence system.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

The most prevalent form of discrimination is based on perceived political and ideological nonconformity rather than ethnicity. All citizens are classified according to their family's level of loyalty and proximity to the leadership under a semiheditary caste-like system known as *songbun*. Those who are classified as "wavering" or "hostile" under the system, as opposed to "loyal," face official discrimination in employment, live in poorer housing, receive limited access to education, though this system is also vulnerable to corruption.

Women have legal equality, but they face rigid discrimination in practice and are poorly represented in public employment and the military. Male students are likelier to be groomed for leadership roles in the education system, while only 28 percent of girls are enrolled in tertiary education at all.

North Korea has historically denied the rights of people living with disabilities. Defectors reported that disabled people have been quarantined, exiled, forcibly sterilized, experimented on, and sometimes executed. The UN's special rapporteur for disability rights, Catalina Devandas-Aguilar, visited North Korea in 2017 at the behest of the UN Human Rights Council, in what was portrayed as a slight concession from the government. Devandas-Aguilar was escorted by government minders, prohibited from reviewing internal data on the disabled, and denied access to a mental health institution during her trip.

The law does not explicitly prohibit same-sex relations, but the government maintains that the practice does not exist in North Korea.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Residents have no freedom of movement, and forced internal resettlement is routine. Emigration is illegal. A person's *songbun* classification affects his or her place of residence as well as employment and educational opportunities, access to medical facilities, and even access to stores. All foreign travel—whether for work, trade, or educational opportunities—is strictly controlled by the government. Freedom of movement for foreigners in North Korea is also limited and subject to arbitrary constraints.

Most North Korean workers are unable to freely choose their employment, with the government assigning men and unmarried women to their positions and often denying monetary compensation. Workers, especially women, seek informal employment in order to earn an income, and pay bribes to their official employers in order to cover their absences.

North Korea also operates paramilitary labor groups, which are assigned to complete infrastructure projects; members are drafted into these work groups. Forced labor is also pervasive in the country's sprawling prison system.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The formal economy remains both centrally planned and grossly mismanaged. Business activity is also hobbled by a lack of infrastructure, a scarcity of energy and raw materials, an inability to borrow on world markets or from multilateral banks because of sanctions, lingering foreign debt, and ideological isolationism.

However, expanding informal and government-approved private markets and service industries have provided many North Koreans, especially women, with a growing field of activity that is somewhat free from government control. The Korea Institute for National Unification (KINU), a South Korean government agency, reported that women earned over 70 percent of household income in North Korea as recently as 2018, attributing this to their participation in local markets.

Local officials have had some authority in the management of special economic zones and over small-scale experiments with market-oriented economic policies.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Men and women have formal equality in personal status matters such as marriage and divorce. However, sexual and physical violence against women—in the home, in prisons and labor camps, and in other situations—is common, and victims have little legal recourse. There are no specific legal penalties for domestic violence. UN bodies have noted the use of forced abortions and infanticide against pregnant women who are forcibly repatriated from China.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Human trafficking networks, sometimes operating with the assistance of government officials, target North Korean women; those ensnared by this activity are subject to sex slavery and forced marriages, often in neighboring China.

Some women in North Korea have also turned to prostitution to survive in recent years, and are exploited by their employers and by police officers. In July 2019, a raid in a South Pyongan Province residential complex led to the arrest of several women who were engaged in the practice. While these sex workers were charged with ideological crimes, the

male customers caught in the raid bribed the police to secure their release. The residents in the complex were also accepting bribes from the sex workers, allowing the use of their apartments in exchange.

Economic opportunity has been affected by escalating international sanctions in response to North Korea's weapons tests and threats of military aggression. Since 2016, sanctions have targeted civilian industries including textiles and seafood. North Korea has also been cut off from the international banking system. While this has not deterred North Korea's pursuit of nuclear weapons, it has created growing difficulties for markets and quasi-private businesses. Agricultural reforms have allowed larger percentages of crop yields to be kept by households.

North Macedonia

Population: 2,100,000

Capital: Skopje

Freedom Status: Partly Free

Electoral Democracy: No

Overview: North Macedonia, formerly known as Macedonia, is a parliamentary republic. A left-leaning government has calmed tensions after the 2017 parliamentary crisis that paralyzed normal political activity. In 2019, the government changed the country's name to enable its potential accession to the European Union (EU) and the North Atlantic Treaty Organization (NATO). Macedonia continues to struggle with corruption, and while the media and civil society participate in vigorous public discourse, journalists and activists face pressure and intimidation.

KEY DEVELOPMENTS IN 2019

- In August, the country's outgoing special prosecutor, Katica Janeva, was arrested on extortion and bribery charges.
- In February, after lawmakers passed legislation to change the country's name from Macedonia to North Macedonia, the government signed the requisite accords to join NATO. Ratification of North Macedonia's membership by current NATO member states is expected in 2020.
- In October, North Macedonia was prevented from EU accession due to opposition from the French government. Prime Minister Zoran Zaev responded by calling snap elections, which are scheduled for 2020.

POLITICAL RIGHTS: 24 / 40 (+2)

A. ELECTORAL PROCESS: 7 / 12 (+1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4 (+1)

The president is elected to as many as two five-year terms through a direct popular vote. President Stevo Pendarovski of the Social Democratic Union of Macedonia (SDSM) won his first term in the May 2019 elections. He won with 51.7 percent of the vote against opponent Gordana Siljanovska-Davkova's 44.8 percent. Voter turnout was 46.7 percent—a low figure, but one consistent with recent North Macedonian elections. The Organization

for Security and Co-operation in Europe (OSCE) sent a monitoring mission that determined that the election was free and credible, despite some technical challenges involving voter rolls and technological infrastructure, among other issues.

The unicameral Assembly elects the prime minister, who is head of government and holds the most executive power. The formation of a new government was delayed for months after the 2016 elections, as former president Gjorge Ivanov refused a request from the SDSM to form a government after the Internal Macedonian Revolutionary Organization–Democratic Party for Macedonian Unity (VMRO–DPMNE), which had won a plurality of seats, was unable to cobble together enough support to form its own coalition. VMRO–DPMNE deputies, meanwhile, filibustered a vote to install an SDSM-backed Assembly speaker, Talat Xhaferi, a member of the Democratic Union for Integration (DUI), an Albanian party.

In April 2017, after Xhaferi was finally elected, VMRO–DPMNE supporters stormed parliament and violently assaulted several opposition leaders, including Zaev and Radmila Šekerinska Jankovska, a former prime minister. In May 2017, following mediation by the US State Department, the SDSM and their Albanian coalition partners were finally able to form a government, with Zaev as prime minister.

Score Change: The score improved from 1 to 2 because the 2019 presidential election was administered fairly and peacefully and allowed voters to make an informed choice between candidates.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Members of the 120-seat Assembly are elected by proportional representation to four-year terms. Parliamentary elections last took place in 2016. An OSCE monitoring mission deemed the polls “competitive,” but said issues with the media and voter rolls had “yet to be addressed in a sustainable manner,” noted instances of voter intimidation, and concluded that the polls were marked by “a lack of public trust in institutions and the political establishment.” The formation of the SDSM-led government in 2017 marked a democratic transfer of power between parties and ended the period of political uncertainty that followed the 2016 polls.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Election laws have deficiencies, though the overall accessibility of election results and reporting by the State Election Commission improved in the 2019 presidential elections. Ambiguities in election laws that have yet to be addressed include regulations governing the registration of candidates, and resolution mechanisms for election-related disputes. Additionally, OSCE observers expressed concerns about inaccuracies in the electoral roll.

In September 2018, the government held a controversial referendum to approve the Prespa Agreement, signed with Greece in June, to change the country’s name to North Macedonia. Voter turnout was only 37 percent, below the 50 percent required for the results (90 percent in favor of the agreement) to count. OSCE observers noted that the referendum results were credible but its content had been inadequately explained to the public, and the election commission lacked transparency in carrying out the poll. Analysts expressed concern about a social media disinformation campaign, which reportedly originated in Russia, urging Macedonians to boycott the vote.

In January 2019, the government ratified the Prespa Agreement, despite inadequate voter turnout for the referendum. The country's name change, from Macedonia to North Macedonia, was officially confirmed by parliament.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

While the constitution protects the right to establish and join political parties, vast patronage networks hamper democratic competition. The 2017 violence in parliament was in response to the election of an SDSM-backed parliament speaker. Around 100 people were injured in the altercation. Tensions between the parties decreased in 2018 and 2019.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4 (+1)

In 2017, power transferred from the right-wing nationalist party, VMRO–DPMNE—which had been in power since 2006—to the left-leaning SDSM, which had held power through much of the 1990s and early 2000s. Before taking power in 2017, SDSM had boycotted parliament on several occasions over claims of electoral fraud, as well as over allegations that the administration of former prime minister Nikola Gruevski had directed the secret service to operate a massive wiretapping and surveillance program. As of 2019, however, after the competitive 2019 election and the credible 2018 referendum, a sense of genuine electoral legitimacy has returned to North Macedonia. Although the VMRO–DPMNE has continued to accuse the government of political impropriety in advancing its agenda, there is little evidence of government interference in politics and all parties have campaigned freely.

Score Change: The score has improved from 2 to 3 because undue pressure on opposition forces has decreased in recent years.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

While voters are largely free to make political decisions, reports of intimidation and vote buying remain common. Patronage networks remain influential in political life and can influence political outcomes.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ethnic Albanians make up about 25 percent of the population, and a political party representing Albanians has sat in each ruling coalition. Certain types of legislation must pass with a majority of legislators from both major ethnic groups (Albanians and Macedonians) in the Assembly. In March 2018, the SDSM-led government passed a new language law extending the official use of Albanian to all state-level institutions, including parliament. North Macedonia's Roma community, however, remains politically marginalized.

Despite the introduction of parity laws, and joint initiatives on behalf of nongovernmental organizations (NGOs) and electoral authorities, societal attitudes discourage women from participating in politics. Some women are disenfranchised through the practice of family voting. Despite these challenges, the first female defense minister was appointed in 2017.

Small LGBT+ advocacy groups are politically active, but LGBT+ people have little representation in politics.

C. FUNCTIONING OF GOVERNMENT: 6 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4**

For much of 2017, parliament did not function effectively due to VMRO–DPMNE attempts to prevent the formation of an SDSM-led government, as well as the parliamentary altercation in which Zaev and other SDSM lawmakers were injured. However, the formation of the new government in the middle of 2017 ushered in a return to more normal parliamentary activity, which continued throughout 2018 and 2019. Nevertheless, post-Prespa legislative activity is still marked by a tense atmosphere.

The election of Stevo Pendarovski as president in May 2019 resolved the impasse between the legislature and executive that had existed for much of the last three years, as both bodies are now governed by the SDSM.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a serious problem, and there has been widespread impunity for corrupt government officials, including members of parliament and the judiciary.

In August 2019, Katica Janeva, North Macedonia's outgoing special prosecutor appointed in 2015, was arrested for extortion. The scandal has shaken the people's faith in the government, which claims to be aggressively tackling the country's long-standing corruption problems. Local papers reported that Janeva allegedly joined two others, including reality television star Bojan Jovanovski, in blackmailing the well-known businessman Orce Kamcev.

C3. Does the government operate with openness and transparency? 2 / 4

The law on open access to public information is inconsistently implemented. While the government has pledged to undertake reforms aimed at increasing its transparency, it has yet to register concrete progress.

CIVIL LIBERTIES: 39 / 60 (+2)**D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16 (+1)****D1. Are there free and independent media? 3 / 4 (+1)**

North Macedonian journalists are subject to political pressure and harassment, and physical attacks continue to be reported. In March 2019, the Independent Trade Union of Journalists and Media Workers held a protest against Bekir Asani, a senior official in the DUI, who had allegedly threatened the head of the AJM, Naser Selmani, over a Facebook post by Selmani that criticized Asani's behavior during a traffic dispute. However, according to the Association of Journalists of Macedonia (AJM), attacks against journalists have declined in frequency since 2017.

North Macedonia's media landscape is deeply polarized along political lines, and private media outlets are often tied to political or business interests that influence their content. However, the state of media freedom has improved somewhat in 2019, as the SDSM-led government has not commandeered media broadcast time. The mass surveillance and wire-tapping of journalists' phones that took place under the VMRO–DPMNE government has not been repeated. A wide collection of critical and independent outlets operate and are found mainly online.

Score Change: The score improved from 2 to 3 because pressure on journalists has eased in recent years.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution guarantees freedom of religion. However, Islamophobia is present in the rhetoric of politicians and in public discourse and is directed primarily at the ethnic Albanian community.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is largely respected. Yet, corruption in universities is significant, and the large-scale emigration of young scholars has been detrimental to the country's research institutions. Many textbooks minimally cover the post-independence period, primarily because ethnic Macedonians and ethnic Albanians interpret the 2001 civil conflict differently.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Allegations of widespread wiretapping and monitoring of private citizens, journalists, politicians, and religious leaders by the previous VMRO–DPMNE government helped bring about its ouster. The SDSM-led government has taken some steps to reform the national security service, which was widely believed to have carried out the surveillance program under former prime minister Gruevski's direction. In December 2018, the parliament passed a law that removed the secret police from overseeing surveillance, bringing it under greater civilian control. Privacy advocates believe that this legislation will reduce potential abuse of surveillance powers. As a result, private discussion has been less constrained.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

Constitutional guarantees of freedom of assembly are generally well respected. However, protests have sometimes given way to property damage, and are typically monitored by riot police. In June 2018, a protest in Skopje against the Prespa Agreement turned violent when the police fired tear gas and flash grenades into the crowd to disperse the demonstration.

In June 2019, North Macedonia hosted its first Pride parade in the capital Skopje. The event was well attended. While conservative religious and nationalist groups opposed the event, it transpired peacefully.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

The government has indicated support for civil society. However, groups that focus on human rights- and governance-related work, and particularly those that receive foreign funding, face pressure from the VMRO–DPMNE and its supporters.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers may organize and bargain collectively, though trade unions lack stable financing and skilled managers, and journalists have reportedly been fired for their union activities. The informal economy is large, leaving many workers vulnerable to employer abuse.

F. RULE OF LAW: 9 / 16 (+1)

F1. Is there an independent judiciary? 2 / 4

Concerns remain about the efficacy and independence of the judiciary. The EU stressed judicial reforms as a key priority for the new government's accession bid. In 2018, the government adopted a number of reforms aimed at enhancing judicial independence, including the strengthening of mechanisms to address misconduct by judges. However, not all of the judicial reforms promised by the government had been implemented at year's end.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process rights remain compromised by corruption and patronage within the justice system, in which the public has little confidence. Political interference in the work of prosecutors remains a problem. The selective application of justice also persists, although the government has carried out some reforms intended to ameliorate the issue. The 2019 arrest of the special prosecutor has also weakened the SDSM government's overall anticorruption agenda.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4 (+1)

The threat of physical violence has subsided significantly under the tenure of the SDSM government, although discursive politics in the country remains emotionally charged. In February 2019, police successfully prevented an attack planned by supporters of the Islamic State (IS).

There are occasional outbreaks of interethnic violence in Macedonia. In 2015, 18 people were killed in violent clashes between police and a group of Albanian extremists in Kumanovo as well as near the border of Kosovo. However, such incidents have been less frequent in recent years.

Score Change: The score improved from 2 to 3 because interethnic clashes that took place in the past have not been repeated.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

A 2010 antidiscrimination law does not prohibit discrimination on the basis of sexual orientation or gender identity, and anti-LGBT+ sentiment is widespread. In August 2019, Prime Minister Zaev faced an outcry after using a homophobic slur in responding to a question on the corruption charges against former special prosecutor Janeva. His statement and subsequent apology were severely criticized and seen as inadequate by local journalists, as well as by the North Macedonian office of the Helsinki Committee for Human Rights.

Laws prohibit workplace sexual harassment, but the issue persists as most instances are rarely reported.

Albanians suffer from discrimination in employment and anti-Albanian sentiment has flared in recent years. The Roma people face employment and other discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Travel and movement are generally unrestricted. Corruption can hamper people's ability to freely choose their place of employment or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The right to own property and establish private businesses is generally respected, though corruption remains a barrier to free enterprise.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Rape, including spousal rape, is illegal, as is domestic violence, which remains common; both are infrequently reported. The government and some NGOs provide services to victims of domestic violence.

A 2017 ruling by the Administrative Court allowed people to change their gender in the country's official registry.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Laws do not impose rigid barriers to social mobility, though rampant corruption can effectively hamper individuals from rising to higher income levels.

Human trafficking remains a problem. The government has taken some steps to better identify trafficking victims, notably at government-run transit centers that house migrants and refugees. However, government support to NGOs that aid trafficking victims has decreased.

Norway

Population: 5,300,000

Capital: Oslo

Freedom Status: Free

Electoral Democracy: Yes

Overview: Norway is one of the most robust democracies in the world. Elections are free and fair, and power regularly rotates between parties. Civil liberties are respected, with independent media and civil society actors holding the government to account. Discrimination against Roma and other minorities remains a problem.

KEY DEVELOPMENTS IN 2019

- The governing Conservative and opposition Labour parties both faltered in local elections in September. The Green, Red, Socialist Left, and Centre parties saw increases in voter support.
- A neo-Nazi sympathizer attempted to attack a mosque in the southwestern municipality of Bærum after murdering his sibling in August. The mosque attack was unsuccessful, and the assailant was charged with murder and attempted murder; his case was ongoing at year's end.
- In October, Norway's welfare agency was found to have misinterpreted EU rules when it denied benefits to recipients traveling abroad since at least 2012; least 48 were wrongfully imprisoned on charges of welfare fraud during this period.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The constitutional monarch, currently King Harald V, appoints the prime minister, who is the leader of the majority party or coalition in the parliament. While the monarch is officially the head of state and commander in chief of the armed forces, his duties are largely ceremonial. The prime minister, Conservative Party leader Erna Solberg, took office in 2013 and received a new mandate following her center-right coalition's victory in the 2017 general election.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Norway's unicameral parliament, the Storting, has 169 members who are directly elected for four-year terms through a system of proportional representation in multimember districts.

An election monitoring mission from the Organization for Security and Co-operation in Europe (OSCE) concluded that the 2017 elections were well conducted, offering notable praise for the country's early voting mechanisms. However, the mission found that visually impaired voters experienced some difficulties. The opposition Labour Party led the voting with 49 seats, followed by the ruling Conservatives with 45 seats, the right-wing populist Progress Party with 27, the Centre Party with 19, the Socialist Left Party with 11, the Christian Democratic Party and the Liberal Party with 8 each, and the Green Party and Red Party with 1 each. The Conservatives renewed their governing coalition with the Progress Party, and the Liberal Party joined the bloc in early 2018. The coalition gained a parliamentary majority when the Christian Democrats joined in January 2019.

Local council and municipal elections were held in September 2019. Support for the governing Conservatives fell to their lowest level since the 2003 local elections; the opposition Labour party also faltered, losing its position as the largest party in Oslo and Bergen. The Green, Red, Socialist Left, and Centre parties gained support; the People's Action—No to More Road Tolls (FNB), which was formed in 2014, also did well.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections are regulated by the constitution and the Representation of the People Act of 2002. The National Electoral Committee, whose members are appointed by the king from all parliamentary parties, oversees the conduct of elections with the support of local-level committees. The 2017 OSCE election monitoring mission noted a high degree of public confidence in the country's electoral infrastructure.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

A range of political parties operate freely in Norway.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Norway has a long history of democratic and peaceful transfers of power after elections. The center-left Labour Party on the one hand, and center-right coalitions led by

the Conservatives or the Christian Democrats on the other, have typically rotated in and out of government. Smaller parties wield influence by participating in national and local coalitions.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Citizens are generally free from undue interference in their political choices, and no military, foreign, or religious entities exert undemocratic pressure on voters. Public funding is the main source of party revenue, though the 2017 OSCE election monitoring mission noted a sharp increase in private contributions and conveyed concerns that this could allow wealthy donors to acquire undue influence over Norwegian politics.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women and minority groups enjoy full political rights and electoral opportunities. Women are well represented in Norwegian politics: The posts of prime minister, foreign minister, and finance minister, among others, were held by women in 2019, and 41 percent of parliamentarians were female at year's end. Minority and LGBT+ interests are addressed through robust antidiscrimination laws and various protections for same-sex couples.

The indigenous Sami population, in addition to participating in the national political process, has its own legislature, the Sameting, which has worked to protect the group's language and cultural rights and to influence the national government's decisions about Sami land and resources. The national government has a deputy minister tasked specifically with handling Sami issues.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The freely elected government and parliament are able to develop and implement policy without undue influence from actors who are not democratically accountable.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Provisions of the penal code criminalizing corrupt activity are generally upheld. Official corruption is not viewed as a significant problem in Norway, though cases of corruption have surfaced at major firms in recent years. Norwegian bank DNB faced a money laundering probe in November 2019 after an Icelandic news outlet reported that it was used to route funds from Icelandic fishing company Samherji to shell firms; those funds were allegedly used to bribe Namibian officials.

C3. Does the government operate with openness and transparency? 4 / 4

The government generally operates with transparency. Several audits of public grants and other government spending were conducted in 2017, with auditors finding evidence of inadequate management.

The 2006 Freedom of Information Act provides for access to government documents, though it contains exemptions for some information pertaining to national security and foreign policy. Investigative journalists have previously complained that senior government officials use various tactics to avoid or delay inquiries that would expose negligence or wrongdoing.

CIVIL LIBERTIES: 60 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Freedom of the press is constitutionally guaranteed and generally respected in practice. Norwegians have access to news and commentary from a wide variety of independent outlets. In recent years the courts have grappled with legal questions related to the protection of journalists' sources in criminal cases. In 2017, the European Court of Human Rights (ECHR) ruled that the Norwegian government could not compel journalists to reveal their sources, even if the source had come forward independently.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is protected by the constitution and generally upheld in practice. However, religiously motivated hate crimes do occur. Norwegian authorities most recently reported 624 hate crimes to the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) in 2018; 112 were religiously motivated, while another 15 were separately recorded as acts of anti-Semitism.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion in Norway is free and vibrant.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The right to freedom of assembly is generally respected. There have been tensions in recent years over demonstrations by extremist groups and their potential threat to public security, with some critics calling for far-right marches to be prohibited. In November 2019, Lars Thorson, leader of Stop Islamization of Norway (SIAN), burned a Quran during a rally in Kristiansand, and was physically attacked by a counterprotester. Thorson, his attacker, and four others were detained by police.

Pro-Turkish and pro-Kurdish protesters rallied in Oslo in response to Turkey's military offensive against Kurdish forces in Syria in late October 2019; while many of these demonstrations were peaceful, some protesters clashed, with police using tear gas to disperse them. Seven people were arrested and at least two were injured by the time the clashes subsided.

Other demonstrations were held peacefully in 2019. In mid-May, protesters opposing offshore wind energy projects held nationwide rallies; isolated incidents of vandalism and sabotage were reported. In late May, protesters from environmental group Extinction Rebellion Norway barricaded the entrance to Norway's central bank, calling for its divestment from coal-burning companies.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) are able to form and operate without undue restrictions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The right to strike is legally guaranteed—except for members of the military and senior civil servants—and is generally respected in practice. All workers have the right to engage in collective bargaining.

F. RULE OF LAW: 16 / 16**F1. Is there an independent judiciary? 4 / 4**

The judiciary is generally considered independent, and the court system, headed by the Supreme Court, operates fairly at the local and national levels. The king appoints judges on the advice of the Judicial Appointments Board, which is composed of legal and judicial professionals as well as representatives of the public.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Law enforcement agencies and the courts generally observe legal safeguards against arbitrary arrest and detention. Criminal defendants have access to counsel at the government's expense, and the principles of due process are typically respected during trial.

In October 2019, labor minister Anniken Hauglie disclosed that the Norwegian Labor and Welfare Administration (NAV) misinterpreted EU rules on social security when it denied benefits to over 2,400 people who traveled to EU and European Economic Area (EEA) member states since 2012; at least 48 were consequently imprisoned for fraud according to local media reports. Hauglie committed to recompensating those who were previously imprisoned.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The police are under civilian control, and physical abuse by law enforcement authorities is rare. Prison conditions generally meet international standards.

Far-right and extremist violence is a recognized threat in Norway. In August 2019, a neo-Nazi sympathizer murdered his adopted sister, an ethnic Chinese woman, before unsuccessfully attacking a mosque in the southwestern municipality of Bærum. The assailant was arrested and faced murder and attempted murder charges; his case was ongoing at year's end. In December, the national Police Security Service (PST) warned of an increased risk of far-right terrorism.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 4 / 4

The equality and antidiscrimination ombudsman is responsible for enforcing the Gender Equality Act, the Antidiscrimination Act, and other laws designed to protect the basic rights of women, minorities, and other groups at risk of mistreatment. These laws are generally upheld in practice. The national government also supports Sami-language instruction and media outlets in the relevant regions.

In recent years, the Council of Europe has encouraged Norwegian authorities to address widespread discriminatory attitudes toward Romany communities, and to ensure that Roma have equal access to education and employment. In 2018, the ECHR found that the Norwegian Child Welfare Service violated a Romany woman's rights by denying her contact with a daughter previously removed from her care.

While the number of people seeking refuge in Norway has declined dramatically since 2016, concerns about the refolement of refugees have persisted, notably with regard to

Afghan nationals. In 2018, the Norwegian Institute for Human Rights reported that adolescent asylum seekers received poorer treatment than younger children.

The #MeToo movement has drawn attention to the problem of workplace sexual harassment in Norway since 2017; cases of harassment have since been reported within academia, the arts, and political parties.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement in Norway is generally respected. People have the ability to change their place of residence, employment, and education. However, some EU- and EEA-born welfare recipients living in Norway reportedly refrained from traveling abroad for fear of losing benefits; in November 2019, local NGO Caritas reported that several thousand were discouraged or stopped from traveling abroad in recent years.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The rights to own property and operate private businesses are established in Norwegian law and upheld in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

The government generally does not restrict personal social freedoms. The Gender Equality Act provides equal rights for men and women with respect to marriage, divorce, and other personal status matters.

Domestic violence is a problem. In June 2019, Norway's Institute for Human Rights (NIM) estimated that 150,000 people experience domestic violence annually. Later that summer, the government launched a plan of action to combat domestic violence, which included a specific focus on Sami communities.

In 2018, the parliament passed a government-proposed law that bans face coverings, including the niqab and burqa, from teaching environments at all levels of education, effectively placing limits on individuals' choice of dress and personal appearance. The ban did not apply outside classroom settings, for instance during recess or staff meetings.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

The principle of equality of opportunity and legal protections against economic exploitation are generally upheld. The government has been active in combating labor and sex trafficking and works to provide services to victims, though the US State Department has recommended that Norwegian authorities increase training and dedicate resources for police, prosecutors, and others responsible for handling trafficking cases.

Oman

Population: 4,700,000

Capital: Muscat

Freedom Status: Not Free

Electoral Democracy: No

Overview: Oman is a hereditary monarchy, and power is concentrated in the hands of the sultan. The regime restricts virtually all political rights and civil liberties, imposing criminal penalties for criticism and dissent.

KEY DEVELOPMENTS IN 2019

- The authorities continued to harass activists and commentators who criticized aspects of Omani policymaking, including through short-term detentions.
- An annual international book fair held in Muscat in February and March was marred by the confiscation of large numbers of books without explanation, including works by Omani authors that had been displayed at previous exhibitions without incident.
- Concerns for the health of Sultan Qaboos bin Said, who had ruled since 1970, intensified at year's end, spurring renewed speculation about the leadership's opaque succession plans.

POLITICAL RIGHTS: 6 / 40

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Sultan Qaboos, the reigning monarch in 2019, had governed Oman since seizing power from his father, Sultan Said bin Taimur, in 1970. The sultan, who issues laws by decree, simultaneously served as prime minister; headed the ministries of defense, foreign affairs, and finance; and was the governor of Oman's central bank. Despite his age and uncertain health, plans for a successor to Sultan Qaboos and the transfer of political power in Oman remained secret during the year.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The 1996 basic law, promulgated by decree, created a bicameral body consisting of an appointed Council of State (Majlis al-Dawla) and a wholly elected Consultative Council (Majlis al-Shura). Citizens elect the Consultative Council for four-year terms, but the chamber has no legislative powers and can only recommend changes to new laws.

Consultative Council elections were held in October 2019, with 637 nonpartisan candidates, including 40 women, competing for the council's 86 seats. Two women were elected. In November 2019, the sultan appointed the 86 members of the Council of State for a four-year term, including 15 women.

Oman held its first-ever municipal council elections in 2012. In the most recent elections in 2016, voters chose among 731 nonpartisan candidates to fill 202 seats on the 11 councils, which correspond to Oman's 11 governorates. Turnout was about 49 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The electoral framework allows all citizens over the age of 21 to vote, unless they are in the military or security forces. However, it applies only to the Consultative Council and municipal councils, which serve largely as advisory bodies. Elections are administered by the Interior Ministry rather than an independent commission.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Political parties are not permitted, and the authorities do not tolerate other forms of organized political opposition. A 2014 law allows the revocation of citizenship for Omanis who join organizations deemed harmful to national interests.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The sultan maintains a monopoly on political power. The structure of the constitutional system excludes the possibility of a change in government through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The nonpartisan nature of Oman's limited elections, the overwhelming dominance of the sultan in Omani society, and the authorities' suppression of dissent leave voters and candidates with little autonomy in their political choices.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Noncitizens, who make up about 44 percent of the population, have no political rights or electoral opportunities. Citizenship is generally transmitted from Omani fathers. Foreign residents must live legally in the country for 20 years to qualify for citizenship, or 15 and 10 years for foreign husbands and wives of Omani citizens, respectively, if they have a son. These and other conditions make naturalizations relatively rare.

Omani women can legally vote and run for office, but they have few practical opportunities to organize independently and advance their interests in the political system. Two women were elected to the Consultative Council in 2019, up from one in 2015, and seven women won seats on municipal councils in 2016, up from four in 2012. Fifteen women serve on the appointed Council of State.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Government policy is set by the sultan and an inner circle of advisers and senior ministers. The Council of State and the Consultative Council are advisory bodies with no lawmaking powers.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Oman's legal code does not provide an effective framework for the prevention, exposure, and impartial prosecution of corruption. However, government officials are required to declare their assets and sources of wealth, and several high-profile corruption cases involving government officials and executives from Oman's oil industry have resulted in convictions and prison terms in recent years.

C3. Does the government operate with openness and transparency? 0 / 4

The law does not provide freedom of information guarantees. Openness and transparency are limited in practice by the concentration of power and authority in a small inner

circle around the sultan. The State Audit Institution monitors ministerial spending, conflicts of interest, and state-owned companies, but its findings are not released to the public, and it does not cover the sultan's court or the military.

CIVIL LIBERTIES: 17 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16

D1. Are there free and independent media? 1 / 4

Freedom of expression is limited, and criticism of the sultan is prohibited. There are private media outlets in addition to those run by the state, but they typically accept government subsidies, practice self-censorship, and face punishment if they cross political redlines. The government has broad authority to close outlets, block websites, revoke licenses, and prosecute journalists for content violations, and it has used this authority on multiple occasions in recent years.

The government's efforts to suppress critical news and commentary extend to books and social media. Large numbers of books were confiscated without explanation at the 2019 Muscat International Book Fair, held in February and March; they included works by Omani authors that had been displayed at previous exhibitions without incident or were published by the event's organizer, the Ministry of Heritage and Culture. In January, Basma al-Keumy, a prominent writer and human rights lawyer, published an article in the online Omani magazine *Al-Falaq* in which she detailed years of harassment by the authorities. In February, activists Musab al-Thuhli and Haytham al-Mashayki were arrested for comments on Twitter and Facebook that expressed support for the Palestinian cause and rejection of any normalization of ties with Israel, respectively. Al-Thuhli was released after three days, and al-Mashayki was released after two weeks in jail.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is the state religion. Non-Muslims have the right to worship, but they are banned from proselytizing. Religious organizations must register with the government. The Ministry of Awqaf (religious charitable bequests) and Religious Affairs distributes standardized texts for mosque sermons, and imams are expected to stay within the outlines of these texts.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The government restricts academic freedom by preventing the publication of material on politically sensitive topics and placing controls on contacts between Omani universities and foreign institutions.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The authorities reportedly monitor personal communications, and the growing number of arrests, interrogations, and jail terms related to criticism of the government on social media has encouraged self-censorship among ordinary citizens in recent years. A new penal code issued by the government in 2018 increased the maximum penalties for slander of the sultan and blasphemy to 7 and 10 years in prison, respectively, from three years for both under the old code.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 0 / 4

A limited right to peaceful assembly is provided for in Oman's basic law. However, all public gatherings require official permission, and the government has the authority to prevent organized public meetings without any appeals process. The 2018 penal code prescribes prison terms and fines for individuals who initiate or participate in a gathering of more than 10 people that threatens security or public order, or who fail to comply with an official order to disperse. While demonstrations are rare in practice, a number of protests against unemployment were held in January 2019, echoing similar incidents a year earlier. Some arrests and brief detentions were reported.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

The basic law allows the formation of nongovernmental organizations, but civic life remains limited in practice. The government has not permitted the establishment of independent human rights organizations and generally uses the registration and licensing process to block the formation of groups it sees as a threat to stability. Individual activists focused on issues including labor rights and internet freedom continued to risk arrest during 2019. The 2018 penal code includes vague clauses that allow prison terms for individuals who establish, operate, or finance an organization aimed at challenging the "political, economic, social, or security principles of the state" or promoting class conflict.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Omani workers are legally able to organize unions, bargain collectively, and strike. However, there is only one authorized trade union federation, and neither government employees nor household workers are permitted to join unions. Strikes, which are banned in the oil and gas industry, are rare in practice, partly because disputes are often resolved through employer concessions or government mediation.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is not independent and remains subordinate to the sultan, who is empowered to appoint and remove senior judges. The sultan also chairs the Supreme Judicial Council, which nominates judges and oversees the judicial system, though a 2012 reform replaced the justice minister with the head of the Supreme Court as the council's deputy chair.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Arbitrary arrest is formally prohibited, but suspects in vaguely defined security cases can be held for up to 30 days before being charged, and security forces do not always adhere to other rules on arrest and pretrial detention. Ordinary detainees are generally provided with access to legal representation.

Defendants in politically sensitive cases may face harsher treatment from the justice system. For example, prior to his trial in 2017, Mansour bin Nasser al-Mahrizi, a writer and researcher who was eventually sentenced to three years in prison for offenses including "insulting the sultan," spent at least two months in incommunicado detention, and the judge refused to hear defense witnesses.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Prisons are not accessible in practice to independent monitors, but former detainees have reported beatings and other abuse. Online activist Hassan al-Basham, who had been

sentenced to three years in prison in 2016 for allegedly using the internet in ways that could be “prejudicial to religious values,” died in custody in 2018 after reportedly being denied medical care.

The country is generally free from armed conflict, and violent street crime is relatively rare.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The 1996 basic law banned discrimination on the basis of sex, religion, ethnicity, and social class, but noncitizens are not protected from discrimination in practice, while women face disparate treatment under personal status laws and de facto bias in employment and other matters. Same-sex sexual activity is punishable with up to three years in prison, and LGBT+ people face societal discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Most Omani citizens enjoy freedom of movement, but travel bans are often imposed on political dissidents. Foreign workers cannot leave the country without permission from their employer and risk deportation if they change employers without documentation releasing them from their previous contract.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

While the legal framework protects property rights, state-owned companies and the ruling family are dominant forces in the economy, limiting the role and autonomy of small and other private businesses. Women generally receive less property than men under inheritance laws.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Omani citizens require permission from the Ministry of Interior to marry noncitizens from countries outside the Gulf Cooperation Council. Omani women who marry foreigners cannot transmit citizenship to their spouses or children. Omani law does not specifically address domestic violence and sexual harassment or criminalize spousal rape, while extramarital sex is criminalized. Women are at disadvantage under laws governing matters such as divorce and child custody. The 2018 penal code included a new provision that criminalized the wearing of women’s clothing by men.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Oman’s labor policies put migrant workers at a severe disadvantage and effectively encourage exploitation. Household workers, who are not covered by the labor law, are especially at risk of abuse by employers. The government has pursued an “Omanization” process to replace foreign workers with native Omanis. Among other tactics, temporary visa bans for foreign workers in various professions have been issued or extended since 2013. Despite a 2008 antitrafficking law and some recent efforts to step up enforcement, the authorities do not proactively identify or protect human trafficking victims.

Pakistan

Population: 216,600,000

Capital: Islamabad

Freedom Status: Partly Free

Electoral Democracy: No

Note: The numerical ratings and status listed above do not reflect conditions in Pakistani-controlled Kashmir, which is examined in a separate report.

Overview: Pakistan holds regular elections under a competitive multiparty political system. However, the military exerts enormous influence over security and other policy issues, intimidates the media, and enjoys impunity for indiscriminate or extralegal use of force. The authorities impose selective restrictions on civil liberties, and Islamist militants carry out attacks on religious minorities and other perceived opponents—though the rate of terrorist attacks has decreased markedly over the last decade.

KEY DEVELOPMENTS IN 2019

- Prime Minister Imran Khan's Tehreek-e-Insaf (PTI) completed its first full year in office at the national level, and continued to present itself as committed to institutional reform and anticorruption efforts. However, most major corruption cases targeted opposition leaders and their top aides.
- The opposition Pakistan Muslim League-Nawaz (PML-N) and Pakistan People's Party (PPP) were profoundly disrupted by the barrage of cases brought against their leaders, as well as against party activists who tried to support them. The Pashtun Tahafuz Movement (PTM) saw acute pressure from the country's powerful army.
- While significant terrorist violence took place, the internal security situation continued to improve. There were 370 people killed in terrorist incidents during the year, according to the South Asia Terrorism Portal (SATP), compared with 694 in 2018 and a peak of over 11,700 in 2009.
- Access to due process increased in the former Federally Administered Tribal Areas (FATA), which in 2018 were absorbed into Khyber Pakhtunkhwa (KPK) Province. The Pakistan Penal Code was extended to the area along with the writ of the superior courts, and the presence of the regular police force was established.

POLITICAL RIGHTS: 16 / 40 (-1)

A. ELECTORAL PROCESS: 5 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

A prime minister responsible to the bicameral parliament holds most executive power under the constitution. The president, who plays a more symbolic role, is elected for up to two five-year terms by an electoral college comprising the two chambers of parliament and the provincial assemblies. PTI-nominated candidate Arif Alvi was elected president in September 2018 by the electoral college, which had been newly constituted after the general elections that July.

Imran Khan became prime minister in August 2018 after the PTI emerged from the general elections as the largest party. In the run-up to the polls, observers documented

concerted efforts by elements of the country's military and judicial establishment to hamper the PML-N in order to increase the chances that Khan would attain a parliamentary majority. These included corruption, contempt-of-court, and terrorism charges against PML-N leaders and candidates, and their politicized adjudication. Observers also noted pressure on and interference with the media, apparently at the behest of the security services, that resulted in muted coverage of the PML-N's campaign.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The parliament consists of a 342-member National Assembly and a 104-member Senate. Members of the National Assembly are elected for five years. Of the 342 seats, 272 are filled through direct elections in single-member districts, 60 are reserved for women, and 10 are reserved for non-Muslim minorities. The reserved seats are filled through a proportional representation system with closed party lists.

In the Senate, each provincial assembly chooses 23 members, National Assembly members representing the former Federally Administered Tribal Areas (FATA) elect 8, and 4 are chosen by the National Assembly to represent the Islamabad capital territory. Senators serve six-year terms, with half of the seats up for election every three years. The most recent Senate elections were held in March 2018—before the final adoption in May of a constitutional amendment providing for the FATA's absorption into Khyber Pakhtunkhwa (KPK) province.

International and domestic election observers delivered a mixed verdict on the July 2018 National Assembly elections. Polling was orderly and generally took place according to the electoral law, though serious technical difficulties with the Result Transmission System resulted in delays in results reporting. At the same time, the rush of judicial actions against PML-N leaders and restrictions on and interference with media coverage significantly disadvantaged the party, contributing to a spectacular rise in PTI representation in the National Assembly. The PTI received 32 percent of the vote and 149 seats, compared with just 35 seats previously. The PML-N received 24 percent of the vote and 82 seats, down from 157 seats previously. The PPP received 13 percent of the vote and 54 seats, an increase of 12 from its previous representation.

Another notable feature of the elections was the participation of parties and candidates linked to active Islamist militant groups. These included Tehreek-e-Labaik Pakistan (TLP) and Allah-o-Akbar Tehreek (AAT).

The PTI formed a coalition government at the national level, with the support of the Muttahida Qaumi Movement (MQM), other minor parties, and independents. Voter turnout was 52 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Elections are administered by the Election Commission of Pakistan (ECP), whose members are current or retired senior judges nominated through a consultative process that includes the government and the parliamentary opposition. The electoral laws are largely fair, and candidates have extensive access to the courts in electoral disputes.

Election observer missions in 2018 acknowledged that the formal electoral framework and its implementation complied with international standards. However, the ECP proved unable to counteract efforts by elements of the judicial and military establishment and their allies to manipulate the campaign environment. According to the Human Rights Commission of Pakistan, politically orchestrated judicial activism resulted in the disqualification of candidates, while the "censorship, intimidation, harassment, and abduction" of journalists

who were critical of the security establishment or favored the PML-N or PPP ensured uneven access to the media.

Other, ongoing problems include lower rates of voter registration among women, a requirement that members of the Ahmadi religious minority register as non-Muslims despite considering themselves Muslims, and vague moral requirements for candidate nomination.

B. POLITICAL PLURALISM AND PARTICIPATION: 6 / 16 (-1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Several major parties and numerous smaller parties and independents compete in elections and are represented in the parliament and provincial legislatures. However, established parties maintain patronage networks and other advantages of incumbency that hamper competition in their respective provincial strongholds. In recent years, it has become increasingly apparent that major parties' freedom to operate is related to the strength of their relationships with unelected arms of the state, which have sought to sideline figures not to their liking through a variety of legal and extralegal means.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4 (-1)

Opposition parties campaign and contest elections, and each of the last three national elections has resulted in an erstwhile opposition party taking power at the federal level. Opposition parties also continue to hold power or significant shares of assembly seats at the provincial level. However, the military is currently considered more powerful than the elected politicians and the judiciary has shown a willingness to engage in politically targeted accountability. Therefore, opposition parties have increasingly concluded that their most plausible route to power is by winning the backing of the unelected establishment rather than through a straight electoral contest.

In 2019, the PML-N and PPP, both former governing parties, were profoundly disrupted by a barrage of cases brought against their first- and second-rank leaders, as well as against party activists who tried to support them. Cases brought by the government included corruption, alleged breach of media regulations, and participation in unauthorized demonstrations. Those targeted included former prime minister Nawaz Sharif, his daughter Maryam Nawaz, his younger brother and former Punjab chief minister Shahbaz Sharif, and former prime minister Shahid Khaqan Abbasi, all political figures within PML-N, as well as former president Asif Ali Zardari of PPP, and his sister, Faryal Talpur, also a PPP politician. They spent much of the year in court, in jail, or in court-authorized medical treatment. The judicial harassment in 2019 was a continuation of the 2017–18 preelection disruption of the PML-N campaign by the military and judicial establishment, which featured the effective removal from political life of Nawaz Sharif through a series of dubious court rulings, and subsequent weakening of his PML-N party.

The Pashtun Tahafuz Movement (PTM), which campaigns against violence by both the state and Islamist militants in ethnic Pashtun areas, saw particular pressure from the army in 2019. Two lawmakers and senior party figures were detained during the year, including on allegations that they were linked to the Afghan and Indian intelligence agencies. The police and army also continued to disrupt PTM public events around the country. Three PTM activists were shot dead by security forces at a demonstration in North Waziristan in May.

Score Change: The score declined from 3 to 2 due to continued government and military pressure on leaders of the two main opposition parties, and further arrests and prosecutions targeting other opposition groups, including the Pashtun Tahafuz Movement.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The manipulation of politics by religious extremists has long hampered voters' ability to freely express their political preferences. In recent years, the military has reasserted its role as the political arbiter—more powerful than either the judiciary or the elected government—that sets the constraints within which civilian politics play out.

In 2018, the heavy presence of security agents at many polling stations was interpreted by observers including the Human Rights Commission of Pakistan as tantamount to voter intimidation. A number of candidates in the 2018 election campaign had links with extremist groups that had advocated or carried out acts of violence, further contributing to a sense of unease among many voters.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

A joint electorate system allows members of non-Muslim minorities to participate in the general vote while also being represented by reserved seats in the national and provincial assemblies through the party-list system. However, the participation of non-Muslims in the political system continues to be marginal. Political parties nominate members to the legislative seats reserved for non-Muslim minorities, leaving non-Muslim voters with little say in the selection of their supposed representatives. Ahmadis, members of a heterodox Muslim sect, face political discrimination and are registered on a separate voter roll.

Political parties maintain women's wings that are active during elections, but women face practical restrictions on voting, especially in KPK and Baluchistan, where militant groups and traditional societal constraints are more prevalent. Women rarely achieve leadership positions in parties or the government. The interests of LGBT+ people are generally not represented by elected officials.

C. FUNCTIONING OF GOVERNMENT: 5 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Formally, the elected prime minister and cabinet make policy in consultation with the parliament, which holds legislative power. However, there has been a long-running struggle between these civilian structures and the military establishment for control of national security policy. The military has asserted primacy on relations with India, Afghanistan, China, and the United States, as well as on counterterrorism policy within Pakistan. In the last two years of the previous PML-N government, it appeared that the civilian administration aspired to act independently of some military priorities, most notably through exploring détente with India. Since the August 2018 installation of the PTI government, the civilian administration has aligned itself more closely than its predecessor with the foreign policy, domestic security, and economic priorities favored by the military.

C2. Are safeguards against official corruption strong and effective? 1 / 4

While there are numerous formal safeguards against official corruption, it is endemic in practice, and the use of accountability mechanisms is often selective and politically

driven. The National Accountability Bureau (NAB) focuses on cases against politicians and senior officials. It claims to have doubled the number of investigations undertaken during 2019 and achieved an overall conviction rate of 70 percent since its inception 20 years ago. In 2019, the NAB pursued numerous corruption investigations against senior figures in the opposition PML-N and PPP. The military and judiciary have their own disciplinary systems.

C3. Does the government operate with openness and transparency? 3 / 4

There have been some moves to boost government transparency through the passing of Right to Information laws at provincial and federal level; these have been passed in KPK, Punjab, and Sindh. However, only KPK has activated the Information Commission required by the legislation as a watchdog to ensure that government departments fulfil their obligations to respond to information requests.

Think tanks, civil society organizations, and universities all contribute to lively debate on many aspects of public policy. However, debate on certain aspects of national security policy, such as the insurgency in Baluchistan, disappearances, and the military's alleged support for militant groups targeting Afghanistan and Indian-controlled Kashmir, has in effect remained taboo.

CIVIL LIBERTIES: 22 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

Pakistan has, over the past two decades, boasted a relatively vibrant media sector that presents a range of news and opinions. However, both the civilian authorities and military have acted in recent years to curtail media freedom. There were multiple instances in 2019 in which the government targeted individual journalists, television programs and stations, and media houses for raising issues the authorities considered unpalatable. A range of instruments were used, including the traditional approach of withdrawing government advertising from critical publications, as well as the more recent approach of fines and temporary bans imposed by the Pakistan Electronic Media Regulatory Authority (PEMRA). Authorities are also believed to rely on "troll farms," which are directed to harass out-of-line commentators. The state continued efforts to enforce a media blackout on the PTM and its members during the year.

In October 2019, government refused to permit the Asia coordinator for the Committee to Protect Journalists (CPJ) into the country. The organization had documented ways in which the *Dawn* newspaper and associated television station had been singled out for harassment; in 2019, *Dawn* had notably reported on Prime Minister Khan's controversial acknowledgement that Pakistan had sheltered anti-Iranian militants, and had giving prominence in the news of a major terrorist attack in the strategic port city of Gwadar. The critical television channel Geo also saw harassment by officials during the year. Numerous restrictions imposed by PEMRA in 2019 appeared arbitrary, such as a temporary ban on three television news channels after they covered a PML-N rally.

The government also sought to extend its powers to control the media. In December it proposed restrictions on media reporting of "convicts and absconders," to silence opposition politicians accused of corruption. In September, a plan to establish new fast-track media courts was approved by the cabinet.

Access to certain areas is prohibited by the military, impeding coverage of issues there. In Baluchistan, local journalists are often caught between authorities who order them not

to cover separatist rebel activity, and rebel groups that threaten them for siding with the government.

Twenty-two journalists have been murdered in Pakistan since 2008, according to CPJ, which noted in October 2018 that a recent decline in fatal violence against journalists “masks a decline in press freedom” characterized by the military’s pervasive intimidation of journalists. The perpetrators of violence against the media typically enjoy impunity. CPJ did not record any murders of journalists in Pakistan in 2019, though local organizations counted several.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Constitutional guarantees of religious freedom have not provided effective safeguards against discriminatory legislation, social prejudice, and sectarian violence. Hindus have complained of vulnerability to kidnapping and forced conversions, and some continue to migrate to India. Members of the Christian and other religious minorities remain at risk of blasphemy accusations that can arise from trivial disputes and escalate to criminal prosecution and mob violence. The blasphemy laws and their exploitation by religious vigilantes have also curtailed freedom of expression by Muslims.

Members of the Ahmadi community are legally prohibited from calling themselves Muslims, and face discrimination. A May 2019 report released by the Ahmadi community concluded that the 2018 election campaign had exacerbated the prevailing atmosphere of hostility to Ahmadis because parties, including the PTI, often pandered to extreme Sunni groups and had adopted their anti-Ahmadi hate speech.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Pakistani authorities have a long history of using the education system to portray Hindus and other non-Muslims negatively, and to rationalize enmity between Pakistan and India, among other ideological aims. Past attempts to modernize education and introduce tolerance into school textbooks have made little progress and minority groups consider negative portrayals of non-Muslims in textbooks as a continuing source of hostility towards them.

In recent years, scholars have been somewhat more free to discuss sensitive issues involving the military.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Pakistanis are free in practice to discuss many topics both online and off, but the 2016 Prevention of Electronic Crimes Act (PECB) gives the executive-controlled Pakistan Telecommunication Authority (PTA) unchecked powers to censor material on the internet. The level of investment in tracking and blocking of sites is typically justified by a professed intention to prevent dissemination of blasphemous and pornographic content. However, the broad and poorly defined censorship mandate of the PTA also includes preventing the malingering of the “state, judiciary or armed forces,” and it claims to have blocked 900,000 sites on those grounds as of September 2019. In practice, the agency censors content arbitrarily. The Islamabad High Court (IHC) found in September, for example, that the PTA closed down the website of a leftist party during the 2018 election campaign without justification. Extralegal violence and allegations of blasphemy also deter unfettered speech.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 3 / 4

The constitution guarantees the right to assemble peacefully, though the government can harness legal provisions to arbitrarily ban gatherings or any activity designated a threat to public order. During 2019, the authorities restricted assembly by some groups considered antistate, though it proved relatively tolerant of other demonstrations, including those by the political opposition and religious right.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

The current government has continued a crackdown on nongovernmental organizations (NGOs), both domestic and foreign, that was initiated by its predecessor in 2015. Organizations are subject to intrusive registration requirements and vetting by military intelligence. Officials can demand that NGOs obtain a “no-objection certificate” (NOC) before undertaking even the most innocuous activity. As of January 2019, just 74 of 141 international NGOs that had submitted a registration application since 2015 had been approved.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The rights of workers to organize and form trade unions are recognized in law, and the constitution grants unions the rights to collective bargaining and to strike. However, these protections are not strongly enforced. Roughly 70 percent of the workforce is employed in the informal sector, where unionization and legal protections are minimal. The procedures that need to be followed for a strike to be legal are onerous. Strikes and labor protests are organized regularly, though they often lead to clashes with police and dismissals by employers.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is politicized and has a history of involvement in the power struggles between the military, the civilian government, and opposition politicians, and has often issued rulings aligned with the priorities of the military. During 2019, the highest-profile role of the judiciary concerned the ongoing corruption cases against Nawaz Sharif and other senior PML-N and PPP opposition politicians; since 2017, these cases have effectively sidelined the top leadership of both main opposition parties. The paucity of equivalent cases against PTI figures suggest that the judiciary had allowed itself to be instrumentalized in national politics.

However, senior judges periodically assert some independence from the military and government. In 2019, for example, the Supreme Court ruled that the Army Chief of Staff’s tenure could initially only be extended for six months, in a move viewed as subjecting the army to the rule of law.

The broader court system is marred by endemic problems including corruption, intimidation, insecurity, a large backlog of cases, and low conviction rates for serious crimes.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Police have long been accused of biased or arbitrary handling of initial criminal complaints, and both the police and the prosecution service have been criticized for a chronic failure to prosecute terrorism cases.

In the wake of the 2014 terrorist massacre at an Army Public School in Peshawar, the government allowed some civilians to be tried in military courts. These courts have since been criticized for lack of transparency and due process guarantees, such as access to a competent defense. A number of death sentences issued by the courts have been overturned for a lack of evidence. The government announced its intention to extend the life of the courts in January 2019, but was unable to secure support for the necessary legislation, and their mandate lapsed in March.

Access to due process has increased in the former FATA, which in 2018 were absorbed into KPK. Consequently, the Pakistan Penal Code was extended to the former tribal areas, along with the writ of the superior courts, and for the first time, the regular police force was established in the old tribal areas. The military's ability to use powers of arbitrary detention in the area were being contested in the Supreme Court at year's end.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

A multiyear decline in terrorist violence continued in 2019, with 370 people killed in terrorist incidents during the year according to the South Asia Terrorism Portal (SATP), compared with 697 in 2018 and a peak of over 11,700 in 2009. The reduction is due in large part to the military's suppression of an Islamist insurgency in KPK and the former FATA, a tapering off of the nationalist insurgency in Baluchistan, and a clampdown on gang violence in Karachi. Nevertheless, terrorist attacks continue. Attacks against the Hazara minority in Quetta took place once again in 2019, and included an April suicide bombing of a vegetable market that killed 20 people. The same month, suspected Baloch insurgents, targeting security force members, took 14 men off a bus in southern Baluchistan and summarily executed them.

Tensions with India greatly intensified in 2019, to the point where Pakistan cautioned that India's actions could lead to war. In February, the Pakistan-based jihadi group Jaish-e-Mohammad claimed responsibility for a high-profile terrorist attack in Pulwama, located in Jammu and Kashmir. In response, India launched air-strikes across the Line of Control and international border, against an alleged terrorist facility in Balakot, in KBK. Deescalation only occurred when Pakistan returned a captured pilot shot down by the Pakistan air force. However, Indo-Pakistan relations deteriorated again in August in the wake of Indian withdrawal of the special constitutional status of Jammu and Kashmir. This prompted an increase in artillery exchanges and firing between the Pakistan and Indian armies.

Civilians face the threat of extralegal violence by state actors, including enforced disappearances. The number of pending cases of people registered as missing since 2011 by the official Commission of Inquiry on Enforced Disappearances rose to 6,506 during 2019, of which 4,365 cases had reportedly been resolved by the end of the year. However, there was no sign of the commission's deliberations leading to any effective sanctions against the agencies undertaking the disappearances—although the commission tracks cases, it has refrained from attributing responsibility. Most victims were from KPK, the former FATA, or Baluchistan, and typically were held incommunicado by security and intelligence agencies on suspicion of antistate agitation, terrorism, rebellion, or espionage.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women face discrimination in employment despite legal protections, and they are placed at a disadvantage under personal status laws. Women are also subject to a number

of harmful traditional practices and societal abuses, the perpetrators of which often enjoy impunity.

Other segments of the population that suffer legal or de facto discrimination and violence include ethnic and religious minorities, Afghan refugees, and LGBT+ people. The penal code prescribes prison terms for consensual sex “against the order of nature,” deterring LGBT+ people from acknowledging their identity or reporting abuses. Transgender and intersex people are authorized to register for official documents under a “third gender” classification recognized by the Supreme Court since 2009, and some transgender people were recognized in the 2017 census. However, they continue to face targeted violence as well as discrimination in housing and employment.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

There are some legal limitations on travel and the ability to change one’s residence, employment, or institution of higher learning. The authorities routinely hinder internal movement in some parts of the country for security reasons. The main tool for restricting foreign travel is the Exit Control List (ECL), which blocks named individuals from using official exit points from the country. It is meant to include those who pose a security threat and those facing court proceedings. However, periodically it has been used as a means of controlling dissent.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 2 / 4

In principle, Pakistan’s constitution, legal system, and social and religious values all guarantee private property and free enterprise. In reality, however, organized crime, corruption, a weak regulatory environment, and the subversion of the legal system often render property rights precarious. Powerful and organized groups continue to engage in land grabbing, particularly in Karachi and Punjab.

Inheritance laws discriminate against women, and women are often denied their legal share of inherited property through social or familial pressure.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

In some parts of urban Pakistan, men and women enjoy personal social freedoms and have recourse to the law in case of infringements. However, traditional practices in much of the country subject individuals to social control over personal behavior, and especially choice of marriage partner. Despite successive attempts to abolish the practice, “honor killing,” the murder of men or women accused of breaking social and especially sexual taboos, remains common, and most incidents go unreported.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Bonded labor was formally abolished in 1992, and there have been long-standing efforts to enforce the ban and related laws against child labor. For example, in one example from May 2019, 63 brick kiln workers filed a complaint with the Human Rights Commission of Pakistan (HCRP) that they had been sold along with the kiln where they worked. They were formally released from bondage by a court order in June. Gradual social change has also eroded the power of wealthy landowning families involved in such exploitation.

Nevertheless, extreme forms of labor exploitation remain common. Employers continue to use chronic indebtedness to restrict laborers' rights and hold actual earnings well below prescribed levels, particularly among sharecroppers and in the brick-kiln industry.

Palau

Population: 20,000

Capital: Ngerulmud

Freedom Status: Free

Electoral Democracy: Yes

Overview: Palau's presidential republic is maintained through regular democratic elections. The judiciary and the media are independent, and civil liberties are generally upheld. The government has sought to combat official corruption in recent years. Many in the country's large population of foreign workers remain vulnerable to exploitation.

KEY DEVELOPMENTS IN 2019

- In October, the director of Palau's Narcotics Enforcement Agency, Ismael Aguon, was a victim of an arson attack, in which his vehicle was set on fire. He believes the action could be interpreted as retaliation for a series of upcoming drug trials.
- In April, Palau placed a moratorium on all cryptocurrencies, after the company Palau Coin claimed to be a government-backed venture favoring diplomatic ties with China, despite the country's allegiances to Taiwan.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who serves as both head of state and head of government, is directly elected for up to two consecutive four-year terms using a two-round system, with a runoff vote if no candidate wins an absolute majority in the first round. President Tommy Remengesau won reelection in November 2016, defeating his brother-in-law, Senator Surangel Whipps, with 51.3 percent of the vote.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral National Congress consists of a 13-member Senate and a 16-member House of Delegates. The Senate is directly elected by block vote in one national constituency. Members of the House of Delegates are elected from single-member constituencies corresponding to the country's 16 states, which vary in population. All members of the National Congress are elected for four-year terms. In the November 2016 elections, held concurrently with the presidential vote, 13 incumbents were returned to the House and 8 to the Senate.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Electoral administration is widely considered to be fair and impartial. A review of the Senate's size and electoral system is undertaken every eight years by a Reapportionment Commission. In June 2016 the commission recommended that the Senate be maintained in its current form. In response to a citizen petition, the Supreme Court initially ruled that because the population had decreased, the number of senators should be reduced from 13 to 11, but the court restored the original plan after an appeal in October 2016.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no laws restricting the formation of political parties, but in practice all candidates run and compete freely as independents. Politicians tend to organize in loose political alliances, often based on clan or family relationships.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Although there are no political parties, lawmakers do organize into informal progovernment and opposition camps, and no single political force has control of the legislature. Power is transferred democratically between rival politicians. Remengesau returned to the presidency in 2013 by defeating the incumbent, Johnson Toribiong, in the 2012 election.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Palau receives financial assistance from the United States under its Compact of Free Association, but the US government does not exert improper influence over the country's internal politics. While the political views of traditional chiefs are respected, they do not have authoritative control over the choices of voters.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women generally have equal political rights in law and in practice. Some legislative seats at the state level are reserved for traditionally male chiefs, though chiefs in turn are customarily chosen by councils of women elders. In the last national elections, women won two seats in the House and two in the Senate.

About a third of the population consists of foreign nationals who do not have political rights in Palau. Citizenship must be inherited from at least one parent, as there are no provisions for naturalization.

In February 2019, former president John Toribiong launched a petition seeking to amend the constitution in order to end the acceptance of absentee ballots. Toribiong claims the petition is to combat the influence on the political realm that the increasing number of citizens living outside the country have. He believes that residents of Palau should have more say regarding the government and its policy decisions, than do citizens living abroad who pay no taxes and who Toribiong says are unaffected by their vote's consequences.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Palau's democratically elected government determines and implements policy without undue interference. Traditional chiefs formally play an advisory role regarding customary matters through the national Council of Chiefs. While they also exercise informal influence over government policy, this is widely seen as a positive check on potential mismanagement or abuse of power by elected officials.

The Compact of Free Association with the United States, in effect since Palau became independent in 1994, ensures self-government in the country but also provides for close military and economic relations with the United States, including responsibility for Palau's defense. A scheduled 15-year review of the compact resulted in a 2010 bilateral agreement on development aid and other benefits to last until the next review in 2024, but legislation to implement that agreement remained stalled in the US Congress for several years, during which time Congress continued to appropriate basic aid funds on an annual basis. At the end of 2017, US President Donald Trump signed a defense bill that included implementing provisions for the compact review agreement. Negotiations for the extension of the compact beyond 2023 began in August 2019: the United States hopes an extension will counter Chinese influence in the region.

Palau reconfirmed its support and recognition of Taiwan as an independent state, amidst several other Pacific nations withdrawing their backing and strengthening ties with China. In late 2017, China's government instructed agencies to cease commercial flights and group tours to the country—likely a response to Palau's diplomatic relations with Taiwan. In September 2019, the Palau tourism industry was expected to be further impacted by tensions with the Chinese government. In April, Palau placed a moratorium on all cryptocurrencies, after the company Palau Coin claimed to be a government-backed venture favoring diplomatic ties with China, despite the country's allegiances to Taiwan.

C2. Are safeguards against official corruption strong and effective? 3 / 4

High-ranking public officials have faced corruption charges in recent years, and several have been convicted. The government and lawmakers have deliberated on strategies to deal with corruption more effectively, and in April 2017 the finance minister issued a statement to reiterate the government's ethics rules and a whistleblower protection policy. The Office of the Ombudsman has asked for a clearer legal mandate with greater independence, as it currently operates as part of the president's office under an executive order.

In October 2018, the European Union (EU) said that Palau authorities had pledged to implement certain reforms, and that it had consequently removed the country from its list of tax havens.

C3. Does the government operate with openness and transparency? 3 / 4

A 2014 Open Government Act provides for public access to official documents and hearings, and government officials are obliged to submit annual financial disclosures that are available to the public. However, authorities have sometimes resisted disclosing requested information, particularly at the subnational level.

CIVIL LIBERTIES: 55 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Freedom of the press is respected. There are several independent news outlets, including newspapers and broadcasters, but they often struggle financially. Regional and international news services are also available. Internet access has been hampered by high costs and lack of connectivity outside the main islands.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Constitutional guarantees of religious freedom are upheld in practice. Although religious organizations are required to register as nonprofit organizations, the process is not onerous or restrictive. Foreign missionaries are also required to obtain a permit.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There have been no reports of restrictions on academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no constraints on political discussion, and the government does not monitor personal communications.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by the constitution and respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations operate freely, with various groups focusing on issues such as environmental conservation, youth development, public health, and women's rights.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers can freely organize unions and bargain collectively, but there are no laws specifically regulating trade unions or strikes or prohibiting antiunion discrimination. Union membership and activity are low in practice, as the private sector of the economy consists mostly of small, family-run businesses.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary has a reputation for a high degree of independence and integrity. The president appoints judges to lifelong terms based on recommendations from an independent Judicial Nominating Commission, which is made up of three presidential appointees, three jurists named by their peers, and the chief justice.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The authorities generally uphold legal safeguards against arbitrary arrest and detention, and trial proceedings ensure due process.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Law enforcement agencies maintain internal order, and instances of abuse or impunity are rare, though overcrowding in the country's limited detention facilities remains a problem. In October 2019, the director of Palau's Narcotics Enforcement Agency, Ismael Aguon, was a victim of an arson attack, in which his vehicle was set on fire. He believes the action could be interpreted as retaliation for a series of upcoming drug trials.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The legal system prohibits discrimination based on gender, race, place of origin, and other categories. Sexual orientation and gender identity are not protected categories, but Palau repealed legal provisions that criminalized consensual same-sex sexual activity in 2014. Women generally enjoy equal treatment in practice.

Foreign nationals sometimes face discrimination regarding employment, education, and other matters. Growing tourism from China in particular has created jobs but also raised the cost of living, and some locals regard the presence of Chinese businesses and residents with hostility, although the number of Chinese tourists especially has drastically decreased in recent years due to Chinese state policy.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

There are no significant restrictions on freedom of movement, including internal and international travel.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal framework generally supports property rights and private business activity, and the government has undertaken reforms to improve conditions in recent years, though some bureaucratic obstacles and corruption-related impediments persist.

Noncitizens cannot purchase land, which is inherited matrilineally among Palauans.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are largely respected, and women have equal rights regarding marriage, child custody, and other personal status matters. Rape, including spousal rape, and domestic violence are criminal offenses, though instances of domestic abuse are often not reported to police.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Residents generally have access to economic opportunity, and the law provides some protections against exploitative labor practices. However, enforcement of such safeguards is inadequate, and foreign workers (one-third of Palau's population are noncitizens) remain vulnerable to sexual exploitation, forced labor, or otherwise abusive working conditions in sectors including domestic service and fisheries. The minimum wage law does not apply to foreign workers. Some officials have been accused of complicity in human trafficking.

The 2019 US State Department's *Trafficking in Persons Report* noted that the government of Palau had taken efforts to combat the presence of human trafficking, although much action was needed. In recent years, the president has created a national action plan, funded an assessment of the extent of trafficking in Palau and the effectiveness of the government's antitrafficking infrastructure, created a temporary shelter for people who have been trafficked, and established a trafficking hotline. However, standard operating procedures to refer survivors of trafficking to protection services, as well as the protection services themselves, are underfunded and inadequate, and the government has not investigated the indicators of trafficking in labor recruitment.

Panama

Population: 4,200,000

Capital: Panama City

Freedom Status: Free

Electoral Democracy: Yes

Overview: Panama's political institutions are democratic, with competitive elections and orderly rotations of power. Freedoms of expression and association are generally respected. However, corruption and impunity are serious challenges, affecting the justice system and the highest levels of government. Discrimination against racial minorities is common, and indigenous groups have struggled to uphold their legal rights with respect to land and development projects.

KEY DEVELOPMENTS IN 2019

- In May, former legislator and businessman Laurentino Cortizo was elected president on the Democratic Revolutionary Party (PRD) ticket, narrowly defeating the Democratic Change (CD) candidate. José Blandón, who ran for the then ruling Panameñista Party (PP), polled in fourth place.
- President Cortizo's constitutional reform package was introduced in July, but legislators altered proposed anticorruption measures and attempted to strengthen a ban on same-sex marriage. The government withdrew the package in December and announced the formation of a national dialogue to be coordinated with the UN Development Programme (UNDP).
- Major protests were held in the capital in October, as demonstrators denounced the constitutional reform package. Authorities responded with force, using tear gas and pellets to disperse them, and 96 protesters faced pending charges at year's end.
- Corruption cases against former president Ricardo Martinelli and his two sons continued; Martinelli, who was implicated in the Odebrecht money-laundering case, was acquitted in August. His sons faced extradition to Panama from the United States at year's end on charges stemming from the Odebrecht case.

POLITICAL RIGHTS: 36 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is elected by popular vote for a single five-year term, and cannot serve a second consecutive term. In May 2019, Laurentino Cortizo of the PRD was elected president with 33.3 percent of the vote. The CD candidate, Rómulo Roux, won 31 percent of the vote, independent candidate Ricardo Lombana won 18.8 percent of the vote, José Blandón of the PP won 10.8 percent, and Ana Matilde Gómez, another independent candidate, won 4.8 percent. Roux initially refused to concede, claiming that the election was marred by voting irregularities. However, Organization of American States (OAS) election monitors described the contest as orderly in a preliminary statement.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 71-seat unicameral legislature, the National Assembly, are elected for five-year terms. The 2019 elections were held simultaneously with the presidential race and local contests. The PRD won 35 seats, while the CD won 18, the PP won 8, and the United for Change alliance (MOLIRENA) won 5. Another 5 seats went to independents.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The country's electoral framework is generally fair and impartially implemented. The Electoral Tribunal of Panama (TE) is responsible for reviewing the electoral code after each election and submitting any reforms to the National Assembly. In 2017, the legislature adopted reforms proposed by the TE in 2016 that included tighter regulation of campaign donations, spending, and advertising.

The TE also lengthened the ban on publishing opinion polls to 20 days before an election, but National Television Channel 2 (TVN) sued to reverse this change in 2018. The reform was ruled unconstitutional in February 2019, and the TE shortened the ban to 48 hours in response to the ruling.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Political parties are free to form and compete in Panama's multiparty system, and since the 2014 elections, candidates have also been able to register as independents. Electoral regulations adopted in 2017 reduced the number of signatures an independent needs to run for office, and specified that only the top three recipients of signatures would be included in the presidential ballot. The main political parties formally registered their 2019 electoral coalitions in late 2018, while the TE announced the three independent candidates in January 2019.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Elections are competitive in practice, and orderly transfers of power between rival parties have been the norm since the end of de facto military rule in 1989.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and candidates are generally free from undue interference by groups outside the political system, though the threat that improper donations by drug traffickers and other powerful interests could influence the political process remains a concern, even after the campaign finance reforms introduced in 2017.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The law does not limit the political rights of any segment of the citizen population. Women are free to participate in politics, and women's advocacy organizations have campaigned to improve their representation in elected offices. The electoral code requires gender

parity in internal party primary systems, but in practice this has not led to more women winning general elections. Only 22.5 percent of National Assembly seats went to women in the 2019 election. That election also saw the first woman from the Guna indigenous group take her seat.

The country's racial minorities and LGBT+ community continue to face obstacles to the full exercise of their political rights. In 2017, activists created a new progressive party, Creemos, with a platform that included legalization of same-sex marriage, but it failed to gain traction and earned no seats in 2019.

The constitution establishes five indigenous territories—three at the provincial level and two at the municipal level—and these are duly represented in the system of constituencies for the National Assembly, but the interests of indigenous people, who make up about 11 percent of the population, remain inadequately addressed by the political system as a whole.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The elected government and legislature generally determine and implement laws and policies without interference, though evidence of official corruption has raised concerns about the possibility that unelected entities could unduly influence governance.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Safeguards against official corruption are relatively weak and ineffective, due in part to irregular application of the laws and a lack of resources for the judicial system. The Special Anti-Corruption Prosecutor's Office was formed in 2017 to prosecute those accused of corruption, but has failed to secure convictions in many of these cases.

Investigations have revealed extensive corruption in several presidential administrations. Two ministers who served under former president Ricardo Martinelli (2009–14) were arrested in 2017 for alleged money laundering in connection with the Odebrecht case, a corruption scandal centered on a Brazilian construction firm that affected much of Latin America. Martinelli, who has faced multiple investigations himself, was arrested in the United States in 2017 and extradited to Panama in 2018. Martinelli was tried on charges including wiretapping and the improper use of state funds, but was found not guilty in August 2019. Martinelli's two sons were also implicated in the Odebrecht scandal; they were arrested in the United States in 2018 after prosecutors accused them of receiving \$49 million during their father's term in office. Martinelli's sons were still in the United States at year's end, as the Panamanian government continued its efforts to extradite them.

The administration of Juan Carlos Varela (2014–19) was ensnared by allegations of corruption, with several officials and legislators resigning during his term in office. The Odebrecht scandal originally erupted while Varela was Martinelli's vice president; Varela originally denied that the PP benefited from Odebrecht funding, but admitted that the party received help from an individual tied to the firm in late 2017.

President Cortizo's efforts to strengthen anticorruption measures have been met with resistance. In July 2019, Cortizo introduced a constitutional reform package that would have allowed the attorney general to investigate Supreme Court judges and legislators suspected of wrongdoing. The legislature struck those proposals down and sought to increase its own investigative powers, but those efforts were halted when Cortizo withdrew the reform package altogether in December.

Attorney General Kenia Porcell, who held the post since the Varela administration, resigned in November 2019 when her conversations with Varela over the Odebrecht scandal were leaked. In December, Cortizo nominated former criminal prosecutor Eduardo Ulloa to succeed Porcell in January 2020, when her resignation was to take effect.

C3. Does the government operate with openness and transparency? 3 / 4

The law provides mechanisms for public access to government information. A transparency law was introduced in 2002, and the government later adopted an open data policy through a 2017 decree and a 2018 resolution, instructing public institutions to make data accessible to the public in clear, open, and machine-readable formats. The National Authority for Transparency and Access to Public Information (ANTAI) reported that 49 percent of the public entities it monitored were compliant with the 2002 transparency law in the first half of 2019.

CIVIL LIBERTIES: 48 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

News consumers have access to a wide variety of private media outlets that present a range of views, but the constitutional guarantee of freedom of the press is not consistently upheld. Independent, critical journalists and outlets reportedly face editorial pressure from the government, and some journalists have experienced harassment when covering stories and opinions unfavorable to the government.

Libel is both a civil and a criminal offense, while defamation and insult have also been defined in the criminal code. Cases are filed against journalists in practice, with charges varying from slander to insult. Marta Linares, the wife of former president Martinelli, has sued several outlets in recent years in an effort to halt their reporting on the Odebrecht scandal. The former president has also used the courts to stop media discussion of his legal matters; in September 2019, the National Journalism Council (CNP) and the Forum of Journalists for Freedom of Expression reported that Martinelli was responsible for 20 lawsuits against journalists. In December, Martinelli sued Radio Panamá for slander and insult, after the outlet reported on his alleged involvement in a bribery case. CD politician Carlos Afú also resorted to the courts in 2018; he sued *La Prensa* for \$20 million after the newspaper reported on the alleged misuse of public resources to secure his election to the National Assembly.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution recognizes Roman Catholicism as the majority religion and requires general “respect for Christian morality and public order,” but freedom of religion is otherwise guaranteed and broadly upheld in practice. Catholic religious instruction is offered but not mandatory in public schools.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government generally honors academic freedom, and the schools are free from political indoctrination.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is free and vibrant, and use of social media platforms for the expression of personal views, including views on political or social issues, is generally not restricted.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is generally respected, and peaceful demonstrations are common, though protests that block roads and highways often result in arrests and altercations with police. However, authorities resorted to force when protesters demonstrated in front of the National Assembly in October 2019 to oppose the government's proposed constitutional reforms; the National Police used tear gas and pellets to disperse the protesters, some of whom attempted to storm the Assembly building, and protesters later reported that the injured did not receive prompt medical attention. The police arrested 96 people by the time the demonstrations ended, and charges were still pending against them at year's end.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate freely, but some activists—particularly those focused on environmental issues and indigenous rights—have complained of harassment and intimidation, including through lawsuits by private companies.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The law generally protects workers' rights to unionize, bargain collectively, and engage in legal, peaceful strikes. However, enforcement of labor protections is inadequate, and labor-related protests frequently feature clashes with police. Public employees are allowed to form associations to engage in collective bargaining and strike activities, but their rights have historically been weaker when compared to those of unions.

F. RULE OF LAW: 10 / 16

F1. Is there an independent judiciary? 2 / 4

The country's judicial system is plagued by corruption and inefficiency. Public disagreements between the attorney general's office and judges over rulings that impeded major corruption cases in recent years have raised doubts about whether such cases would be heard impartially. The previous Varela administration was criticized over allegations that the National Security Council had interfered with corruption investigations that should have been handled by law enforcement bodies and the judiciary.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process is constitutionally guaranteed but inconsistently upheld in practice. The justice system features extensive use of lengthy pretrial detention. In October 2019, newspaper *La Estrella de Panamá* reported that pretrial detainees represented 44 percent of the country's prison population.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The country is free from major threats to physical security such as war and insurgencies. However, police have been accused of beatings and other forms of excessive force, including while dispersing protests. The prison system is marked by overcrowding, poor health

conditions, and a lack of security. In December 2019, 15 inmates were killed in La Joyita, a prison on the eastern outskirts of Panama City. Spanish news service EFE reported that heavy caliber weapons, including three rifles, were found in the prison after the fighting.

The illegal drug trade and related criminal violence remain problems, though the homicide rate is well below those of most countries in the region. The attorney general's office reported that the number of homicides rose to 480 in 2019, from 439 in 2018.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Discrimination based on gender, race, and other such categories is prohibited by law, but sexual orientation and gender identity are not covered, and racial minorities—including indigenous people, Panamanians of African descent, and certain immigrant groups—face some discrimination in practice. Indigenous communities enjoy a significant degree of autonomy and self-government, but many live in poverty and lack equal access to basic services. An influx of migrants and asylum seekers from Venezuela, Cuba, and other troubled countries in the region has stoked anti-immigrant sentiment in recent years.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The government generally respects freedom of foreign travel and internal movement, including the freedom to change one's place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Individuals can own private property and establish businesses freely under the law, but there are some practical impediments to defending property rights and operating businesses, including corruption and interference from organized crime.

Although indigenous groups have substantial land rights under the law, implementation has been problematic. Such groups have long protested the encroachment of illegal settlers on their lands, government delays in the formal demarcation of collective land, and large-scale development projects that proceed despite dissent within indigenous communities. In November 2019, the environment ministry recognized indigenous claims in 25 areas throughout the country, allowing residents to demarcate collectively held land there.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are largely unrestricted. However, domestic violence is a concern; according to official statistics, over 15,000 domestic violence cases were registered in 2018. Abortion is permitted in cases of rape or incest or to preserve the life or health of the woman, though there are significant procedural obstacles as well as potential penalties for abortions that do not meet the legal standard.

Panama does not recognize same-sex marriage, though it has faced pressure to legalize such unions in recent years. In a 2018 advisory opinion, the Inter-American Court of Human Rights (IACHR) ruled that member states should recognize same-sex unions. Instead, legislators sought to strengthen a ban on same-sex unions when they altered a package of constitutional reforms in October 2019, but this proposed amendment was scrapped in December.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Human trafficking for sexual exploitation and forced labor remains a serious problem despite some government efforts to combat it. Both Panamanian and migrant workers in certain sectors—including the agricultural sector, where many workers are indigenous people—are subject to exploitative working conditions. Enforcement of basic labor protections is weak in rural areas and among informal workers.

Papua New Guinea

Population: 8,800,000

Capital: Port Moresby

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Papua New Guinea is a democracy in which elections are held regularly, but the polls have often been marred by irregularities and violence. Party allegiances are unstable, and only two governments have survived for a full term since independence in 1975. Since the turn of the century, a boom in mineral resources extraction has helped successive incumbent governments to consolidate control. The judiciary retains significant independence, and the media are mostly free to criticize the government. Corruption remains a serious problem.

KEY DEVELOPMENTS IN 2019

- Prime Minister Peter O’Neill resigned in May, after several dozen lawmakers withheld their support for his government. Former finance minister James Marape succeeded him later that month.
- In August, the government offered to send the remaining residents of an Australian-run detention center on Manus Island to Port Moresby. The vast majority of asylum seekers and refugees there were residing in the capital by year’s end, though their movements remained restricted as they continued to pursue resettlement efforts.
- In late November and early December, 97.7 percent of participants in Bougainville voted for independence in a nonbinding referendum. The vote was mandated as part of a 2005 agreement that ended a civil war there; Papua New Guinean and Bougainville leaders are expected to formulate a response to the result in 2020.

POLITICAL RIGHTS: 23 / 40

A. ELECTORAL PROCESS: 7 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The governor general represents the British monarch as head of state and formally appoints the prime minister, who is the head of government, following an election process in Parliament. A law provides that the largest political party emerging from a general election has the first right to nominate a prime minister. While the prime minister’s legitimacy is partly rooted in the conduct of legislative elections, the election of the prime minister by members of Parliament (MPs) is a highly competitive process. Peter O’Neill of the People’s

National Congress Party (PNC) resigned in May 2019, after MPs resigned from government positions or sought anti-O'Neill alliances. Parliament selected former finance minister James Marape, who resigned from the O'Neill-led cabinet in April, to succeed him as prime minister in May.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Voters elect members of the unicameral, 111-member National Parliament for five-year terms. A limited preferential voting system allows voters to choose up to three preferred candidates on their ballots.

Serious flaws, including bribery and voter fraud, were reported in the 2017 election. Some areas, notably the Highlands Region, experienced election-related violence that resulted in dozens of deaths, as well as severe property damage. Due to irregularities, election results in the Southern Highlands were released several months late and sparked renewed violence in the town of Mendi once made public. The electoral process was smoother in coastal areas, but those regions were not completely free from irregularities and violence. Allegations of voter roll manipulation that favored the incumbent government were widespread, but most clear abuses were localized in the Highlands. Election observers expressed disappointment that recommendations to clean up voter rolls were disregarded.

Parliamentary seats were ultimately divided among numerous small parties, with the PNC taking nearly a quarter of the total and the National Alliance placing a distant second. Independents made up the third-largest group. A dispute over a 2017 parliamentary race was addressed in October 2019, when a Supreme Court panel agreed to stay a recount for a seat; this allowed its sitting PNC MP to remain in Parliament.

Local elections were held in Papua New Guinea in July and August 2019, and were similarly marred by fraud, violence, and voter intimidation.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The electoral law, which requires voters to rank three candidates on a preferential ballot, is fair but complex to administer. The voter rolls are poorly maintained. At the local level, election management bodies are chronically lacking in independence, particularly in the Highlands. Irregularities do not necessarily benefit incumbents, more than half of whom usually lose their seats at elections.

Electoral officials have also been accused of corruption in recent years. Electoral official Terence Hetinu was arrested on suspicion of fraud in 2017 after he was found carrying cash and marked ballot papers. Commissioner Patilias Gamato later claimed that was Hetinu was carrying funds for electoral operations, but Gamato himself was arrested in October 2019 on charges of corruption, money laundering, and conspiracy. In December, his bail was revoked and he was taken into custody after he was accused of interfering with witnesses.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties are able to form and operate freely, but many candidates run as independents and join factions only after reaching Parliament. Electoral loyalties are driven by local and personal factors at the constituency level. MPs frequently switch affiliations and

alliances. A law constraining freedom of movement between parties was ruled unconstitutional in 2010.

A large number of MPs joined the Papua and Niugini Union Party (Pangu) in 2019, including Prime Minister Marape, who became its leader in October. By year's end, Pangu, the oldest party in the country, became Parliament's largest. The National Alliance, the second-largest parliamentary group after the 2017 election, joined the governing coalition in September 2019.

The law granting the largest party the first opportunity to form a government creates an incentive for parties to register with the Registrar of Political Parties, as does government funding for parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The opposition has a reasonable chance of dislodging the government in elections, mass defections, or through a no-confidence vote on the floor of Parliament. Since independence in 1975, only two governments have served out a full five-year term, the Michael Somare-led 2002–07 government and the O'Neill-led 2012–17 government.

The frequency of no-confidence votes has been diminished somewhat by a provision that grants an incoming prime minister an 18-month "grace period."

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Most citizens and candidates are generally free to make political choices without undue interference. However, some local leaders, politicians, and candidate agents control the balloting process, particularly in the Highlands, and complete the ballot papers in bulk—a form of "assisted voting." As a result, the affected citizens are effectively denied the right to vote.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Although all citizens have equal political rights under the law, women are underrepresented in elected offices. The 2017 election featured the highest number of women candidates ever, but none won legislative seats, and there are currently no women in the 111-seat Parliament. LGBT+ people face societal discrimination that impedes their ability to advocate for their interests in the political sphere.

A 2005 agreement ended a civil war in Bougainville and provided for an independence referendum to be held between 2015 and 2020. While the Autonomous Bougainville Government has been building its own civil service in preparation for the possibility of independence, and laying groundwork for a referendum, central authorities expressed opposition to the island's possible secession. Over 180,000 people participated in the nonbinding referendum in November and December 2019, and 97.7 percent voted for independence. Papua New Guinean and Bougainville leaders are expected to negotiate on a response to the vote in 2020.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The prime minister heads the government, but cabinet ministers often exert considerable control over their portfolios without necessarily being answerable to the cabinet. There

are no powerful external forces that determine the policies of government, though logging and mining companies have been known to court influence. The government has only a limited ability to implement its policies across the country, as the state's presence in more remote areas is minimal.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is pervasive and remains the most important hindrance to development. Anticorruption institutions have been subject to political interference. Task Force Sweep was established in 2011 to root out corruption, and it carried out a variety of investigations against politicians, civil servants, and businessmen. However, when the unit turned its attention to millions of dollars' worth of fraudulent payments to local law firm Paraka Lawyers that were allegedly authorized by O'Neill, he responded by disbanding the task force; when courts ordered its resurrection, the government cut its funding. While police formally dropped the Paraka case against O'Neill in 2018, another warrant was issued in October 2019 on charges of unspecified corruption, only to be withdrawn later that month.

Papua New Guinea also grappled with new incidents of corruption and mismanagement in 2019. In May, the public ombudsman reported that several individuals, including O'Neill and Marape, were implicated in a government loan and subsequent stock purchase that were executed without parliamentary approval. Marape committed to an inquiry after the report was leaked to the public, but the inquiry was delayed in October and again in November; its commissioner blamed the government for providing insufficient funding and for failing to form a legal team for its work. In September, the Australian government warned that it would review its aid program for Papua New Guinea, noting that corruption interfered with aid delivery.

In July 2019, Marape publicly committed to the creation of the Independent Commission Against Corruption (ICAC). Legislation to create the agency remained under consideration at year's end.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations are generally opaque, and the government does not frequently release accurate information about public expenditures, procurement processes, or officials' assets. Papua New Guinea does not have an access to information law. In May 2019, local nongovernmental organization (NGO) PNG Economics warned that government figures, especially regarding public revenue and expenditure, are often inaccurate and are sometimes manipulated.

CIVIL LIBERTIES: 39 / 60 (-2)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Freedom of the press is generally respected. Local media provide independent coverage of the political opposition, as well as controversial issues such as alleged police abuse and official corruption. However, politicians have been known to harass media professionals over negative stories, and journalists can face physical attacks in the course of their work.

In late 2018, a journalist was suspended from state-owned television outlet EMTV over his coverage of government spending during the Asia-Pacific Economic Cooperation (APEC) summit in Port Moresby, but was reinstated under public pressure. EMTV's current affairs director, Neville Choi, was dismissed in August 2019; staff claimed Choi was

removed after EMTV covered a pay strike held by soldiers outside the prime minister's residence that February. Choi was reinstated later in August.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally upheld. There have been reports of larger churches criticizing newer and smaller groups, and of anti-Muslim rhetoric that has accompanied the arrival of Muslim refugees, but no major infringements on religious liberty have been alleged in recent years.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected, though the police have at times violently suppressed student demonstrations on campus.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no major constraints on the expression of personal views. However, a 2016 cybercrime law allows the prosecution of people who publish defamatory material or incite violence on social media, raising concerns that it could be misused to punish legitimate speech.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 3 / 4

The constitution provides for freedom of assembly. However, marches and demonstrations require 14 days' notice and police approval, and authorities sometimes deny permits. Police have used force to suppress demonstrations by asylum seekers on Manus Island.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

A number of NGOs operate in the country, including groups focused on human rights and environmental causes, as well as some that provide social services. Most are small and lack resources, but they are otherwise free of serious constraints on their activities.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers' rights to strike, organize, and engage in collective bargaining are largely respected. However, the government has frequently imposed arbitration in labor disputes to avert strikes, and protections against antiunion discrimination are unevenly enforced. Most workers are employed in the informal sector and lack access to union protections.

F. RULE OF LAW: 7 / 16 (-1)

F1. Is there an independent judiciary? 3 / 4

While successive governments have exerted political pressure on the court system, the judiciary is generally independent. Judges are appointed by the largely apolitical Judicial and Legal Services Commission and cannot be removed arbitrarily. Laypeople sit on village courts to adjudicate minor offenses under customary and statutory law. In recent years, the higher courts have repeatedly demonstrated their impartiality by ruling against the government and its political interests.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutional guarantees of due process are poorly upheld. Arbitrary detention is relatively common, and opportunities to challenge such abuses are limited in practice. A shortage of trained judicial personnel is a key cause of lengthy detentions and trial delays.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4 (-1)

Law enforcement officials have been implicated in brutality and corruption. Prison conditions are poor, and the correctional service is understaffed. Prison breaks are common. Lack of economic opportunities exacerbates social unrest, frequently resulting in violent clashes, injuries, and deaths. An Australian police assistance program exists, but its officers lack powers of arrest and are restricted by a 2005 court ruling that removed immunities from prosecution under local law.

Tribal violence and so-called “payback” attacks are common in the Highlands Region. Several such attacks occurred in 2019, resulting in the deaths of at least 50 people in the Southern Highlands and Hela Province in the middle of the year. In one July attack, 16 people, including two pregnant women and several children, were killed in the Southern Highlands village of Karida.

Score Change: The score declined from 2 to 1 due to a long-term increase in tribal violence in the country's highlands, punctuated by a massacre of 16 women and children in July.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution guarantees equality regardless of race, tribe, religion, sex, and other categories, but various forms of discrimination are common in practice. Same-sex sexual relations are a criminal offense that can draw up to 14 years in prison, though the relevant laws are rarely enforced. There is some discrimination against people of Chinese origin, which is mainly linked to resentment toward a growing Chinese business presence that is viewed as disadvantaging other groups. Women face legal discrimination in employment in addition to societal biases. Allegations of sorcery have been used to target women for violence.

Australia paid the Papua New Guinean government to accept asylum seekers who arrived in Australian waters by boat. Those who were not granted refugee status or did not agree to settle in Papua New Guinea were left in limbo, with Papua New Guinea's government claiming that these people are Australia's responsibility. The Australian government has been reluctant to allow refugees to enter Australia, but some have been sent to the United States as part of a deal between the US and Australian governments.

In 2016, Papua New Guinea's Supreme Court ruled that Australia's Manus Island detention center was unconstitutional, and the facility officially closed in 2017. Many remained in the facility for several years, amid reports of poor living conditions, violence, and poor health. After a Manus Island resident set fire to their accommodation while attempting suicide in June 2019, the authorities moved some residents classified as nonrefugees to Port Moresby, but 53 of these people were subsequently detained in another facility in August. Later in August, the government offered accommodation in Port Moresby to Manus Island's remaining refugees, and the vast majority of residents traveled to the city by year's end.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16 (-1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4 (-1)

Freedom of movement is somewhat restricted in the Highlands; survivors of tribal violence are known to restrict domestic travel or go into hiding in the immediate aftermath of skirmishes and attacks, and as many as 2,000 people were internally displaced during acts of violence in mid-2019. Travelers in Port Moresby are subject to roadblocks, where authorities check the registration of their vehicles. Movement is also restricted for refugees and asylum seekers who resided on Manus Island and in Port Moresby.

Score Change: The score declined from 3 to 2 due to internal travel restrictions and displacement associated with increased tribal violence.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

In Papua New Guinea, 97 percent of the land area is theoretically under customary tenure, but Special Agriculture and Business Leases (SABLs) have been used to facilitate land grabs by unscrupulous investors. In 2013, a government commission found that most active SABLs were illegal, and recommended their cancellation. In 2017, former premier O'Neill claimed that all SABLs were canceled, but the lands and physical planning minister acknowledged in 2018 that most SABLs were still being contested in court. Many SABLs remained in place in 2019, with local activists warning that large-scale logging was ongoing on land covered by the scheme.

Women face disadvantages regarding property rights and inheritance, particularly under customary law.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The law provides some protections for individual rights on personal status matters like marriage and divorce, but early or forced marriage remains a problem, and legislation meant to combat widespread family violence and aid victims is poorly enforced. About two-thirds of partnered women have experienced physical abuse, according to multiple studies. Abortion is illegal except when it is necessary to save the woman's life.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Legal safeguards against exploitative working conditions are weakly enforced, and frequent abuses in sectors including logging and mining have been reported. The government does not actively prosecute human traffickers, and efforts to identify victims are inadequate. The US Labor Department has previously assembled evidence of child labor in the coffee, cocoa, palm oil, and rubber sectors, as well as in commercial sexual exploitation.

In the 2019 edition of its *Trafficking in Persons Report*, the US State Department reported that bride-price payments facilitated labor and sexual exploitation. The department also reported that women and children were often ensnared in sex trafficking or forced servitude after they were promised legitimate education or employment opportunities.

Paraguay

Population: 7,200,000

Capital: Asunción

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Paraguay's democracy is dominated by the conservative Colorado Party. Corruption is decreasing but remains widespread, while organized crime, environmental destruction, and systemic discrimination damage the rights of indigenous populations. Poverty and gender-based discrimination also limit the rights of women and children.

KEY DEVELOPMENTS IN 2019

- Between August and October, 13 officials, including the foreign minister, the justice minister, and the interior minister, were removed by President Mario Abdo Benítez or resigned amid various political and corruption scandals. These personnel changes attested to the public's general priority to fight corruption and raise concerns about a lack of transparency and meritocracy in key appointments.
- In March, the senate declared itself "pro-life and pro-family," withdrawing materials related to sex education from the school system and reflecting the growing influence conservative religious groups have over public life in the nominally secular nation.

POLITICAL RIGHTS: 28 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is directly elected to no more than one five-year term, although efforts to instate presidential reelection, including an unconstitutional attempt by former president Horacio Cartes, periodically surface. The Colorado Party has held the presidency for most of the past 70 years. Left-wing former president Fernando Lugo (2008–12) was removed from office in a legal, if highly controversial, "express impeachment."

Mario Abdo Benítez of the Colorado Party won the presidency in the 2018 election, taking a little over 46 percent of the vote. Efraín Alegre, the candidate of the opposition Alianza Ganar coalition, took 43 percent. Observers including the European Union (EU) described the election as largely fair, although allegations were made of fraud, vote-buying, and a media blackout affecting other candidates.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral congress consists of an 80-member Chamber of Deputies and a 45-member Senate, with all members elected for five-year terms. The 2018 legislative elections resulted in a majority for the Colorado Party in the Chamber of Deputies, but no party won a majority in the Senate. Monitoring missions reported some irregularities but considered the parliamentary polls to be generally competitive and credible.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Superior Electoral Court of Justice (TSJE) regulates electoral processes. The government has yet to implement most recommendations the EU election observation mission issued in 2013 and 2018, including initiatives to improve the independence of the TSJE to allow for a thorough review of campaign financing, as well as to implement a mechanism for vote recounts, which are currently not possible. The 2018 EU monitoring mission also noted local authorities' consistent failure to enforce decisions made by the TSJE. The Abdo Benítez administration has yet to propose a constitutional reform process, promised by Abdo Benítez at the end of 2018, so as to address some of these issues.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4**

The Colorado Party has been in power for most of the past 70 years. They dominate the national political scene with the opposition Authentic Radical Liberal Party (PLRA), though both contain rival internal factions.

Several smaller parties emerged or increased their standing in the 2018 elections, including Patria Querida (PPQ), Hagamos (PPH), and Movimiento Cruzada Nacional (MCN), suggesting the grip of the two traditional parties is weakening somewhat.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Despite the dominance of the Colorado Party, opposition parties have a realistic chance of gaining power through elections. Former president Lugo was able to come to power in 2008 due to a split in the Colorado Party, while a liberal-left coalition, Alianza Ganar, came close to taking the presidency in 2018. In addition, rival factions within the Colorado Party serve as a kind of internal opposition and have recently alternated in power.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Citizens are generally free from undue interference in their political choices. However, there is some concern over the growing political influence of Brazilian landowners in eastern regions.

Media outlets are concentrated among a handful of families, including that of former president Cartes, granting these few owners a powerful political platform. The constitution bars military personnel from politics.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

No Afro-Paraguayans or indigenous people held legislative office in 2019, although an indigenous political movement has gained strength. Women held only 21 out of 125 seats in congress in 2019, and no regional governorships. A gender quota law mandating that party lists be 50 percent women for all positions has stalled in congress.

C. FUNCTIONING OF GOVERNMENT: 6 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4**

While elected officials determine government policy, the making and implementation of decisions is often influenced or hampered by organized crime and corruption.

In 2018, Cartes attempted to extend his political influence beyond his presidential term but was thwarted by the Senate. The Supreme Court early in the year controversially ruled that Cartes could run for a Senate seat with full voting rights. Critics said that this contravened the constitution, which states that former presidents become senators for life, but lack voting rights and may only contribute to debates. Cartes won a Senate seat in the April elections, but the Senate in June blocked his move to step down from the presidency early to take his seat; this precluded him from being sworn in, as the Constitution does not permit the president to simultaneously serve as a senator. Cartes then reluctantly withdrew his resignation.

A major scandal emerged in July 2019 after evidence emerged that a lawyer claiming to represent the vice-president had been privately negotiating with Brazilian officials over energy prices connected to the Itaipú dam. This stoked fears that a major renegotiation of the dam's dividends due by 2023 will not be determined by elected officials but by private interests.

At the height of the scandal, a Colorado faction in congress loyal to Cartes threw its weight behind efforts to impeach Abdo Benítez in August, only to demur after backroom negotiations. Soon afterwards, the president appointed a close Cartes ally to head the important agriculture ministry, despite criticisms of his alleged lack of qualifications. The episode suggested that the former president still has considerable influence over government policy and personnel.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption is a serious problem, and anticorruption laws have been poorly implemented. Cases often languish for years in the courts without resolution, and many offenses go unpunished due to political influence in the judiciary.

Mass anticorruption demonstrations erupted in mid-2018, and a number of officials from all parties and factions, resigned, were investigated, and then prosecuted in their wake.

The Abdo Benítez government has taken a somewhat firmer line against corruption than his predecessors. Amid a scandal over the Itaipú dam in August 2019, the president removed multiple officials, including the foreign minister, the ambassador to Brazil, the Paraguayan director of Itaipú, and the director of the Secretariat for the Prevention of Money or Assets Laundering (SEPRELAD). In October, following allegations of misuse of funds regarding police spending, the president replaced the interior minister.

The left-leaning mayor of Asunción and a former presidential candidate, Mario Ferreiro, resigned in December amid allegations of corruption by close associates.

C3. Does the government operate with openness and transparency? 2 / 4

Government transparency, especially in public administration, is gradually improving, and the effective implementation of access to information laws has bolstered investigative journalism. Citizens show increasing intolerance for corruption and opaque government, something reflected in demonstrations concerning the Itaipú dam in 2019, against corruption in 2018, and against the secretive unconstitutional attempts to allow for presidential re-election in 2017.

CIVIL LIBERTIES: 37 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

Constitutional freedoms of expression and the press are unevenly upheld. Direct pressure against journalists, including threats by criminal groups and corrupt authorities, encourages self-censorship, and violent attacks against journalists take place occasionally.

In July 2019, two journalists were injured by rubber bullets fired by police while covering a protest in Asunción, prompting condemnation by press freedom groups.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Diverse religious groups generally worship freely. However, the cultural dominance of the Catholic Church has spread further into public and private life, sometimes to the detriment of individual rights. Religious groups unaffiliated with the Catholic Church claim the government disproportionately subsidizes Catholic schools. There have also been concerns from human rights groups that indigenous holidays are not respected by employers of other religious backgrounds.

In March, the Senate declared itself “pro-life and pro-family” and opened its session with a prayer.

The Catholic Christian Apostolic National Church of Paraguay (ICCAN), which claims to have more than 100,000 members, accused the Vice Ministry of Worship (VMW) of rejecting two requests to register as a religious entity.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Although academia is generally independent, student elections and professional advancement often depend on affiliation with the Colorado Party and the PLRA.

In March 2019, academic groups expressed concern after a crowd threw projectiles at and lit fires outside the home of historian Milda Rivarola in the rural town of Quyuquyhó over her opposition to urban redevelopment plans.

In February, it emerged that a religious nongovernmental organization (NGO) called Decisiones had been awarded \$308,000 in state funding over seven years for delivering classes discouraging the use of condoms and promoting “gay conversion therapy” in public schools, in which religious instruction is legally prohibited.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Citizens can, for the most part, engage in free and open private discussion, though the presence of armed groups in some areas can serve as a deterrent.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

Demonstrations and protests are common but sometimes repressed. Periodic anticorruption protests in 2019 proceeded without interference, notably over the July and August scandal involving the Itaipú dam. The protests prompted the resignation and dismissal of several top officials.

In October 2019, an LGBT+ pride march was attacked by religious demonstrators in the southeastern city of Hernandarias.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Paraguay has a strong culture of largely free NGOs working in the field of human rights and governance. However, the government is generally unresponsive to NGO scrutiny. NGOs struggle to afford advertising space, and political access tends to be given to organizations made up of senior business figures or religious groups, while human rights groups are increasingly dismissed as reflecting an international liberal agenda.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Registration procedures for trade unions are cumbersome and employees are often unprotected from employer retaliation. However, labor activism was nevertheless robust in 2019, with taxi drivers protesting in July to demand more regulations governing ride-sharing services.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary is nominally independent, but money launderers, drug traffickers, and corrupt politicians have co-opted local judicial authorities. The replacement of Justice Minister Juan Ernesto Villamayor following a spending scandal with a respected jurist, Euclides Acevedo, in October, was generally viewed positively.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutional guarantees of due process are poorly upheld, largely due to corruption that permeates the judicial system. Individuals with influence or access to money are frequently able to obtain favorable treatment in the justice system. Cases like the 2012 killings of 6 policeman and 11 peasant farmers, *campesinos*, in Curuguaty are yet to be investigated fully and fairly.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Paraguay is one of the region's safer countries. However, the Paraguayan People's Army (EPP), a guerilla group, is still active in the northeast. Gang warfare predominantly takes place along the Brazilian border but is spreading. Illegal detention and torture by police still occur. Overcrowding and unsanitary conditions are serious problems in prisons.

The Abdo Benítez administration took steps to rein in the Grupo Lince, a rapid-reaction police force created in 2017 to tackle urban crime, but which has been criticized for heavy-handed arrests and inspections. For example, the administration drastically cut the group's funding, and mandated that agents wear identifying badges and keep their faces visible. The efforts were unpopular with much of the public, and reduced activity by the group was widely blamed as the cause of an apparent uptick in violent crime. In September 2018, authorities announced the restoration of the group's funding.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Paraguay lacks legislation protecting against all forms of discrimination. While same-sex sexual activity is legal, members of the LGBT+ community face endemic discrimination. In March 2019, the government withdrew educational materials relating to sex education, and the Senate declared itself to be "pro-life and pro-family." In August, a court

heard a murder case whose victim was a transgender woman for the first time; more than 60 transgender people have been murdered since 1989 without any resulting trial.

Indigenous people similarly face discrimination and lack access to adequate health care. Rampant deforestation, man-made forest fires, and forced evictions threaten the last indigenous Ayoreo groups in voluntary isolation and indigenous Guaraní settlements.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement is generally respected, though the presence of armed or criminal groups can discourage travel in some areas. Most people can change their employment without legal impediment. For students, moving between educational establishments can prove difficult as faculty often have the power to retain individual academic information needed to go elsewhere.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Although there are few formal restrictions on private business activity and property rights, land disputes, often linked to historic misappropriation of public land and respect of indigenous land rights, remain a problem.

The EPP has threatened, kidnapped, and extorted ranchers in areas where it maintains a presence.

In July 2019, Amnesty International continued to warn of threats of renewed violent eviction against campesino and indigenous communities. A six-month long protest ended in Asunción in April 2019, where the indigenous members of the Tacuara'i community of the Ava Guaraní Chiripá people had camped after being violently evicted from one of their last remaining ancestral territories in the east of the country.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Women and children continue to suffer from high levels of gender-based violence and sexual abuse. Abortion remains illegal, as do same-sex marriage and civil unions. Leaders of the LGBT+ community have stated that LGBT+ people feel increasingly isolated amidst the country's conservative shift.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Some 24 percent of the population lived in poverty in 2018, with 4.8 percent living in extreme poverty. Both figures have fallen slightly in recent years. Indigenous populations are particularly affected. Inequality in land ownership and income is extremely high and social mobility very limited. Reports of forced labor and slavery periodically surface.

The ongoing illegal practice of *criadazgo*, the temporary adoption in which children, generally from poor families, work without pay for wealthier ones, severely limits the freedom of roughly 47,000 children across the country.

Peru

Population: 31,800,000

Capital: Lima

Freedom Status: Partly free

Electoral Democracy: Yes

Overview: Peru has established democratic political institutions and undergone multiple peaceful transfers of power, though recent, high-profile corruption scandals have eroded public trust in government and hampered its normal operations. Indigenous groups suffer from discrimination and inadequate political representation.

KEY DEVELOPMENTS IN 2019

- In September, President Martín Vizcarra dissolved the opposition-controlled Congress. In response, Congress attempted to suspend Vizcarra, and named Vice President Mercedes Araoz as interim president, but she resigned a day later. Vizcarra remained in power and called for new legislative elections in January 2020.
- In July and August, President Vizcarra responded to protests in Islay against a controversial mining project by authorizing military forces to maintain order in the area. Local social organizations that oppose the Tia Maria mine note the risk that it would pollute local farmland and water supplies.

POLITICAL RIGHTS: 30 / 40 (-1)

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is chief of state and head of government. Presidents are directly elected to a five-year term and may serve nonconsecutive terms. The 2016 election was closely contested, with Pedro Kuczynski winning by a historically small margin of 0.2 percent over Keiko Fujimori. The elections took place peacefully, and stakeholders accepted the close result.

Kuczynski resigned in March 2018, as lawmakers prepared to hold an impeachment vote against him over corruption allegations. Vice President Martín Vizcarra was quickly sworn in to replace him, in accordance with legal procedures.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 130-member unicameral Congress are elected for five-year terms. Congressional balloting employs an open-list, region-based system of proportional representation, with a 5 percent vote hurdle for a party to enter the legislature.

In September 2019, President Vizcarra dissolved Congress. Vizcarra had the constitutional authority to move forward with the dissolution, especially as there had been two votes of no confidence since the most recent congressional elections. In response, Congress attempted to dismiss the president's actions, suspend him from the presidency, and appoint Vice President Mercedes Araoz as interim president. The next day, however, Araoz resigned and soon after President Vizcarra issued a decree calling for congressional elections in January, which has been accepted by the opposition party.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The National Board of Elections (JNE) has taken steps to improve transparency surrounding the electoral process, but insufficiently regulated campaign financing remains a serious issue. Soon after President Vizcarra dissolved Congress, JNE officially started the process for the 2020 congressional elections. Political parties and other political alliances had until the end of October 2019 to officially register their candidates to participate in the January 2020 election.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Peruvian parties, while competitive, are both highly fragmented and extremely personalized. Though there are limits on individual donations, there are no constraints on spending by political parties, offering an outsized advantage to parties able to secure abundant funds.

The political system in Peru has been described by the country's political science community as a "democracy without parties." The prevailing opinion is that the party system collapsed during Alberto Fujimori's authoritarian regime in the 1990s. Traditional political parties have been replaced by fragile and opportunistic political organizations that have a very short life and little preference for democratic practices.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition political parties have a realistic chance of winning power through elections. The Popular Force party has used its legislative majority as a strong counterweight to the executive. There is currently no indication that the recent dissolution of Congress by President Vizcarra will create legal or de facto obstacles to the opposition, nor will he curtail its participation in the upcoming elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

While voters and candidates are generally able to exercise their political choices without undue influence, businesses regularly seek to bribe or otherwise influence political candidates' positions.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The concerns of ethnic and cultural minorities, especially in remote mountain and Amazonian areas, remain inadequately addressed in politics. The 2011 Law of Prior Consultation attempted to improve the participation of indigenous groups by guaranteeing consultation before mining and other development projects are undertaken. However, indigenous groups have criticized the law, as the process gives indigenous representatives no veto power, and there are ambiguities as to what qualifies a community as indigenous.

While the political participation of women has increased over recent years, women held just 28 percent of seats in Congress before its dissolution, and few leadership roles in local and regional governments.

C. FUNCTIONING OF GOVERNMENT: 6 / 12 (-1)**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4 (-1)**

Elected leaders and representatives are the key agents in creating and implementing policy. However, businesses and special interest groups influence officials through bribes and other illicit payments. The last four presidents and opposition leader Keiko Fujimori have all been accused of accepting illegal funds.

Partisan polarization has disrupted normal government functions in recent years. Throughout his time in office, President Vizcarra has constantly battled with Congress over his political and legislative agenda. In September 2018 he addressed the issue of no confidence in his government when he perceived that Congress was blocking his judicial and anticorruption reforms. Earlier this year, Vizcarra clashed again with Congress while trying to push his ambitious political reform. Finally, in September 2019, the battle over the rules of selection of new members of the Constitutional Court ended with Vizcarra dissolving Congress.

Score Change: The score declined from 3 to 2 due to a clash between the executive and legislative branches in which the president took the unusual step of dissolving Congress, and lawmakers subsequently attempted to suspend the president from office.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Government corruption remains a critical problem in Peru, though law enforcement authorities frequently investigate and prosecute corruption allegations. Recent years have seen scandals involving allegations of illicit deals between the Brazilian firm Odebrecht and a number of the country's most senior political figures.

After assuming office, President Vizcarra proposed four anticorruption reforms, which were put to a referendum in December 2018. Three of the measures—including a ban on consecutive reelection for lawmakers, limits on campaign contributions, and an overhaul of the judicial appointment process—were approved by more than 85 percent of voters. The fourth measure, to reinstitute a 50-member Senate, was rejected by a little over 90 percent of voters. The result was a triumph for Vizcarra, who had campaigned heavily for the three successful reforms, but advocated against the fourth due to a modification made by the opposition-controlled Congress that would have curtailed executive power.

Vizcarra's administration called 2019 "the year of the fight against corruption and impunity." However, the perception of corruption of the political class is widespread, according to the latest survey by the Latin American Public Opinion Project (LAPOP). The latest regional report published in August by LAPOP shows that 52 percent of Peruvians would be willing to justify a military coup due to high corruption and crime in the government.

C3. Does the government operate with openness and transparency? 2 / 4

Some government agencies have made progress on transparency, but much information related to defense and security policies remains classified under a 2012 law. In 2019, the current administration has made a concerted effort to strengthen digital portals that contain public information in order to increase transparency and improve public services.

CIVIL LIBERTIES: 42 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16****D1. Are there free and independent media? 3 / 4**

Peru's dynamic press is mostly privately owned, and ownership is highly concentrated. Defamation is criminalized, and journalists are regularly convicted under such charges,

though their sentences are usually suspended. Verbal attacks against and vilifications of journalists are reported each year. In April 2019, multiple government officials and representatives claimed that Gustavo Gorriti, director of the online news outlet IDL-Reporteros, should be considered responsible for the suicide of former president Alan Garca. The outlet had investigated Garca for evidence of corruption, which led to his shooting himself upon the police’s arrival at his home.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The Peruvian constitution guarantees freedom of religion and belief, and these rights are generally respected.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is unrestricted.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to engage in private discussion without fear of retribution or surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

The authorities generally recognize the constitutionally guaranteed right to peaceful assembly. In the past, local disputes and protests—notably those related to extractive industries, land rights, and resource allocation among marginalized populations—have resulted in instances of excessive use of force by security personnel. However, substantial efforts by the state ombudsman and the National Office of Dialogue and Sustainability (ONDS) have seemingly contributed to a reduction in protest-related violence.

Multiple protests related to environmental conservation occurred in 2019. In June, Peruvian activists rallied the international community to petition and protest the installment of a new airport near Machu Picchu, sought to increase access to the historical site. Conservationists internationally have expressed outrage over the danger the airport poses to important archaeological ruins and the surrounding environment.

In July and August, President Vizcarra responded to protests in Islay against a controversial mining project by authorizing military forces to maintain order in the area. Local social organizations that oppose the Tia Maria mine note the risks and fears that it would pollute local farmland and water supplies.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Freedom of association is generally respected. However, efforts by environmental activists to discourage land development have been met with intimidation.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Peruvian law recognizes the right of workers to organize and bargain collectively. Strikes are legal with advance notification to the Ministry of Labor, but few strikers abide by this regulation. Lengthy processes involved in registering a new union create a window in which labor leaders and activists can be easily dismissed from their jobs. Short-term

contracts in many industries make unionization difficult. Less than 10 percent of the formal workforce is unionized.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary is perceived as one of the most corrupt institutions in the country. In July 2018, secretly recorded tapes revealed five judges trading reduced sentences or judicial appointments in exchange for bribes. All of the judges resigned or were suspended, and the revelations prompted a wave of citizen demonstrations. In December 2018, voters approved a reform that would replace the National Council of Judges, the body which selects and appoints judges, with a new National Board of Justice, whose members would be voted on by the public and restricted to one five-year term.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Constitutional guarantees of due process are unevenly upheld. Lawyers provided to indigent defendants are often poorly trained, and translation services are rarely provided for defendants who do not speak Spanish. Impunity for violence against environmental activists who challenge land development remains a problem.

In October 2018, Peru's Supreme Court ordered former authoritarian president Alberto Fujimori back to prison. In 2009, Fujimori was sentenced to 25 years' imprisonment for human rights abuses committed while in office, but former president Kuczynski had issued a controversial medical pardon in 2017. Police officially returned him to prison in January 2019.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

A recent report published in September 2019 by the National Statistics Institute (INEI) shows that between March and August 2019, 26 percent of Peruvians were victimized by crime and 85 percent believe they will be victims of a crime. About 10 percent of all reported crimes were committed with a firearm.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Discrimination against indigenous populations and Afro-Peruvians is pervasive. LGBT+ people face discrimination, hostility, and violence.

After Colombia, Peru is the country that has received the highest number of migrants from Venezuela. An October 2019 report by the Ministry of the Interior found that more than half of the Venezuelans residing in Peru have felt or experienced discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Peru does not place formal restrictions on movement, and movement around the country has become easier in recent years due to a decrease in protest actions that involve road blockages. People are able to freely change their place of employment or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The rights to own property and establish business are mostly respected, though tensions persist between extractive industries and indigenous communities who oppose land development. The Prior Consultation Law is designed in part to better protect indigenous rights to land. Its implementation has resulted in some positive outcomes for communities that have taken part in consultation processes—though prior consultation still does not always take place, nor are the requests of indigenous groups binding.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Gender-based violence is widespread in Peru, with more than half of Peruvian women reporting instances of physical, sexual, or emotional abuse. Proposals to recognize civil unions for same-sex partners have been repeatedly introduced and rejected in Congress. Abortion is permitted only in instances where a woman's health is in danger.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Peruvian women and girls—especially from the indigenous community—fall victim to sex trafficking. Men, women, and children are subject to forced labor in mines and the informal economy. According to the US State Department's 2019 *Trafficking in Persons Report*, the government of Peru does not meet the minimum standard for the elimination of trafficking, but has demonstrated significant efforts to ameliorate the problem, including convicting a higher number of people involved in human trafficking.

Philippines

Population: 108,100,000

Capital: Manila

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Although the Philippines transitioned from authoritarian rule in 1986, the rule of law and application of justice are haphazard and heavily favor political and economic elites. Long-term violent insurgencies have continued for decades, though their threat to the state has diminished in recent years. Impunity remains the norm for violent crimes against activists and journalists, and President Rodrigo Duterte's war on drugs since 2016 has led to thousands of extrajudicial killings.

KEY DEVELOPMENTS IN 2019

- Candidates aligned with President Duterte dominated May's midterm elections. Despite reports of vote-buying and some election-related violence, the polls were generally perceived as successful and credible, and the results as a signal that Duterte would be able to accelerate his political agenda.
- In July, sedition cases were filed against top opposition figures including Maria Leonor "Leni" Robredo, incumbent senators Leila de Lima and Risa Hontiveros, former senators Antonio Trillanes IV and Paolo Benigno Aquino IV, and six senatorial candidates who ran and lost in the May midterm elections.

- In February, the Bangsamoro Transition Authority was established as the governing body of the new autonomous region in Mindanao called the Bangsamoro, marking an important step toward peace in the restive region.
- After 30 years of litigation, the Sandiganbayan—the Philippines’ anticorruption court—dismissed for lack of substantial evidence forfeiture cases worth billions of dollars against the late dictator’s wife, Imelda Marcos, and her children.

POLITICAL RIGHTS: 25 / 40 (-1)

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is both head of state and head of government, and is directly elected to a single six-year term. Rodrigo Duterte of the Philippine Democratic Party–People’s Power (PDP-Laban) won the 2016 presidential election with 39 percent of the vote, followed by Manuel Roxas II of the Liberal Party, with 23 percent. While polling was marked by dozens of violent episodes, including a number of killings, there were fewer such incidents compared to previous election years. Vote buying was also reported.

The vice president is directly elected on a separate ticket and may serve up to two successive six-year terms. Maria Leonor “Leni” Robredo of the Liberal Party won the closely contested vice presidency in 2016 with 35 percent of the vote.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The 24 members of the Senate are elected on a nationwide ballot and serve six-year terms, with half of the seats up for election every three years. The 299 members of the House of Representatives serve three-year terms, with 241 elected in single-member constituencies and the remainder elected through party-list voting.

Midterm elections for the Senate, the House of Representatives, and local government offices were held in May 2019. Despite reports of vote buying and some election-related violence, the polls were generally perceived as successful and credible. No single party won an outright majority in either house, but the pro-Duterte parties secured majority alliances in both. The opposition Liberal Party alliance did not win a single seat in the Senate.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The president appoints the Commission on Elections (Comelec), whose performance was generally praised in 2016 but was criticized for technical glitches and procurement issues that occurred in the 2019 midterm elections. The Comelec performs both election management and adjudication functions; frequent litigation complicates the interpretation of electoral laws and makes the already complex framework even less accessible to the public.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The Philippines has a strong record of open competition among multiple parties, though candidates and political parties typically have weak ideological profiles. Legislative coalitions are exceptionally fluid, and politicians often change party affiliation, typically to join the dominant bloc.

In the past three decades, political dynasties have become more prevalent and more powerful, and hold many provincial governorships and a significant number of seats in the Congress.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

The Philippines has seen regular rotations of power at the national level. However, in recent years opposition politicians have faced increasing harassment, and some have been arrested on charges denounced by the opposition and rights groups as politically motivated.

In July 2019, sedition cases were filed against top opposition figures including Vice President Robredo, incumbent senators Leila de Lima and Risa Hontiveros, former senators Antonio Trillanes IV and Paolo Benigno Aquino IV, and six senatorial candidates who ran and lost in the May midterm elections. Trillanes faces legal proceedings in a number of other cases, including on charges of rebellion that were revived after Duterte voided the amnesty granted to him in 2010 for leading mutinies when he was an officer in the navy. Leila de Lima, one of the most outspoken critics of President Duterte's war on drugs, had been arrested in 2017 on charges of accepting money from drug dealers. She remains in jail nearly three years after her arrest, and is recognized as a prisoner of conscience by a number of international rights groups.

Duterte cracked down on the Communist Party of the Philippines (CPP) and its armed wing, the New People's Army (NPA), declaring them terrorist organizations after peace talks failed in 2017. In 2018, the government filed a petition in court to declare 649 individuals CPP and NPA members, which would effectively designate them as terrorists. The list included actual members of the CPP, as well as other critics of the president, a former party-list member of Congress, and the UN special rapporteur on the rights of indigenous peoples, Victoria Tauli-Corpuz. Corpuz's name was removed along with those of several dozen other rights defenders when the list was trimmed in 2019. Human Rights Watch (HRW) called the list a "virtual government hit list," citing a history of people accused of NPA involvement being assassinated by state security forces and progovernment militias.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Distribution of power is heavily affected by patronage and kinship networks. In the past 30 years, political dynasties have expanded. Party lists are frequently dominated by traditional political families, and recent elections have resulted in an increasing concentration of power in the hands of a few families. Election-related funding also contributes to the concentration of power: there are no limits on campaign contributions and a significant portion of political donations come from a relatively small number of donors.

The activities of armed rebel and extremist groups and martial law also continued to affect politics in the south of the country in 2019. Duterte announced in December, however, that the security situation in Mindanao had improved and that martial law there would expire a year's end.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

While women make up about a quarter of the legislature, political life is dominated by men, and few women are elected without following in the footsteps of a male relative. Muslims and indigenous groups are not well represented; perceptions of relative socioeconomic

deprivation and political disenfranchisement, along with resentment toward Christian settlements in traditionally Muslim areas, have played a central role in the Philippines' Muslim separatist movements.

In 2013, the Supreme Court ruled that the party-list portion of the electoral framework for the House of Representatives, traditionally meant to ensure representation for marginalized or underrepresented groups, could also be open to other groups, including national political parties, provided that they did not stand in the single-member constituency contests. A number of party-list groups gained seats in 2019 not by representing national sectors or interests as intended, but through substantial support from kinship networks in single geographic regions, and links with the Duterte administration.

C. FUNCTIONING OF GOVERNMENT: 6 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

While elected government officials and legislative representatives determine state policies, the president is able to dominate policymaking due to a political system that grants significant powers to the executive branch. A few dozen families continue to hold a disproportionate share of political authority.

C2. Are safeguards against official corruption strong and effective? 1 / 4 (-1)

Government corruption and impunity for corruption is a serious problem. The courts and other anticorruption institutions have failed to hold powerful politicians and their associates to account for serious allegations.

The official anticorruption agencies, the Office of the Ombudsman and the Presidential Anti-Graft Commission (PAGC), have mixed records. The PAGC lacks enforcement capabilities. The Ombudsman, which is tasked with acting on complaints filed against government workers and officials, is poorly resourced and relies on the solicitor general—the chief counsel of the government—to launch prosecutions. It has focused on major cases against senior government officials and those involving large sums of money, some of which languish for years in the Sandiganbayan (anticorruption court). In August 2019, the deputy ombudsman claimed that the Philippines was losing around 700 billion pesos (\$13 billion), or around 20 percent of the country's total budget appropriation, annually, due to corruption.

President Duterte has fired numerous officials due to corruption, including the interior minister in 2017, but his anticorruption drive had ultimately led to few convictions. In 2018, the Sandiganbayan acquitted Senator Ramon Revilla Jr. of charges of embezzling over \$4 million in government funds during his last term, although one of his aides was convicted. Revilla was again elected to the Senate in the 2019 midterm polls.

In November 2018, the Sandiganbayan found former first lady Imelda Marcos guilty of corruption for improperly moving \$200 million into Swiss foundations as governor of Manila in the 1970s and sentenced her to between 6 and 11 years in prison. Marcos posted bail and filed an appeal with the Supreme Court, which had not yet heard her case at year's end. In August 2019, after 30 years of litigation, the Sandiganbayan dismissed a \$2 billion forfeiture case against Imelda Marcos and alleged cronies on charges of ill-gotten wealth. In October, the same court division dismissed a \$20 million civil case against members of the Marcos family stemming from allegations of ill-gotten wealth during the Marcos years. Of the 43 cases filed by the Presidential Commission on Good Government (PCGG) against the Marcos family in 1987, 22 cases have now been dismissed, with 1 indefinitely archived, and 20 remaining.

Score Change: The score declined from 2 to 1 due to a pattern of cases over several years in which the courts and other anticorruption institutions have failed to hold powerful politicians and their associates accountable for alleged malfeasance.

C3. Does the government operate with openness and transparency? 2 / 4

Government transparency remains limited despite some positive initiatives. Local governments have been required to post procurement and budget data on their websites, and in 2012 the national government began participatory budgeting at various levels. Duterte issued an order establishing the country's first freedom of information directive in 2016, but it mandates public disclosure only in the executive branch and allows major exemptions.

President Duterte has refused to release a filing known as a statement of assets and liabilities and net worth (SALN); all previous presidents made the disclosure, pursuant to a 1989 law.

CIVIL LIBERTIES: 34 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 2 / 4

The constitution provides for freedoms of expression and the press. Private media are vibrant and outspoken, although content often lacks fact-based claims or substantive investigative reporting. The country's many state-owned television and radio stations cover controversial topics and sometimes criticize the government, but they too lack strict journalistic ethics. While the censorship board has broad powers to edit or ban content, government censorship is generally not a serious problem in practice.

The Philippines remains one of the most dangerous places in the world for journalists, and the president's hostile rhetoric toward members of the media exacerbates an already perilous situation. The Philippine Center for Investigative Journalism in May 2019 said attacks and threats on the Philippine media have continued relentlessly throughout the Duterte administration, and that there had been no major efforts by state agencies to investigate serious incidents or otherwise address the problem. A coalition of media groups reported in May that from June 30, 2016 to April 30, 2019, there were 128 documented attacks and threats against the press, including physical attacks; threats, including death threats and bomb threats; smearing journalists as conspiring against the government; "red-tagging," or alleging that targets harbor communist sympathies or connections in order to increase harassment against them; and DDoS attacks on alternative-media sites. According to the Committee to Protect Journalists (CPJ), six journalists have been killed in the Philippines in connection with their work between 2016 and 2019.

Other obstacles to press freedom include Executive Order 608, which established a National Security Clearance System to protect classified information, and the Human Security Act, which allows journalists to be wiretapped based on suspicion of involvement in terrorism. Libel is a criminal offense, and libel cases have been used frequently to quiet criticism of public officials. In February 2019, a government spokesman said journalists had been wiretapped as part of an investigation into allegations that a group of critical outlets were plotting to oust Duterte; the outlets and international press freedom advocates rejected the claims.

In 2018, the government revoked the registration of the online news site Rappler, which has been critical of Duterte's war on drugs, for violation of regulations that forbid foreign entities from exerting any control over domestic news outlets. Reporters for Rappler, accused by Duterte of being part of a "fake news outlet," were banned from the presidential palace and from all official presidential events, proscribing government officials from

granting them interviews. By February 2019, the editor in chief, Maria Ressa, had been arrested twice and had posted bail for 11 different charges including tax evasion, libel, cyberlibel, and violations of Securities and Exchange Commission regulations.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is guaranteed under the constitution and generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom at the country's many public and private schools is generally respected. However, in July 2019, authorities closed 55 indigenous primary schools in the Davao region on allegations that these nonprofit schools were teaching leftist ideology.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant impediments to free and open private discussion. The internet is widely available. Rights groups have expressed concern about threats against and censorship of anonymous online criticism and the criminalization of libelous posts, but this has yet to have a major impact on private discussion.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12 (-1)

E1. Is there freedom of assembly? 3 / 4

Citizen activism and public discussion are robust, and demonstrations are common. However, permits are required for rallies, and police sometimes use violence to disperse antigovernment protests.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Civil society has been historically robust in the Philippines, which hosts a range of active human rights, social welfare, environmental, and other groups. However, assassinations of civil society activists have continued, and President Duterte's public threats against those who oppose his policies have exacerbated an already dangerous atmosphere of impunity. Environmental and land rights activists operate at a particularly acute risk. The international environmental rights group Global Witness reported in its most recent statistics that 30 land and environmental defenders were killed in the Philippines in the year 2018 alone.

In November 2018, a Securities and Exchange Commission (SEC) memorandum, ostensibly to protect nonprofit organizations from money laundering and terrorist financing abuse, mandated that nonprofit organizations disclose past and present funding sources, and specify the projects and activities funded. Rights groups criticized the memorandum as an unnecessary government intrusion, and in January 2019, the seven lawmakers who make up the Makabayan bloc filed a motion in the lower house calling for further scrutiny of its proposals.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4 (-1)

Trade unions are independent, though less than 10 percent of the labor force is unionized. Collective bargaining is common among unionized workers, however, and strikes may be called as long as unions provide notice and obtain majority approval from their members.

Labor and professional groups have experienced increased harassment, including red-tagging, in recent years, particularly those representing farmers and lawyers. Leaders of such groups have been targeted amid the broader increase in extrajudicial killings that has taken place in the Philippines over the past decade. In June 2019 Dennis Sequena, a labor organizer, was shot and killed while meeting with workers in Cavite Province.

Score Change: The score declined from 3 to 2 due to a rise in threats and violence against labor activists in recent years.

F. RULE OF LAW: 3 / 16

F1. Is there an independent judiciary? 1 / 4

Judicial independence has deteriorated during President Duterte's administration. Chief Justice of the Supreme Court Maria Lourdes Sereno, a harsh critic of the president, was ousted in May 2018 when the court voted eight to six to grant a petition by the solicitor general to cancel Sereno's 2010 appointment, due to allegations that she had failed to disclose some of her assets. The decision was sharply criticized by the opposition as politically motivated and a brazen attack on the independence of the judiciary. Sereno moreover argued that her removal was improper, because the only means of removing a Supreme Court justice prescribed by the constitution is through congressional impeachment proceedings.

Judicial independence is also hampered by inefficiency, low pay, intimidation, corruption, and high vacancy rates.

Three judges were assassinated in 2019, according to a tally maintained by Rappler.

F2. Does due process prevail in civil and criminal matters? 0 / 4

The justice system fails to guarantee due process rights. Arbitrary detention, disappearances, kidnappings, and abuse of suspects are common. Lawyers and prosecutors have been the targets of deadly violence, with Rappler documenting dozens of murders since 2016.

The police and military have been implicated in corruption, extortion, and involvement in the illegal drug trade. In October 2019, Oscar Albayalde, the national police chief, was charged alongside 13 police officers with involvement in a 2013 operation involving the recycling and reselling of confiscated methamphetamine. Separately, in the drug war, the police have used watch lists to identify targets for extrajudicial execution.

Martial law and the suspension of habeas corpus was in effect throughout 2019 in the southern region of Mindanao, though Duterte announced late in the year that martial law would not be renewed there for 2020.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The Philippines has been afflicted by long-running insurgencies, and more recently, violent extremism in Mindanao. Since 2016, President Duterte has waged a violent war on drugs that has led to widespread extrajudicial killing.

Authorities stated in July 2019 that 5,526 people had been killed in Duterte's antidrug campaign as of June 30, 2019. However, human rights groups, drawing in part from a 2017 police report of "deaths under investigation," in 2019 put the number of related deaths at as many as 27,000. The victims include civilians and children who were deliberately targeted. Convictions for extrajudicial killings and other such crimes are rare, and Duterte has appeared to encourage the actions. In February 2018, the International Criminal Court (ICC) announced that it would conduct a preliminary examination into the war on drugs. In response, President Duterte withdrew the ratification of the Rome Statute, ending the

country's participation in the International Criminal Court (ICC) effective in March 2019. In June, United Nations High Commissioner for Human Rights Michelle Bachelet expressed concern about the "extraordinarily high number of deaths" and "persistent reports of extrajudicial killings" in Duterte's drug war. With drug users fearfully turning themselves in to police en masse to avoid extrajudicial attacks, jails and prisons have become dangerously overcrowded, leading to the spread of disease and heightened violence.

The police and military routinely torture detainees, and a lack of effective witness protection has been a key obstacle to investigations against members of the security forces.

Conflict in Mindanao has caused severe hardship, more than 120,000 deaths, and the displacement of tens of thousands of people since it erupted in 1972. Both government and rebel forces have committed summary killings and other human rights abuses. In 2017, a group of Islamic State-linked foreign fighters and local militants attacked the city of Marawi; more than 1,200 people were killed in a five-month siege of the city. Heavy fighting subsided in 2018 due to the end of the siege.

In July 2018, pursuant to a 2014 peace treaty with the Moro Islamic Liberation (MILF), President Duterte signed the landmark Bangsamoro Organic Law, which created a self-governing region called the Bangsamoro, replacing and adding territory to the former Autonomous Region in Muslim Mindanao. In February 2019, the Bangsamoro Transition Authority was constituted as the governing body until elections are held in 2022. However, some militant groups that had broken away from MILF continued to carry out attacks even after the law was signed.

In August 2018, President Duterte ended peace talks with the Communist Party of the Philippines–New People's Army–National Democratic Front of the Philippines (CPP-NPA-NDFP), dashing hopes that the 50-year violent insurgency could see a peaceful end during his administration. Deadly clashes between the NPA and the Philippine army continue to occur regularly throughout the country, though the violence has declined in recent years.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Provisions mandating equal treatment are upheld inconsistently, and some groups lack legal protection. LGBT+ people face bias in employment, education, and other services, as well as societal discrimination. In a landmark vote in 2017, the House of Representatives passed the Sexual Orientation and Gender Identity and Expression Equality bill, which would protect against discrimination on those grounds, but the Senate has failed to approve it.

Indigenous rights are generally upheld, but land disputes and local development projects regularly cause friction and sometimes lead to violence. Indigenous people often live in conflict areas and are targeted by combatants for their perceived loyalties.

The law mandates that at least one percent of public jobs be reserved for people with disabilities, but this is poorly upheld. Women face discrimination in employment.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Citizens enjoy freedom of travel and choice of residence, with the exception of areas affected by violent conflict. Martial law in Mindanao enabled the military to set up roadblocks and checkpoints, though it is set to be lifted beginning in 2020. In June 2018, President Duterte announced a campaign against loitering, which led to the arrests of thousands of people in public places in Manila.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Private business activity is often dependent on the support of local power brokers in the complex patronage system that extends throughout the country. Outside of conflict zones, individuals are generally able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors, notwithstanding the domination and corruption of the economic dynasties.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Most individuals enjoy personal social freedoms. However, divorce is illegal in the Philippines, though annulments are allowed under specified circumstances, and Muslims may divorce via Sharia (Islamic law) courts.

Domestic violence is a significant problem, and while spousal rape is a crime, very few cases are prosecuted.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

The Philippines is a source country for human trafficking, with some Filipinos taken abroad and forced to work in the fishing, shipping, construction, or other industries, or forced to engage in sex work. The country's various insurgent groups have been accused of using child soldiers.

The legal minimum wage in the agricultural sector in some regions falls far short of what is necessary for a family to avoid poverty. Violation of minimum wage standards is fairly common. Children have been reported working as domestic laborers. There is a shortage of labor inspectors; authorities have acknowledged the problem but say they have limited funds to address it.

Poland

Population: 38,400,000

Capital: Warsaw

Freedom Status: Free

Electoral Democracy: Yes

Overview: Poland's democratic institutions took root at the start of its transition from communist rule in 1989. Rapid economic growth and other societal changes have benefited some segments of the population more than others, contributing to a deep divide between liberal, pro-European parties and those purporting to defend national interests and "traditional" Polish Catholic values. Since taking power in late 2015, the populist, socially conservative Law and Justice (PiS) party has enacted numerous measures that increase political influence over state institutions and threaten to reverse Poland's democratic progress.

KEY DEVELOPMENTS IN 2019

- The ruling PiS won October's elections to the Sejm, the lower house of parliament, taking 235 of the 460 seats. PiS narrowly lost control of the Senate, which can delay and amend legislation but has few other powers.

- Election observers from the Organization for Co-operation and Security in Europe (OSCE) raised concerns that a number of factors may have negatively impacted the fairness of the parliamentary elections, including the ruling party's use of public media to influence voters.
- Amid further infringement proceedings against Poland by the European Commission and a series of rulings by the European Court of Justice (ECJ) against PiS's judicial reforms, the Polish Supreme Court issued a decision effectively invalidating parts of the reforms. In response, PiS pushed through legislation that would discipline judges who question the reforms.
- The year saw a record number of marches advocating for LGBT+ equality. However, they took place amid an intense anti-LGBT+ campaign led by the ruling party and the church, and some events saw attempts at obstruction. Białystok's march was attacked by protesters, and police made dozens of related arrests.

POLITICAL RIGHTS: 35 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president of Poland is directly elected for up to two five-year terms. The president's appointment of a prime minister must be confirmed by the Sejm, the lower house of parliament. While the prime minister holds most executive power, the president is also meant to have influence, particularly over defense and foreign policy matters.

Andrzej Duda, the candidate of national-conservative Law and Justice (PiS) party, won the second round of Poland's May 2015 presidential election with 52 percent of the vote, defeating incumbent Bronisław Komorowski. The latter was supported by the centrist Civic Platform (PO), which was then in power.

The current prime minister, Mateusz Morawiecki, was appointed in 2017 with the approval of the PiS majority of parliament. His mandate was bolstered by the victory of the PiS in 2019 legislative elections.

In practice, however, dominant influence over the government, including the choice of prime minister, is still exercised by long-time PiS party chairman Jarosław Kaczyński, who holds a seat in the Sejm but no formal executive authority.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the bicameral parliament are elected for four-year terms. The 460-seat Sejm, the lower house, is elected by proportional representation and holds most legislative authority. The 100 members of the Senate, the upper house, are elected in single-member constituencies. The Senate can delay and amend legislation, but has few other powers.

In the October 2019 parliamentary elections, PiS won a second term with 43.6 percent of the vote. This represented an increase of 6 percentage points from its results four years earlier, although this translated to the same number of seats in the Sejm, 235. This majority allows PiS to continue governing without formal coalition partners (although within its electoral lists and parliamentary caucus are two smaller parties, United Poland and Agreement). PO finished second, with 134 seats. Four other parties or coalitions passed the threshold to enter parliament, including left-wing and far-right parties that had been absent during the previous term.

The PiS, however, narrowly lost control of the Senate, where an opposition coalition took 51 of 100 seats; PiS took 48.

Election observers from the Organization for Security and Co-operation in Europe (OSCE) concluded that the elections were generally conducted in a “professional and transparent” manner. However, they expressed concern that recent judicial reforms had left a “lack of trust in prosecutors and courts to handle election-related complaints independently”; that “regulations on campaigning by public officials and on the use of state resources in election campaigns remain insufficient”; and that “nationalist and homophobic rhetoric gave rise to a sense of threat.” The OSCE mission also noted that voters’ ability “to make an informed choice was undermined by a lack of impartiality in the media, especially the public broadcaster,” which the PiS had effectively transformed into a government mouthpiece during its previous term.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Poland’s electoral framework and its implementation have generally ensured free and fair elections, though legal changes introduced in 2017–18 threaten to increase political control over election administration. Amendments to the electoral code signed by President Duda in January 2018 endangered the independence of the National Electoral Commission (PKW), which manages elections and oversees party finances, including the power to withhold state subsidies. Previously, all nine members of the PKW were nominated by courts. Now, from the beginning of the new parliamentary term, seven members are to be chosen by parliament. The largest parliamentary group is allowed to pick no more than three, but PiS can also exert influence over the member picked by the Constitutional Tribunal (TK), which is currently led by PiS-installed judges.

One of the judicial reforms that came into force in 2018 gave authority to validate or reject election and referendum results to a newly created chamber of the Supreme Court—the Chamber of Extraordinary Control and Public Affairs—whose members are appointed by the now-politicized National Council of the Judiciary. The chamber’s substantial power, along with its vulnerability to politicization, further threatened the integrity of electoral oversight.

Following the 2019 election, the PiS submitted requests to the Supreme Court for votes to be recounted in six Senate races it had lost. None of the results were overturned, and the opposition took control of the upper house.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Poland’s political parties organize and operate freely.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been multiple rotations of power among rival parties since the transition from communist rule. The PiS victory in the 2015 elections ended a two terms of governance by the PO, now in opposition. In the 2019 election, PiS won with the same slim majority in the Sejm, but lost control of the Senate. The Democratic Left Alliance (SLD) returned to Parliament, while four parties—Razem (Together), Wiosna (Spring), Konfederacja Wolność i Niepodległość (Confederation Liberty and Independence), and Zieloni (the Green Party)—entered for the first time. However, opposition parties face potential

long-term obstacles including propaganda by PiS-controlled public media and legal changes related to electoral administration.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and politicians are generally free from undue interference by outside groups, though there are some concerns that the personnel changes associated with the PiS government's assertion of control over various state institutions could be exploited to mobilize political support among public employees ahead of future local and national elections.

Powerful priest Tadeusz Rydzyk, an ally of the PiS, uses his media outlets to support the government's message, and has received generous state grants for organizations under his control.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women have equal political rights but hold few cabinet positions, and 28.7 percent of the seats in the Sejm.

Ethnic, religious, and other minority groups enjoy full political rights and electoral opportunities. Electoral lists representing recognized national minorities are not subject to the minimum vote threshold for parliamentary representation.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Freely elected officials generally determine and implement laws and policies without interference, though PiS chairman Kaczyński continues to play a dominant role in the government despite not holding any official executive position. PiS has also, throughout the party's time in power, sought to limit parliamentary scrutiny of legislation through various means, such as making use of private-members bills that require no consultation or impact assessments; introducing legislation unexpectedly at the last minute, sometimes in the middle of the night; and limiting opportunities for the opposition to question or amend legislation.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Cronyism, a problem under all previous Polish governments, appears widespread under PiS. The government has altered, lowered, or simply removed many criteria for staffing of public institutions, allowing for appointments based on party loyalty and personal connections.

In past years, the Supreme Audit Office (NIK), a state watchdog, has raised concerns about the misuse of public funds by the PiS government, occasionally prompting the party to take action such as donating scrutinized funds to charity. In August 2019, upon the expiration of the previous NIK chairman's term, the PiS parliamentary majority appointed the finance minister as its new head. He immediately came under scrutiny for alleged irregularities in his property declarations and links to a criminal group, and took unpaid leave as a consequence.

In February, Kaczyński was accused by an Austrian businessman of defrauding him out of several million złoty and of soliciting a bribe of 100,000 złoty (\$26,000) to be paid to a priest on the board of the Lech Kaczyński Foundation. Secret recordings of apparent discussions between the pair, published by *Gazeta Wyborcza*, lent credence to the claim.

Kaczyński denies any wrongdoing, and prosecutors have been reluctant to investigate the allegations.

C3. Does the government operate with openness and transparency? 2 / 4

The right to public information is guaranteed by the constitution and by the 2001 Act on Access to Public Information, but obtaining records and data from public institutions can be slow and difficult. The Chancellery of the Sejm has refused to release lists of judges who supported controversial new appointees to the National Council of the Judiciary, despite a ruling from the Supreme Administrative Court (NSA) ordering it to do so. The Chancellery cites personal data protection concerns to justify this failure.

The current government avoids consulting outside experts or civil society organizations on policy ideas and tends to introduce and pass legislation rapidly, with little opportunity for debate or amendment.

CIVIL LIBERTIES: 49 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

The constitution guarantees freedom of expression and forbids censorship. Libel remains a criminal offense, though a 2009 amendment to the criminal code eased penalties. In addition, Poland has a suite of harsh insult laws, including against blasphemy (punishable by up to two years in prison) and insulting the president (up to three years).

Poland's media are pluralistic and mostly privately owned. However, the public media and their governing bodies have been purged of independent or dissenting voices since PiS came to power in 2015. TVP, the public television broadcaster, promotes the government's message on topics ranging from peaceful antigovernment protests, which it depicts as attempted coups, to critical nongovernmental organizations (NGOs), which are portrayed as agents of the opposition or foreign forces. In 2019, news broadcasts on public television openly supported the ruling party's campaigns in the European and parliamentary elections, and sought to discredit the opposition, in flagrant breach of public media's statutory obligation to present news in a "reliable and pluralistic manner."

Since 2015, state-controlled companies have shifted their advertising to private media outlets that support the PiS government. More critical outlets have suffered a corresponding drop in advertising revenue, as well as a sharp decline in subscriptions from government ministries.

The PiS leadership in 2019 reiterated promises to pass a law "deconcentrating" and "re-polonising" private media by reducing foreign ownership, a move that would disproportionately affect the outlets that most vigorously hold the current government to account. Senior party figures have suggested that German-owned media critical of the PiS government promote an interest of their German owners in undermining the Polish state. PiS's manifesto for the 2019 parliamentary election called for the creation of a "new media order" that would include a vague new law requiring self-regulation of journalists—a proposal viewed with suspicion by press freedom advocates.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The state respects freedom of religion. The PiS government is aligned with the Roman Catholic Church, which wields significant influence in the country. Religious groups are not required to register with the authorities but receive tax benefits if they do. Minority faiths are generally able to obtain registration in practice. There is a formal ban on state funding

for church construction, but a church can obtain Culture Ministry funding in practice if, like the Temple of Divine Providence in Warsaw, it includes a museum.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The ruling party has sought to discredit academics who challenge its preferred historical narrative, particularly with regard to the events of World War II. In February 2019, an academic conference in Paris featuring leading Polish Holocaust scholars was attacked by state television as a “festival of anti-Polish lies.”

When the term of the director of the Polin Museum of the History of Polish Jews expired in February, the culture minister refused to renew it. The director then won the open contest for the job in May, but the culture minister has refused to sign off on his reappointment. The minister effectively confirmed the political nature of his opposition with blunt allegations that the director was making the museum a “stage for political actions against the current government;” he also criticized the director for refusing to host a conference about Lech Kaczyński.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are free to engage in private discussions on political and other matters without fear of harassment or detention by the authorities.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is generally respected in law and in practice. Public demonstrations are held with some regularity, though local authorities can limit demonstrations in their districts on grounds of maintaining public order.

A record number of LGBT+ equality parades took place in Poland in 2019, with many staged in smaller and eastern cities for the first time. Many of the events saw attempts at obstruction. Some mayors sought to ban them on safety grounds, but in each case courts overturned the bans on grounds that freedom of assembly cannot be denied on the basis of potential violence by opponents. Nationalist and conservative protesters also tried to physically block some marches, but were generally prevented from serious obstruction by police. However, LGBT+ marches on a few occasions turned violent, most notably in Białystok, where police detained 20 protesters on the day of the event, and afterward identified over 100 more who were suspected of committing crimes during the event, such as attacking participants by throwing eggs or firecrackers.

A 2018 report by Amnesty International highlighted the growing pressures facing antigovernment protesters, including employment of force against demonstrators, the surveillance of activists, and the use of police custody and criminal charges.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Although NGOs have generally operated without government interference in Poland, public media and top government officials began systematically undermining the credibility of rights and governance-related groups in 2016, accusing many of lacking financial transparency and pursuing an opposition-led political agenda. A 2017 law that was widely condemned by domestic and international rights activists and by Poland’s rights ombudsman centralized distribution of public NGO funding, including money from the EU and

non-EU countries like Norway, through a new body, the National Freedom Institute, indirectly attached to the prime minister's office. As anticipated, when the National Freedom Institute distributed funds in 2019, the money went disproportionately to organizations that fit the government's ideological profile. This included a group involved in organizing the attempted protest blockade against Białystok's LGBT+ parade. Other recipients have direct ties to the government, including one association founded by a deputy minister and his sister, which was given 700,000 zloty (\$190,000) to organize a "discussion club."

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Poland has a robust labor movement, though certain groups—including the self-employed, private contractors, and those in essential services—cannot join unions. Complicated legal procedures hinder workers' ability to strike.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 1 / 4

Since taking power in 2015, the PiS government has moved aggressively to assert control over the judiciary. One of its first steps was to pass legislation designed to curb the powers of the Constitutional Tribunal (TK) and to install progovernment judges on its benches. In 2017, three significant judicial reforms were adopted. The first gave the justice minister the power to appoint and dismiss presidents and deputy presidents of courts. The second, which came into force in 2018, mandated that 15 of the 25 members of the National Council of the Judiciary (KRS), which is responsible for nominating judges, be appointed by the parliament instead of elected by the judiciary. And in July 2018, new, lower retirement ages for the Supreme Court came into force, effectively meaning that 27 out of 73 judges had to step down unless they were given the president's approval to remain. Other parts of the new Supreme Court law created powerful new chambers—the Chamber of Extraordinary Control and Public Affairs (responsible for declaring the validity of elections), and the Disciplinary Chamber. The law also established a new system of extraordinary appeals that would allow cases up to twenty years old to be reopened, potentially allowing retrospective, politically motivated abuses. Ignoring a Supreme Court order to suspend part of the reforms until the ECJ issued a ruling on them, the new KRS began an accelerated process of nominating new judges, many of whom have links to the ruling camp.

The European Commission launched infringement proceedings against Poland over the Supreme Court law, and the ECJ agreed to its request that Poland be ordered to suspend the new retirement age until a final ruling on the case. Consequently, the Polish parliament passed legislation reinstating the retired judges, which was signed into law by President Duda in December 2018. In 2019, the ECJ twice ruled that aspects of the law on retirement age had breached EU law.

In April 2019, the European Commission launched another infringement procedure, alleging that the Disciplinary Chamber established by the Supreme Court law undermined the independence of judges and failed to ensure "necessary guarantees to protect judges from political control." In June, the ECJ's advocate general issued an opinion that the KRS suffered from deficiencies that appeared likely to compromise its independence from legislative and executive authorities. In October, the European Commission formally referred Poland to the ECJ regarding the new disciplinary regime, citing unsatisfactory responses to its initial queries. In November, the ECJ decided that Poland's own Supreme Court itself must rule on the independence of the new Disciplinary Chamber.

The Supreme Court's Labor Chamber promptly ruled that "the KRS is not an impartial and independent body, while the Disciplinary Chamber [of the Supreme Court] is not a court

within the meaning of EU and national law.” In response, PiS rushed legislation through the Sejm to strengthen and expand disciplinary measures to punish individual judges who questioned the validity of the KRS, the new disciplinary chamber of the Supreme Court, or other aspects of the judicial reforms. Critics accused the party of attempting to “muzzle” judges. The government ignored requests from European Commission vice president Věra Jourová to halt the legislative process until proper consultation could take place. Poland’s opposition-controlled Senate can now delay, but not block the passing of the bill into law.

In August and September 2019, media reports alleged that a deputy minister of justice had conspired with several newly appointed members of the KRS to harass and publicly compromise judges who had opposed the government’s judicial reforms. The deputy minister subsequently resigned from his position.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Defendants generally enjoy due process protections in Poland, though the law allows for extended pretrial detention, and there is a large backlog of cases. The decision by the PiS government to merge the roles of justice minister and prosecutor general “creates potential for misuses and political manipulation” of the justice system, according to the Venice Commission.

Legislation introduced in 2016 gave law enforcement agencies broad authority to monitor citizens’ communications activity, including the ability to access metadata without a court order, monitor the movements of foreign citizens without prior court approval, and hold terrorism suspects without charge for up to two weeks. It also contained ambiguous provisions on collecting individuals’ data, arresting civilians, prohibiting demonstrations, and blocking internet access.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Civilians are largely free from extralegal violence, though some incidents of abuse by police have been alleged in the context of antigovernment demonstrations. Human rights groups have reported inadequate medical care in prison facilities.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women and ethnic minorities generally enjoy equality before the law. LGBT+ people continue to face discrimination. While public support for LGBT+ rights, including same-sex civil partnerships, has been rising in recent years, 2019 saw major setbacks as an intense anti-LGBT+ campaign stoked fears. The effort was led by the ruling party, which promised to protect children from “imported LGBT ideology,” and the church, with the Archbishop of Kraków describing LGBT as a “rainbow plague” bearing similarities to communism.

Because Poland’s law against inciting hatred covers racially, ethnically, or religiously motivated crimes, but not those based on sexuality or gender identity, public figures have been free to make slurs that would be prosecuted if targeted at other types of minorities.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

People in Poland typically enjoy freedom of travel and choice of residence, employment, and institution of higher education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Citizens have the right to own property and establish private businesses. However, a 2016 law imposed onerous restrictions on sale and ownership of agricultural land, ostensibly to protect small-scale farmers. State and religious institutions are not bound by the new restrictions.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Under Polish law, abortion is permissible through the 12th week of pregnancy if a woman's health or life is in danger, if the pregnancy is a result of a criminal act such as rape, or if the fetus is severely damaged. Bills that sought to further restrict abortions, including the imposition of prison terms for illegal abortions, triggered mass protests in 2016 and 2018, prompting parliament to back down. Senior PiS figures and the president have made clear that they still intend to ban what they call "eugenic abortion," in practice meaning cases of a congenital disorder of the fetus. A group of over 100 lawmakers, most from the ruling party, have asked the Constitutional Tribunal to rule on whether such abortions violate the constitution's protection of human life and dignity.

Since 2017, contraceptive pills have been available by prescription only, making Poland one of only two EU countries in which such a restriction is in place. A report by the NIK found that in many, especially rural, parts of Poland, gynecologists are rare; many women must travel to obtain care, and reliable and timely access to contraception and other sexual-health services are thus more difficult to obtain.

Same-sex civil partnerships, marriage, and adoption are not permitted, as Poland's constitution describes marriage as being between a man and a woman.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The law provides meaningful protections against abusive working conditions and child labor, especially in the formal sector. The authorities work to combat human trafficking, but women and children are still subjected to trafficking for sexual exploitation and foreign migrant workers are vulnerable to conditions amounting to forced labor.

State-owned entities have been expanding their already considerable presence in various sectors, such as banking, often by buying out foreign owners, as the government effectively renationalizes parts of the economy. Hiring for senior positions at such firms is often based on political loyalty or connections rather than merit, a longstanding issue under various governments that has grown more widespread under the current administration.

Portugal

Population: 10,300,000

Capital: Lisbon

Freedom Status: Free

Electoral Democracy: Yes

Overview: Portugal is a stable parliamentary democracy with a multiparty political system and regular transfers of power between political parties. Civil liberties are generally

protected. Ongoing concerns include corruption, certain legal constraints on journalism, poor or abusive conditions for prisoners, and the effects of racial discrimination and xenophobia. Prosecutors have pursued corruption cases against top officials in recent years.

KEY DEVELOPMENTS IN 2019

- In the October legislative elections, three new parties entered parliament, one of them the right-wing nationalist party, Chega, which took one seat. This was the first time a far-right party has won a seat in parliament since the end of the Salazar dictatorship in 1974.
- The Council of Europe (CoE) stated in a report published in June that Portugal's efforts to fight corruption are unsatisfactory. The CoE says Portugal has so far adequately implemented just 1 of their 15 recommendations since 2016.
- In January, police were recorded on video beating and assaulting pedestrians in a neighborhood with mainly Afro-Portuguese residents, after officers had intervened in a small altercation. The attacked pedestrians had no involvement in the initial scuffle.

POLITICAL RIGHTS: 39 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

In Portugal's parliamentary system, the prime minister holds the most executive power, though the directly elected president can delay legislation through a veto and dissolve the parliament to trigger early elections. The president serves up to two five-year terms. In the 2016 presidential election, a center-right candidate supported by the opposition Social Democratic Party (PSD) and its allies, Marcelo Rebelo de Sousa, won with 52 percent of the vote, easily defeating a leftist candidate backed by the ruling Socialist Party (PS), António Sampaio da Nôvoa, who took less than 23 percent.

In February 2019, Prime Minister António Costa faced and overcame a motion of no confidence which the opposition put forward in response to a series of public sector strikes. In October, the PS won the general election and Costa resumed his post as head of the new government.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 230 members of the unicameral Assembly of the Republic are directly elected every four years using a system of proportional representation in 22 multimember constituencies.

In the October 2019 legislative elections, the Socialist Party (PS) came in first with 106 seats out of 230, up from 86 in the previous parliament. The opposition Social Democratic Party came in second with 77 seats—its worst result since 1983. The Left Bloc (BE) took 19 seats, the Unitary Democratic Coalition (PCP–PEV) secured 12, the conservative-right People's Party (CDS–PP) won 5, and the People-Animals-Nature party (PAN) grabbed 4. Three new parties entered parliament, Iniciativa Liberal (IL), Chega (CH) and Livre (L), with one seat each. Chega became the first far-right nationalist party to win a seat in Portugal's parliament since the end of the Salazar dictatorship in 1974.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections in Portugal are generally free and fair. The constitution was amended in 1997 to allow Portuguese citizens living abroad to vote in presidential polls, parliamentary elections, and national referendums.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Political parties operate and compete with equal opportunity. There is no legal vote threshold for representation in the parliament, meaning smaller parties can win a seat with little more than 1 percent of the overall vote. Parties espousing racist, fascist, or regionalist values are constitutionally prohibited.

Portugal also held elections for the European Parliament in May 2019, which recorded a low voter turnout; PS won the most seats, with a comfortable plurality.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Portugal has established a strong pattern of peaceful power transfers through elections since it returned to democracy in the late 1970s. Three new parties have emerged in the last elections: Iniciativa Liberal, Chega, and Livre.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Both voters and politicians are free from undue interference by forces outside the political system.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women and minority groups enjoy full political rights and participate in the political process. Women hold 38 percent of the seats in parliament, and three of them are of African descent. The autonomous regions of Azores and Madeira—two island groups in the Atlantic—have their own political structures with legislative and executive powers.

C. FUNCTIONING OF GOVERNMENT: 11 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

Elected officials are free to determine and implement laws and policies without improper interference by unelected groups.

C2. Are safeguards against official corruption strong and effective? 3 / 4

The country has struggled in recent years with major corruption scandals involving high-ranking politicians, officials, and businesspeople, though many individuals have been duly prosecuted.

The Council of Europe (CoE) published its fourth evaluation report in June 2019, noting that Portugal's efforts to fight corruption are unsatisfactory. Several laws to enhance accountability and transparency for public office holders, including ministers, have been approved but have not entered into force. Parliament's ethics subcommittee rarely sanctions conflicts of interest among the legislature's members. Party financing often features

irregularities and illegalities, but sanctions from the Commission for Political Accounts and Financing (ECFP) are infrequent because it is understaffed and underfunded.

The government has limited the appointments of representatives' family members to positions in the administration.

C3. Does the government operate with openness and transparency? 4 / 4

Portuguese law provides for public access to government information and judicial proceedings, and state agencies generally respect this right, although several nongovernmental organizations (NGOs), like Transparency International, have unsuccessfully asked the government to release information about the Golden Visas Program.

CIVIL LIBERTIES: 57 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Freedom of the press is constitutionally guaranteed. Public broadcasting channels are poorly funded and face strong competition from commercial television outlets, which provide a wide range of viewpoints. Internet access is not restricted but most online media have become paid services and only one national news outlet remains totally open.

Journalists are granted a protected status similar to that of judges, lawyers, witnesses, and security personnel, which increases penalties for those who threaten, defame, and constrain them. Still, Portugal remains one of the few countries in Europe where defamation is still a criminal offense, and although prosecutions are uncommon, the European Court of Human Rights (ECHR) has repeatedly ruled against Portuguese authorities for their handling of both civil and criminal defamation cases against journalists. The ECHR ruled in September 2019 that freedom of expression had been violated in a case against a journalist and a doctor who were both convicted of defaming politicians.

According to Reporters Without Borders (RSF), the soccer world remains aggressive towards the media and journalists, threatening reporters who question the practices of major clubs.

In 2019, 90 percent of local radio stations associated with the Portuguese Broadcasting Association (APR) decided not to cover the campaign for legislative elections in October 2019, after being excluded from broadcasting airtime and the distribution of advertising revenues.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Portugal is overwhelmingly Roman Catholic, but the constitution guarantees freedom of religion and forbids religious discrimination. The Religious Freedom Act provides benefits for religions that have been established in the country for at least 30 years or recognized internationally for at least 60 years. However, other groups are free to register as religious corporations and receive benefits such as tax-exempt status, or to practice their faith without registering.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is respected. Schools and universities operate without undue political or other interference.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant restrictions on private discussion or the expression of personal views, although defamation laws affect ordinary citizens and politicians.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is upheld by the authorities. Protests organized during 2019 addressed problems including climate change, housing prices and evictions, restoration of cuts made in the public sector during the bailout, and fascism.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Freedom of association is respected. National and international nongovernmental organizations, including human rights groups, operate in the country without interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers enjoy the right to organize, bargain collectively, and strike, though there are some limits on the right to strike in a wide range of sectors and industries that are deemed essential. The National Union of Dangerous Goods Drivers held protests in April and August of 2019 demanding better conditions, and the government intervened in both strikes. Similarly, in February the government forcibly ended by legislative decree the intermittent strikes that nurses had participated in for months, delaying thousands of medical operations.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent, but staff shortages and inefficiency have contributed to a considerable backlog of pending trials.

The CoE also stated in its June 2019 report, that Portugal's efforts to fight corruption in respect to judges and prosecutors are unsatisfactory: The nomination of candidates to the Supreme Court continues to rely on panels whose members were mainly non-judges. A new Statute of Magistrates, to rectify this issue, has been approved in parliament but has not entered into force yet. According to the report, there is also a lack of enforceable standards of professional, judicial conduct, a problem that remained unaddressed through 2019.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The authorities generally observe legal safeguards against arbitrary arrest and detention, though court backlogs result in lengthy pretrial detention for some defendants. Due process rights are guaranteed during trial.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Human rights groups and the CoE have expressed concern over abuse of detainees and excessive use of force by police, particularly against members of racial and ethnic minorities. Overcrowding in prisons remains a problem, as do poor health and safety conditions. In May 2019, eight police officers were found guilty of kidnapping and beating up six youths of African descent in 2015, and nine other officers involved were acquitted. Accusations of torture and racist motivations were rejected by the court.

In January 2019, an altercation between two residents in a predominantly black neighborhood escalated after the police arrived, when officers were recorded on video beating and assaulting uninvolved pedestrians.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Equal treatment under the law is guaranteed by the constitution. Various laws prohibit discrimination based on factors including sex, race, disability, gender identity, and sexual orientation. Nevertheless, some problems persist with respect to gender bias and discrimination against minorities, particularly Roma and people of African descent.

A September 2019 study from the European Network Against Racism (ENAR) found “deeply rooted institutional” discrimination in every stage of the judicial process, from reporting through sentencing.

Living conditions in Romany communities are generally poor. According to the most recent (2018) European Commission against Racism and Intolerance (ECRI) report, Romany children face segregation at school, and 90 percent leave school prematurely. Just over half of Romany men are employed. Although by some measures Portugal is considered a less discriminatory environment for people of African descent than other European Union countries, black residents are also susceptible to disparities in housing, education, and employment.

Although Portugal passed an antidiscrimination law in 2017, prejudice and anti-Roma sentiment are still acted upon. Stores in Porto have decorated the entrances to their premises with frogs to deter Roma from entering, as frogs are a symbol of bad luck to many Roma.

In an effort to improve the country’s overall policing environment, the government launched the manual “Policing Hate Crime Against LGBTI Persons” for police officers, prosecutors, and judges, and approved a National Plan to protect migrants. The detention of young children seeking asylum remains a concern.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement and associated rights are protected in law and by the constitution, and the government respects these rights in practice.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The government does not interfere with the rights to own property, establish private businesses, and engage in commercial activity. Due to a sharp rise in housing prices, a new Basic Housing Law entered into force in October 2019.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

There are no major restrictions on personal social freedoms. Portugal legalized same-sex marriage in 2010 and extended adoption rights to same-sex couples in 2015. A 2018 law eliminated the need for transgender people to obtain a medical certificate to formally change their gender or first name. Domestic violence remains a problem despite government efforts aimed at prevention, education, and victim protection. The CoE is concerned that the definition of rape is not based solely on the absence of free consent but requires that there be “duress.”

The European Commission has started an infringement procedure against Portugal for not applying rules against the sexual abuse of minors.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The authorities generally enforce legal safeguards against exploitative working conditions. However, Portugal remains a destination and transit point for victims of human trafficking, particularly those from Eastern Europe, Asia, and West Africa. Although forced labor is prohibited by law, there have been some reports of the practice, especially in the agriculture, hospitality, and construction sectors, and in domestic service. Immigrant workers are especially vulnerable to economic exploitation.

Since February 2019, new legislation obligates all companies to have a transparent compensation policy, an effort to combat the gender pay gap.

Qatar

Population: 2,800,000

Capital: Doha

Freedom Status: Not Free

Electoral Democracy: No

Overview: Qatar's hereditary emir holds all executive and legislative authority, and ultimately controls the judiciary as well. Political parties are not permitted, and the only elections are for an advisory municipal council. While Qatari citizens are among the wealthiest in the world, the vast majority of the population consists of noncitizens with no political rights, few civil liberties, and limited access to economic opportunity.

KEY DEVELOPMENTS IN 2019

- In April, the authorities abruptly closed the Doha Centre for Media Freedom—a government-funded organization—without explanation, and its website and 11 years of publications were no longer accessible.
- In October, the cabinet approved labor reforms that would allow migrant workers to change employers without permission and establish a nondiscriminatory minimum wage for all sectors and nationalities. The interior minister also issued a decree allowing workers to leave the country without exit permits. The changes were expected to take effect in January 2020, though analysts warned that past reforms had not been well enforced or effective at halting the exploitation of migrant workers.

POLITICAL RIGHTS: 7 / 40

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The emir appoints the prime minister and cabinet, and selects an heir-apparent after consulting with the ruling family and other notables. In 2013, Sheikh Hamad bin Khalifa al-Thani abdicated as emir, handing power to his fourth-born son, Sheikh Tamim bin Hamad al-Thani. Sheikh Abdullah bin Nasser al-Thani, a member of the ruling family, became prime minister as well as interior minister.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The 2003 constitution stipulated that 30 of the 45 seats on the Advisory Council (Majlis al-Shura) should be filled through elections every four years, with the emir appointing the other 15 members. However, elections have been repeatedly postponed, so all members are still appointed. In 2017, the emir renewed the membership of some members and appointed 28 new members. He said the first elections to the Advisory Council would be held in 2019, but at the end of June 2019 he extended the existing council's expiring mandate by another two years. The emir stated in October that a committee led by the prime minister would be created to organize the elections for 2021.

Nonpartisan elections have been held since 1999 for the 29-member Central Municipal Council, a body designed to advise the minister for municipal affairs. Members serve four-year terms. Turnout for the April 2019 elections fell to 50.1 percent of registered voters, from the 2015 figure of 70 percent, and two women were elected, the same as in 2015.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Electoral laws currently in force cover only the Central Municipal Council elections, and the absence of a legal framework for Advisory Council elections has been a factor in their repeated postponement. Qatari citizens over the age of 18 are eligible to vote, except those in the military or working for the Interior Ministry.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4**

The government does not permit the existence of political parties or other political groupings. All candidates for the municipal council elections run as independents.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The ruling family maintains a monopoly on political power, and the system excludes the possibility of a change in government through elections.

As part of the diplomatic clash between Qatar and Saudi Arabia, the United Arab Emirates (UAE), Bahrain, and Egypt that began in 2017, dissident members of the Qatari ruling family living abroad emerged to advocate political change in Qatar, though they did not have any organized public support within the country.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Public participation in the political arena is extremely limited. Voters and candidates who do take part in the municipal elections are often influenced by tribal and family ties.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Up to 90 percent of Qatar's population is composed of noncitizens, including expatriates and migrant workers as well as some stateless residents, who have no political rights or electoral opportunities. Citizenship is inherited exclusively from a Qatari father; residents can apply for citizenship after 25 years in the country, but this is rarely granted.

Qatari women enjoy some political rights, though they have little opportunity to organize independently and advocate for their interests. In the 2019 municipal council elections, five of the 85 candidates were women, and two of them—both incumbents—won seats. Four women were among the new Advisory Council members appointed in 2017, becoming the first women to serve on the council.

C. FUNCTIONING OF GOVERNMENT: 3 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

Decision-making authority is concentrated in the hands of the emir and his family, and there is no elected legislature to offset executive power.

C2. Are safeguards against official corruption strong and effective? 2 / 4

The authorities regularly punish lower-level public officials for bribery and embezzlement, but corruption remains a concern, and the country lacks genuinely independent anticorruption mechanisms that can hold senior officials and members of the ruling family publicly accountable for the allocation of state resources. Qatar has been accused of employing corrupt tactics in its successful bid to host soccer's 2022 World Cup as well as the 2019 World Athletics Championships, which took place in Doha in September and October.

C3. Does the government operate with openness and transparency? 1 / 4

Official information is tightly controlled, and critics complain of a lack of transparency in state procurement. Although the State Audit Bureau prepares budgets and accounts for government institutions, it does not share their full details with the public or the appointed Advisory Council. A 2016 law empowered the bureau to make some aspects of its audit findings public, but the security ministries remained exempt from its oversight.

CIVIL LIBERTIES: 18 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16****D1. Are there free and independent media? 1 / 4**

Both print and broadcast media are influenced by leading families and subject to state censorship. The international television network Al-Jazeera is privately held, but the government has reportedly paid to support its operating costs since its inception in 1996. All journalists in Qatar practice a degree of self-censorship and face possible jail sentences for defamation and other press offenses. Access to the independent English-language website Doha News was blocked in late 2016 on the grounds that it did not have the required operating permit, and the blocking remained in place as of 2019. In April, the authorities closed the government-funded Doha Centre for Media Freedom without warning and arbitrarily terminated the contracts of its staff, giving no reason for the decision.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is the official religion, though the constitution explicitly provides for freedom of worship. The Ministry of Islamic Affairs oversees the construction of mosques, the hiring of imams, and guidance for sermons. Churches have been built for Qatar's growing Christian community, but non-Muslims are not allowed to proselytize or worship in public.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

The constitution guarantees academic freedom, but scholars often self-censor on politically sensitive topics. Foreign universities have established branches in Qatar under a program to strengthen the country's educational institutions.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

While residents enjoy some freedom of private discussion, security forces reportedly monitor personal communications, and noncitizens often self-censor to avoid jeopardizing their work and residency status. Social media users can face criminal penalties for posting politically sensitive content. After Saudi Arabia and its allies imposed their diplomatic boycott and trade sanctions on Qatar in 2017, citizens and residents became more active in debating current affairs and regional developments, without apparent retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 1 / 4

The constitutional right to freedom of assembly is limited by restrictive laws and does not apply to noncitizens. Organizers of public events must obtain a permit from the Interior Ministry, and protests are rare in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

All nongovernmental organizations need state permission to operate, and the government closely monitors their activities. There are no independent human rights organizations, though a government-appointed National Human Rights Committee investigates alleged abuses. Independent activists are subject to state harassment. In 2019, human rights lawyer Najeeb al-Nuaimi remained under a travel ban imposed by the attorney general in 2017.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

A 2005 labor law expanded worker protections, but the rights to form unions and to strike remain restricted. The only trade union allowed to operate is the General Union of Workers of Qatar, and the law prohibits union membership for noncitizens, government employees, and household workers. Foreign workers who engage in labor protests risk deportation. Nevertheless, thousands of migrant workers employed by multiple companies went on strike in August 2019 to protest poor working conditions and unpaid or reduced wages; the government intervened to resolve the disputes.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 1 / 4

Despite constitutional guarantees, the judiciary is not independent in practice. Many judges are foreign nationals serving under temporary contracts that are renewed annually. The Supreme Council of the Judiciary, composed of senior judges, administers the courts and plays a role in nominating judges for appointment by the emir.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Certain laws allow lengthy detentions without charge or access to a lawyer for suspects in cases involving national security or terrorism. Even under normal criminal procedure, judges can extend pretrial detention for up to half of the maximum prison term allowed for the alleged crime. Many laws contain ill-defined offenses and other language that gives prosecutors and judges broad discretion to determine guilt. A 2014 law on cybercrimes has

been criticized for the vague wording of offenses that carry prison sentences of up to three years, including online dissemination of “false news” or content that undermines “general order.”

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Violent crime is rare in Qatar, and prison conditions reportedly meet international standards. Legal bans on torture and other mistreatment of detainees have generally been respected in recent years, though international experts have called for further legislative and other improvements. Corporal punishment in the form of flogging, which can be imposed on Muslim defendants for certain offenses under Sharia (Islamic law), is not commonly implemented in practice. The death penalty is permitted, including for crimes other than murder, but no executions have been carried out since 2003.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Noncitizens reportedly face discrimination in the courts and from police. While the constitution bars gender-based discrimination, women do not receive equal treatment under a number of laws, and their testimony is worth less than that of men in certain types of cases. LGBT+ people are subject to legal and societal discrimination; vague wording in the penal code can be interpreted to criminalize same-sex sexual activity, and Sharia prohibits any sexual acts outside of heterosexual marriage. Same-sex relationships must be hidden in practice.

In 2018, the government issued a law to permit grants of asylum, making recipients eligible for various forms of state support. The law also provides some protection against refoulement. However, asylum seekers and recognized refugees would be barred from engaging in political activity in Qatar, and they would need government approval to change their place of residence. An asylum committee began receiving applications in August 2019, though some asylum seekers reportedly continued to be threatened with deportation, casting doubt on the implementation of the law.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Qataris face no major restrictions on freedom of movement within the country or on type or place of employment. Such freedoms, however, are not extended to noncitizens and foreign workers, who continue to face a variety of constraints despite the enactment of reform laws in recent years. In October 2019, the cabinet approved legislation that would allow migrant workers to change employers without the existing employer’s permission following an initial probationary period. Also that month, the interior minister issued a decree that removed exit permit requirements for most workers outside the military sector. Both changes were expected to take effect in January 2020; analysts warned that loopholes and poor enforcement had limited the effectiveness of previous reforms.

As part of the diplomatic clash that began in 2017, Saudi Arabia and its allies closed Qatar’s only land border, closed their airspace to Qatari flights, expelled Qatari nationals, and banned their nationals from visiting Qatar.

In 2018 the emir signed a law allowing permanent residency—though not citizenship—for the children and foreign spouses of Qatari women as well as for individuals who provide exceptional skills or services to the country. Up to 100 people per year could receive the

designation, giving them access to state education and health benefits and greater rights to own property and run businesses in Qatar.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Qataris are permitted to own property and start private businesses, although the process of obtaining necessary commercial permits can be cumbersome. With some exceptions, non-citizens are generally barred from owning property and require Qatari partners to own and operate businesses. Women do not have rights equal to those of men under inheritance laws.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

There are a number of legal constraints on marriage, and women are typically at a disadvantage to men under laws on personal status matters. Marriage contracts require the consent of the woman's male guardian, and citizens must obtain government permission to marry foreigners. The foreign wives of Qatari men can obtain citizenship, but foreign husbands of Qatari women are eligible only for residency. Domestic violence and spousal rape are not specifically criminalized. Extramarital sex is illegal.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Many foreign nationals face economic abuses including the withholding of salaries, contract manipulation, poor living conditions, and excessive working hours. However, fear of job loss and deportation often prevents them from asserting their limited rights. Female household workers are particularly vulnerable to abuse and exploitation. International organizations have drawn attention to the harsh working conditions of migrants building the infrastructure for the 2022 World Cup.

The government has undertaken reforms to mitigate some of these problems. In 2017, the emir ratified a new law that provided labor rights to household workers, guaranteeing a maximum 10-hour working day, one rest day a week, three weeks of annual leave, and an end-of-service payment, among other provisions, though it failed to set out enforcement mechanisms to ensure compliance. Its standards are also weaker than those in the main labor law. In October 2019, the cabinet approved the establishment of a nondiscriminatory minimum wage that would apply across sectors and regardless of nationality; implementation was expected in 2020.

Romania

Population: 19,400,000

Capital: Bucharest

Freedom Status: Free

Electoral Democracy: Yes

Overview: Romania's multiparty system has ensured regular rotations of power through competitive elections. Civil liberties are generally respected, but they have come under growing pressure as entrenched political interests push back against civic and institutional efforts to combat systemic corruption. Discrimination against minorities and other vulnerable groups

is a long-standing problem, as is control of key media outlets by businessmen with political interests.

KEY DEVELOPMENTS IN 2019

- For the first six months of the year, Romania held the rotational presidency of the Council of the European Union (EU)—the first time the country had done so since becoming an EU member in 2007.
- The government led by Prime Minister Viorica Dăncilă, the Social Democratic Party (PSD) leader and a presidential candidate, was marked by frequent changes in its composition. In October, the government was dismissed in a vote of no confidence by the parliament. The president then appointed the head of the National Liberal Party (PNL), Ludovic Orban, to form the new government, which took office in November.
- Anticorruption investigations continued, despite Laura Codruța Kövesi, head of the National Anticorruption Directorate (DNA), having been forced out of office in July 2018. Kövesi was appointed by the European Council in October to head its newly created European Public Prosecutor's Office.
- Klaus Iohannis won a second term as president of Romania in the November election.

POLITICAL RIGHTS: 35 / 40 (+1)

A. ELECTORAL PROCESS 12 / 12 (+1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who holds some significant powers in Romania's semipresidential system, is directly elected for up to two five-year terms. The president appoints the prime minister in consultation with the parliamentary majority, and the prime minister's government requires the confidence of Parliament. Both presidential and parliamentary elections since 1991 have been generally free and fair.

Klaus Iohannis, a centrist who had belonged to the PNL, won a second five-year term as President of Romania in November 2019, defeating Viorica Dăncilă of the PSD, 66.09 percent to 33.91 percent, in a runoff vote. A minority PNL government led by Ludovic Orban took office in November 2019, after the previous government lost a no-confidence vote.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the bicameral Parliament, consisting of a 136-seat Senate and a 330-seat Chamber of Deputies, are elected to four-year terms in a closed party-list proportional system. The PSD led the 2016 parliamentary elections with 67 Senate seats and 154 seats in the lower house. It formed a governing coalition with the Liberal-Democrat Alliance (ALDE), which took 9 and 20 seats in the Senate and lower house, respectively. The opposition PNL placed second with 30 and 69 seats; smaller parties and ethnic minority representatives divided the remainder.

International election monitors assessed the 2016 polls positively, and stakeholders accepted the results. As some members of parliament have since switched political camps, the number of seats for each party has fluctuated since the election, though the PSD has retained the largest number of seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4 (+1)

The legal framework generally provides for fair and competitive elections. However, the May 2019 European Parliament (EP) elections revealed some problems with the implementation of the electoral code and the procedural rules for dealing with the electronic registration of voters entering the polling stations, improper management of electoral materials, and poor training of election staff, among others. The EP elections were held concurrently with a referendum called by the president of Romania comprising two questions regarding judicial reform. The merger of the two processes increased the administrative burden at the polling stations. In addition, many polling stations organized for Romanians abroad were overcrowded and some closed promptly at 9pm, with both factors preventing large numbers of people waiting in line from voting. A similar situation occurred during the presidential election of 2014, but the problem had remained unaddressed.

As a result, Parliament in July 2019 adopted modifications to address the problems registered during both 2014 and 2019. The electoral legislation now provides for polling stations in the diaspora to be open for three days, rather than one, and allows voters to cast ballots (in Romania and abroad) after 9 pm if they had waited in line and were unable to vote before the closing time. As a result of the modifications, Romanians abroad would also be able to vote by mail, which they did during the presidential election in November 2019. These changes led to a much smoother voting processes in the presidential election, with no complaints regarding denial of the right to vote.

Score Change: The score improved from 3 to 4 due to reforms of the electoral laws and framework ahead the presidential election, which expanded opportunities to vote and eliminated flaws that had adversely affected balloting in the past.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Romania's multiparty system features active competition between rival blocs. Under the 2015 electoral law, the number of signatures needed to create a new party decreased dramatically, leading to the registration of many new parties. However, critics have argued that signature thresholds to register candidates for local and parliamentary elections still place new and smaller parties at a disadvantage.

Multiple new parties were formed during 2018, two of which managed to send representatives to the European Parliament after elections in May 2019: PRO România and the Liberty, Unity, and Solidarity Party (PLUS). A few new parties were also registered during 2019.

Twenty-three parties and seven independent candidates registered with the Central Electoral Bureau to participate in the May 2019 European Parliament elections. Also, 14 candidates (two of whom ran as independents) participated in the first round of the presidential election in November. During the European Parliament elections, the preferences of the electorate reversed the ranking of the main political parties, pushing the PNL to the first position, followed by PSD, and the Save Romania Union (USR) alliance with PLUS with almost equal support.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has established a record of peaceful transfers of power between rival parties, and no single force has been able to control both the executive and legislative branches since 2012. Prime Minister Dăncilă, in office from January 2018 to November 2019, led a government characterized by high volatility. The latest government reshuffle of the Dăncilă government took place in August 2019 when ALDE, the junior coalition partner, decided to leave both the government and the coalition. After this, several cabinet positions remained under the authority of acting ministers, also partly as a result of the president's refusal to appoint new nominees.

The PNL and other parliamentary opposition parties initiated four votes of no confidence against the PSD government: two in 2018, one in June 2019, and one in October 2019. They cited threats to the rule of law, as well as politicization of government bodies and bad governance.

The most recent vote of no confidence in October 2019 was successful, and the leader of the PNL was tasked by the president with forming a new government. A minority PNL government led by Ludovic Orban took office in November 2019.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People are generally free to make political choices without undue pressure from unaccountable actors. However, clientelism in local politics remains a problem. In small towns and villages, mayors retain significant leverage over voters. Moreover, civil society organizations have uncovered evidence revealing political influence that the central government (and the party in power) retains over mayors through governmental funding allocations. Watchdogs have also expressed concern over the increasing presence of disinformation and propaganda in the media, which could allow powerful interests to improperly influence public views.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ethnic, religious, and other minority groups enjoy full political rights under the law. Romania's constitution grants one lower-house seat to each national minority whose representative party or organization fails to win any seats under the normal rules, and 17 such seats were allotted to minority representatives following the 2016 elections. President Iohannis, an ethnic German and a Lutheran, is the country's first president from either minority group.

Roma, who make up over 3 percent of the population, are underrepresented in politics. While a number of women hold cabinet-level or other senior positions—including that of the prime minister in 2018 and most of 2019, and the vice prime minister since November 2019—women are underrepresented in the Chamber of Deputies, where they hold just over 21 percent of seats, and in regional assemblies, where they hold 18 percent of seats. None of the major political parties are led by a woman. Social discrimination against LGBT+ people discourages political advocacy for their rights.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are generally able to craft and implement government policy without outside interference. However, former PSD leader Liviu Dragnea, who served as speaker of the lower house but could not become prime minister due to a criminal conviction, was

accused of exerting undue influence over the government until May 2019, when he was ordered to begin serving three and a half years in prison for abuse of power; he had been sentenced in 2018 but appealed.

C2. Are safeguards against official corruption strong and effective? 2 / 4

High levels of corruption, bribery, and abuse of power persist. The June 2019 report from the Council of Europe's Group of States against Corruption (GRECO) criticized Romania for failing to establish adequate measures to address corruption among members of parliament and magistrates, as well as for controversial attempts to enact legislation pertaining to the justice system that would have the effect of undermining anticorruption efforts.

In the past, the National Anticorruption Directorate (DNA) won international praise for fairly investigating corruption cases across the political spectrum and frequently securing convictions of powerful figures. However, in July 2018, after a protracted effort, the government secured the dismissal of DNA chief Laura Codruța Kövesi in what was seen as a blow to the directorate's independence. The justice minister initiated the move, and the president carried it out after the Constitutional Court ruled in May 2018 that he could not refuse to do so. Since January 2019, the DNA has been led by an acting chief prosecutor, Călin Nistor. Similarly, after the highly politicized retirement of general prosecutor Augustin Lazăr in April 2019, the general prosecutor's office has also been under interim leadership.

Nevertheless, in 2019 the DNA continued to carry out investigations, including against members of parliament. Several ongoing cases received final court decisions, including those involving a number of former deputy ministers, presidents of county councils, and judges. Former member of parliament Cristian Rizea was sentenced in March by the High Court of Cassation and Justice to a term of more than four years for money laundering and influence peddling; he left Romania and was living elsewhere at year's end. And, the High Court of Cassation and Justice in May upheld the three-and-a-half year prison sentence that had been handed down in 2018 to Liviu Dragnea, former head of the PSD and speaker of the lower chamber of the Romanian parliament, for offenses committed while he was president of the Teleorman County Council.

A controversy regarding a new special prosecution unit for cases against magistrates, which transferred the relevant cases away from the DNA and has the potential to introduce undue pressure on magistrates, continued in 2019. Expert opinions from the Venice Commission and GRECO in 2018 were critical of the new unit, citing many irregularities and the potential for abuse of power. Romanian magistrates' associations have been vocal in advocating for the immediate dismantling of the new body. Adina Florea, who was nominated in 2018 by the then minister of justice to replace Kövesi as head of the DNA but was rejected for that position, was the front runner to be chief prosecutor of the new special unit for cases against magistrates. However, in 2019 the Superior Council of Magistracy was unable to decide on her candidacy after several attempts to get the necessary quorum for making a decision, and she eventually withdrew her candidacy in December.

C3. Does the government operate with openness and transparency? 3 / 4

Citizens have the legal right to obtain public information and can petition government agencies for it. A new online platform allowing users to track government policies and bills has been running since March 2019. However, processes for soliciting participation and input from various stakeholders and civil society experts are not well defined, and the government still widely utilizes emergency ordinances for legislating.

Several mechanisms implemented in recent years were designed to improve transparency. For example, a software system managed by the National Integrity Agency now contains well over seven and a half million asset and interest declarations. However, the profile of the conflict-of-interest cases brought to court remains rather low, and the agency's activity is not highly publicized.

CIVIL LIBERTIES: 48 / 60 (+1)**D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16****D1. Are there free and independent media? 3 / 4**

Although the media environment is relatively free and pluralistic, key outlets remain controlled by businessmen with political interests, and their coverage is highly distorted by the priorities of the owners.

Politicians frequently spar with journalists on social media, with some instances constituting improper pressure. For instance, in March 2019 the former minister of justice threatened two journalists with the withdrawal of their media credentials. The Center for Independent Journalism, an NGO, qualified the minister's declaration as a limitation to media freedom.

In November 2018, investigative journalists from the Rise Project, which looks into corruption and organized crime, were targeted by the Romanian Data Protection Authority in an apparent attempt to intimidate them after they published information received about Liviu Dragnea and would not reveal their source. During 2019, two journalists received anonymous death threats as a result of investigations they were conducting, into allegations of plagiarism by public officials and senior security agents, and into claims of sexual abuse of children at an Orthodox seminary, respectively.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is generally respected. While the Romanian Orthodox Church remains dominant and politically powerful, the government formally recognizes 18 religions, each of which is eligible for proportional state support. Others can register as religious associations.

There have been reports of discrimination and harassment of religious minorities, including vandalism of Jewish cemeteries and occasional pieces in the media that portray Islam and Muslim migrants as a threat to the nation. In November 2019, Turkish diplomats interrupted a religious event organized by Muslim community leaders, and participants said government officials present did not respond.

In July 2018, President Iohannis promulgated a law that criminalized the promotion of antisemitism, and in October 2019 he signed a decree to establish the first museum dedicated to the history and memory of the Holocaust in Romania.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The government generally does not restrict academic freedom, but the education system is weakened by widespread corruption and politically influenced appointments and financing.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People are generally free to express their opinions without fear of retribution.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12 (+1)**E1. Is there freedom of assembly? 4 / 4 (+1)**

Romania's constitution guarantees freedom of assembly, and numerous peaceful public demonstrations were held during 2019, including demonstrations marking one year since the police crackdown on a large protest against government corruption that took place in August 2018. No similar incidents were recorded in 2019.

Score Change: The score improved from 3 to 4 because protest-related violence that took place in 2018 was not repeated.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) operate without major formal restrictions. Nevertheless, many human rights and governance groups suffer from funding shortages and often face hostility and smears from politicians and other actors. Legislation to combat money laundering approved in 2018 that had initially imposed onerous reporting obligations on NGOs was modified in June 2019, when it was formally adopted by parliament, to exclude NGOs from the list of entities envisaged by the law.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers have the right to form unions and a limited right to strike and bargain collectively, though laws against the violation of these rights are not well enforced. There are legal constraints on the ability of unions to participate in political activity.

F. RULE OF LAW: 12 / 16**F1. Is there an independent judiciary? 3 / 4**

The judiciary is generally independent, but it faces increasing pressure from the executive and legislative branches. The controversy around the new special prosecution unit focusing on magistrates continued in 2019, with magistrates' associations and supranational bodies raising concerns that the transfer of cases to the new body could allow avenues for the intimidation of magistrates and other abuses.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The law provides safeguards against arbitrary arrest and detention, and these are generally respected, but the right to a fair and timely trial is often undermined by institutional problems including corruption, political influence, staffing shortages, and inefficient resource allocation. Many government officials and lawmakers retain their positions despite criminal indictments or convictions by exploiting such weaknesses in the system. The Venice Commission has warned that recent changes to laws governing the justice system will "likely undermine" the independence of its officials.

The criminal investigation into an August 2018 crackdown on anticorruption protesters has been slow and so far inconclusive. Disinformation about the 2018 demonstration continued into 2019, with prime minister Dăncilă claiming there was written proof that the protest was a coup attempt, although she backed away from the assertion late in the year. The investigation is now being carried out by the specialized antiorganized crime prosecution service, as the investigation into the violence has been merged with one regarding the alleged coup.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The population faces no major threats to physical security, but prisons and detention centers feature harsh conditions, and the abuse of detainees by police and fellow prisoners remains a problem.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The law provides broad protections against discrimination based on gender, race, ethnicity, sexual orientation, and other categories. However, people with disabilities, LGBT+ people, Roma, and HIV-positive children and adults face discrimination in education, employment, medical service provision, and other areas. The constitution guarantees women equal rights, but gender discrimination remains a problem in many aspects of life. In August 2018 the president signed a law that imposes fines for sexual and psychological harassment in public and private spaces.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Citizens face no significant restrictions on freedom of movement, whether for internal or external travel, and can freely change their place of employment or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights are protected by law, but despite significant progress, the country has struggled to adjudicate restitution claims for property confiscated during the communist era. Bureaucratic barriers, corruption, and broader weaknesses in the rule of law hamper private business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

While personal social freedoms are generally protected, domestic violence remains a serious problem, and laws meant to combat it are poorly enforced. Same-sex marriages are not permitted under Romanian law, but in July 2018 the Constitutional Court recognized the residency rights of same-sex couples married elsewhere provided that one member of the couple is a European Union citizen. A government-backed referendum meant to define marriage in the constitution as a union between a man and a woman failed in October 2018 due to low turnout. Antigay rhetoric is still sometimes instrumentalized by political actors in order to galvanize conservative parts of society against political adversaries.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The law provides basic protections against exploitative working conditions, though they are unevenly enforced, particularly in the large informal economy. Economic opportunity varies widely between urban and rural areas, and such disparities limit social mobility for some.

Human trafficking for the purpose of forced labor and prostitution remains a serious problem in Romania. Women and children from the Roma minority are especially vulnerable to forced begging. After a shocking murder case in July 2019—in which police took 19 hours to respond after receiving calls from a kidnapped teenager, who was later found dead—human trafficking resurfaced as an area of public concern, considered improperly addressed by law enforcement authorities.

Russia

Population: 146,700,000

Capital: Moscow

Freedom Status: Not Free

Electoral Democracy: No

Overview: Power in Russia's authoritarian political system is concentrated in the hands of President Vladimir Putin. With loyalist security forces, a subservient judiciary, a controlled media environment, and a legislature consisting of a ruling party and pliable opposition factions, the Kremlin is able to manipulate elections and suppress genuine dissent. Rampant corruption facilitates shifting links among bureaucrats and organized crime groups.

KEY DEVELOPMENTS IN 2019

- Kremlin-backed candidates won every gubernatorial race in 2019, but sustained losses in regional elections and in Moscow. The election campaign was marred by intimidation and violence against both protesters and journalists covering events.
- Nongovernmental organizations (NGOs) and journalists remained under severe threat throughout 2019. The government continued to harass them by branding them as foreign agents or undesirable organizations, fining them, and intimidating them with police raids and arrests.
- LGBT+ residents and activists were targeted with renewed campaigns of violence and intimidation. The year began with a crackdown on a group of LGBT+ social media users in Chechnya, leading to multiple arrests and two deaths at the hands of police. In the summer, activist Yelena Grigoryeva was murdered in St. Petersburg, deepening fears over an anti-LGBT+ hit list.
- A crackdown on Jehovah's Witnesses expanded in 2019, with worshippers receiving long prison sentences under anti-extremism laws. Baptists were also subject to increased government interference.

POLITICAL RIGHTS: 5 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The 1993 constitution established a strong presidency with the power to dismiss and appoint, pending parliamentary confirmation, the prime minister. The president is elected to a six-year term, and can be reelected to one additional term. As with his past elections, President Putin's campaign for a second term in 2018 benefited from advantages including preferential media treatment, numerous abuses of incumbency, and procedural irregularities during the vote count. His most potent rival, Aleksey Navalny, was disqualified before the campaign began due to a politically motivated criminal conviction, creating what the Organization for Security and Co-operation in Europe (OSCE) called "a lack of genuine competition." The funding sources for Putin's campaign were also notably opaque. He was ultimately credited with 77 percent of the vote, followed by the Communist Party's Pavel Grudinin with 12 percent, Vladimir Zhirinovskiy of the ultranationalist Liberal Democratic Party of Russia (LDPR) with 6 percent, and five others—including token liberals—who divided the remainder.

In September 2019's local and regional elections, the Kremlin used those advantages to win all 16 governors' races, a year after four gubernatorial candidates backed by Putin's United Russia party were unexpectedly forced into runoffs. That 2018 vote coincided with nationwide protests over controversial pension reforms. This time, the Kremlin worked to eliminate any serious opposition candidates before the election took place, according to Russian electoral watchdog Golos. United Russia nevertheless sustained losses in regional races, earning under 50 percent of the vote in 5 of 12 regions including Moscow. Navalny's Smart Voting campaign, an initiative that helped voters identify the strongest non-United Russia candidate in each race, effectively concentrated opposition votes to combat the pro-Kremlin slate. However, the main beneficiaries were government-sanctioned opposition parties, with some exceptions in lower levels of government. The Kremlin retaliated days after the election, raiding 42 regional offices of Navalny's Anti-Corruption Foundation (FBK) and the homes of many of its regional coordinators.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The Federal Assembly consists of the 450-seat State Duma and an upper chamber, the 170-seat Federation Council. Half the members of the upper chamber are appointed by governors and half by regional legislatures, usually with strong federal input. Half of Duma members are elected by nationwide proportional representation and the other half in single-member districts, with all serving five-year terms.

In the 2016 Duma elections, United Russia won 343 seats, securing a supermajority that allows it to change the constitution without the support of other parties. The three main Kremlin-approved "opposition" parties—the Communists, LDPR, and A Just Russia—won the bulk of the remainder, taking 42, 39, and 23 seats, respectively. The Central Electoral Commission reported a turnout of 48 percent, the lowest in Russia's post-Soviet history. The OSCE and the election monitoring group Golos cited numerous violations, including ballot stuffing, pressure on voters, and illegal campaigning. Some opposition candidates were simply not permitted to register, so the outcome of many races was clear even before election day.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Russia's electoral system is designed to maintain the dominance of United Russia. The authorities make frequent changes in the laws and the timing of elections in order to ensure that their preferred candidates will have maximum advantage. Opposition candidates have little chance of success in appealing these decisions, or securing a level playing field.

Since 2011, only locally elected politicians have been eligible to serve in the Federation Council; the change was designed to benefit United Russia, as most local officeholders are party members. The current mixed electoral system for the Duma was adopted following the 2011 elections, when United Russia garnered just less than 50 percent of the vote under a system that used only nationwide proportional representation. This and other rule changes were considered to have contributed to United Russia's supermajority in 2016.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The multiparty system is carefully managed by the Kremlin, which tolerates only superficial competition against the dominant United Russia party. Legislation enacted in

2012 liberalized party registration rules, allowing the creation of hundreds of new parties. However, none posed a significant threat to the authorities, and many seemed designed to encourage division and confusion among the opposition. In 2018, the Justice Ministry refused once again to register Navalny's political party. He has been attempting to register since 2012, but his applications were always delayed or rejected based on technicalities. Navalny's group encountered similar treatment in 2019, with his allies finding themselves barred from participating in Moscow's local elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Russia has never experienced a democratic transfer of power between rival groups. Putin, then the prime minister, initially received the presidency on an acting basis from the retiring Boris Yeltsin at the end of 1999. He served two four-year presidential terms from 2000 to 2008, then remained the de facto paramount leader while working as prime minister until he returned to the presidency in 2012, violating the spirit if not the letter of the constitution's two-term limit. A 2008 constitutional amendment extended presidential terms to six years, meaning Putin's current term will leave him in office until 2024.

Opposition politicians and activists are frequently targeted with fabricated criminal cases and other forms of administrative harassment that are apparently designed to prevent their participation in the political process. For example, Aleksey Navalny was "administratively arrested" for 30 days in July after his call for a peaceful rally. A key aide was arrested a month before.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Russia's numerous security agencies work to maintain tight control over society and prevent any political challenges to the incumbent regime. The country's leadership is also closely intertwined with powerful economic oligarchs, who benefit from government patronage in exchange for political loyalty and various forms of service. The Russian Orthodox Church similarly works to support the status quo, receiving financial support and a privileged status in return.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The formation of parties based on ethnicity or religion is not permitted by law. In practice, many ethnic minority regions are carefully monitored and controlled by federal authorities. Defenders of minority languages have sought to protect the right to teach them in public schools, with one Udmurt activist resorting to self-immolation in September 2019. Most republics in the restive North Caucasus area and some autonomous districts in energy-rich western Siberia have opted out of direct gubernatorial elections; instead, their legislatures choose a governor from candidates proposed by the president.

Women are underrepresented in politics and government. They hold less than a fifth of seats in the State Duma and the Federation Council. Only 2 of 29 cabinet members are women.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Russia's authoritarian president dominates the political system, along with powerful allies in the security services and in business. These groups effectively control the output

of the parliament, which is not freely elected. The federal authorities have limited ability to impose policy decisions in Chechnya, where Chechen leader Ramzan Kadyrov has gained unchecked power in exchange for keeping the republic within the Russian Federation. A summer 2019 poll by the Levada Center, an independent polling and research organization, showed that just 19 percent of Russians felt they could influence federal policy and 31 percent said they could influence regional or local decision-making.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption in the government and the business world is pervasive, and a growing lack of accountability enables bureaucrats to engage in malfeasance with impunity. Many analysts have argued that the political system is essentially a kleptocracy, a regime whose defining characteristic is the plunder of public wealth by ruling elites. Some of these elites openly work to fulfill President Putin's policy aims and receive government contracts and protection from prosecution in return for their loyalty.

Navalny's FBK has posted a series of videos exposing graft among leading figures over several years, most recently on Andrei Kostin, chief executive of state-owned lender VTB. In response to the exposé on Kostin, federal police raided FBK headquarters in Moscow in late December 2019, seizing computer equipment and notes.

C3. Does the government operate with openness and transparency? 1 / 4

There is little transparency and accountability in the day-to-day workings of the government. Decisions are adopted behind closed doors by a small group of individuals whose identities are often unclear to the public, and announced to the population after the fact.

In June 2018, as many citizens celebrated the opening of soccer's World Cup tournament in Russia, the government announced legislation to raise the retirement age and delay pension eligibility, allowing for essentially no public discussion. After authorities suppressed protests against the deeply unpopular changes and offered symbolic concessions, the final bill was adopted in September, and the president signed it that October.

Similar behavior was apparent that September, when Chechen leader Ramzan Kadyrov and Yunus-Bek Yevkurov, his counterpart in the North Caucasus region of Ingushetia, drew their shared border in secret talks. Ingush protesters faced intimidation and arrests to protest the protocol in March 2019. Yevkurov resigned in June, only to be named President Putin's deputy defense minister in July.

CIVIL LIBERTIES: 15 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16****D1. Are there free and independent media? 0 / 4**

Although the constitution provides for freedom of speech, vague laws on extremism grant the authorities great discretion to crack down on any speech, organization, or activity that lacks official support. The government controls, directly or through state-owned companies and friendly business magnates, all of the national television networks and many radio and print outlets, as well as most of the media advertising market. A handful of independent outlets still operate, most of them online and some headquartered abroad. Television remains the most popular source of news, but its influence is declining, particularly among young people who rely more on social networks.

Attacks, arrests, office raids, and threats against journalists are common. In late July 2019, five journalists covering preelection protests in Moscow were physically attacked by police. By August, at least 14 journalists covering the protests were detained, in one case even after their accreditation was found.

Authorities actively targeted journalists outside of Moscow throughout 2019. In early June, Meduza journalist Ivan Golunov was arrested for alleged drug possession. Colleagues and activists successfully campaigned for his release and the dismissal of charges later that month. Igor Rudnikov, editor in chief of Kaliningrad based newspaper *Novye Kolesa*, spent a year and a half in pretrial detention on allegations that he extracted a bribe, which he denied. Ultimately, the court reduced the charge and freed him on the basis of time served in mid-June. *Novye Kolesa* reported on the extravagant lifestyle of General Viktor Ledenev, an intelligence veteran and senior law enforcement official.

In September, Alexandr Nikishin's home in the southwestern city of Saratov was raided, and he was interrogated for his work reporting on opposition politicians. The police then confiscated Nikishin's hard drive and cell phones. In October, police raided the offices of Dagestan's *Chernovik*, a weekly newspaper that reported on authorities' abuse of terrorism charges to harass Muslims in the North Caucasus republic.

In late May, 11 political journalists resigned from *Kommersant* to protest the firing of two colleagues and intervention into their work by the paper's owner, Kremlin-connected oligarch Alisher Usmanov. In a Facebook post, a journalist collective of the paper warned readers that they were no longer in a position to report on Russian politics.

The year also saw new legislation meant to limit the free press: in July, the State Duma considered legislation that would limit foreign ownership of popular Russian websites to 20 percent. The bill, which even garnered criticism from communications minister Konstantin Noskov, was assumed to target popular search engine and news aggregator Yandex, which maintains a headquarters in the Netherlands. In December, Putin again tightened his grip on the press by signing legislation allowing the government to declare journalists who work for outlets identified as foreign agents as foreign agents themselves.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Freedom of religion is respected unevenly. A 1997 law on religion gives the state extensive control and makes it difficult for new or independent groups to operate. The Russian Orthodox Church has a privileged position, working closely with the government on foreign and domestic policy priorities.

Regional authorities continue to harass non-Orthodox groups, including Jehovah's Witnesses and Mormons. Antiterror legislation approved in 2016 grants the authorities power to repress religious groups that are deemed extremist. In 2017, the Supreme Court upheld the Justice Ministry's decision to ban the Jehovah's Witnesses, who number 170,000 in Russia, as an extremist organization. The decision heralded a protracted campaign against the worshippers, marked by surveillance, property seizures, arrests, and torture. More than 80 were subjected to detention, house arrest, or restricted liberty by the end of 2018, and thousands fled abroad.

In February 2019, Danish-born Jehovah's Witness Dennis Christensen was the first to receive a prison term for extremism. By the end of 2019, another eight Jehovah's Witnesses were given prison sentences, ranging from two to six years. In November, the group claimed 251 members faced criminal charges (with 41 in pretrial detention or prison, 23 under house arrest, and at least 100 facing other restrictions).

Baptist worshippers, who were previously spared such treatment, are also experiencing the beginnings of a crackdown. In April, authorities raided a Baptist church near the city of Novorossiysk, subsequently accusing their pastor of illegal missionary work.

Many Muslims have been detained in recent years for alleged membership in banned Islamist groups including Hizb ut-Tahrir.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The higher education system and the government-controlled Academy of Sciences are hampered by bureaucratic interference, state-imposed international isolation, and increasing pressure to toe the Kremlin line on politically sensitive topics, though some academics still express dissenting views. In July 2019, the Ministry of Education issued rules forcing academics to seek permission from supervisors for any planned meeting with foreigners. The rules required academics to file a report after the meeting and for two Russians to be present at all meetings with foreign scholars. Pushback from numerous academics apparently limited the implementation of the rule, but the intention to limit contact with foreigners was clear. In November the authorities raided the prestigious Lebedev Physics Institute, allegedly pursuing a case of illegal technology exports.

Stalinist-era historians have faced pressure from the regime. Museum director Sergey Koltyrin received a 9-year sentence over child-abuse allegations in May, after criticizing the government for excavating land at Sandarmokh; the government claims a mass shooting of Soviet soldiers by Finns took place there during World War II. Yury Dmitriyev, head of the Karelia branch of human rights research and advocacy group Memorial, remained on trial for child abuse charges at year's end, and has been in custody since 2018. Dmitriyev maintained his innocence, instead alleging retribution for his work investigating Soviet-era crimes.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Pervasive, hyperpatriotic propaganda and political repression—particularly since Russian forces' invasion of Ukraine in 2014—have had a cumulative impact on open and free private discussion, and the chilling effect is exacerbated by growing state efforts to control expression on the internet.

The government's surveillance capabilities have increased significantly in recent years, and while most citizens are not subject to regular state supervision, authorities are thought to monitor the activities and personal communications of activists, journalists, and opposition members, according to human rights organization Agora.

In March 2019, authorities adopted a law imposing fines for insulting officials or state symbols through the use of electronic media. The Presidential Council for Civil Society and Human Rights called the law vague, warning it was subject to abuse. By early October, prosecutors filed 46 cases, most of them for insulting Putin.

In November, Russia enacted a “sovereign internet” law, which requires internet service providers (ISPs) to closely track and reroute traffic at the government's behest.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12**E1. Is there freedom of assembly? 1 / 4**

The government restricts freedom of assembly. Overwhelming police responses, the use of force, routine arrests, and harsh fines and prison sentences have discouraged unsanctioned protests, while pro-Kremlin groups are able to demonstrate freely. Despite the risks, thousands of people have turned out for a series of antigovernment demonstrations in recent years.

In the run-up to 2019's local elections in Moscow, the authorities pursued numerous legal cases, collectively known as the Moscow Affair, in order to discourage protests. Nevertheless, 10,000 participated in a late July rally, the largest anti-Putin gathering since 2012. Authorities responded by arresting over 1,400 people. Ultimately, 14 protesters were

convicted and 11 received prison terms ranging from one to five and a half years. A late August protest in Moscow was unusually peaceful, with local police refraining from mass arrests.

In May 2019, protesters in the city of Yekaterinburg succeeded in blocking the state government from building a new church in a popular park that citizens sought to keep open.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

The government continued its relentless campaign against NGOs in 2019. Authorities impede activities in part by requiring groups that receive foreign funding and are deemed to engage in political activity to register as “foreign agents.” This designation, which is interpreted by much of the Russian public as denoting a foreign spying operation, mandates onerous registration requirements, obliges groups to tag their materials with a “foreign agent” label, and generally makes it extremely difficult for them to pursue their objectives. By the end of 2019, the Justice Ministry classified 74 groups as “foreign agents,” including Navalny’s FBK.

Separately, a total of 19 foreign NGOs have been deemed “undesirable organizations” on the grounds that they threaten national security, including the Free Russia Foundation, Ukrainian World Congress, the Atlantic Council, and the Czech People in Need in 2019. This designation gives authorities the power to issue a range of sanctions against the black-listed groups and individuals who work with them.

Other forms of harassment and intimidation hinder NGO activities. The head of Memorial’s Chechnya office, Oyub Titiyev, was detained for alleged possession of illegal drugs in January 2018 and sentenced to four years in prison that March, before he was paroled in June. In November, the Supreme Court ordered the closure of prominent organization For Human Rights, led by activist Lev Ponomaryov. The government itself previously provided funding to the group before it ran afoul of the foreign agent registry. That same month, a Moscow court closed the Center for Support of Indigenous People of the North/Russian Indigenous Training Center, a group that had supported indigenous rights.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

While trade union rights are legally protected, they are limited in practice. Strikes and worker protests have occurred in prominent industries, including automobile manufacturing, but anti-union discrimination and reprisals are common. Employers often ignore collective-bargaining rights. The largest labor federation works in close cooperation with the Kremlin, though independent unions are active in some industrial sectors and regions.

In 2018, a St. Petersburg court liquidated the independent Interregional Trade Union Workers’ Association (ITUWA), accusing it of improperly accepting foreign funds. The 4,000-strong group gained prominence for a series of strikes at a Ford plant in 2007 that served as a model for subsequent strikes. However, the Supreme Court overturned the dissolution later that year.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary lacks independence from the executive branch, and career advancement is effectively tied to compliance with Kremlin preferences. The Presidential Personnel Commission and court chairmen control the appointment and reappointment of the country’s judges, who tend to be promoted from inside the judicial system rather than gaining independent experience as lawyers.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Safeguards against arbitrary arrest and other due process guarantees are regularly violated, particularly for individuals who oppose or are perceived as threatening the interests of the political leadership and its allies. Many Russians have consequently sought justice from international courts, but a 2015 law authorizes the Russian judiciary to overrule the decisions of such bodies, and it has since done so on a number of occasions.

Russian courts also adjudicated the cases of defendants living in Ukraine in 2019. Crimean Tatars accused of membership in Islamist group Hizb ut-Tahrir, which is banned in Russia but not in Ukraine, were tried by Russian courts throughout the year; at least 20 were handed prison terms by year's end. Many Crimean Tatars have faced extremism or terrorism charges in Russian courts, which outside observers consider disproportionate or fabricated. Blogger Nariman Memedeminov was tried and sentenced for terrorist activity in October 2019 after he covered the trials of other Crimean Tatar activists on his YouTube channel.

Memorial counted 305 people as political or religious prisoners at the end of 2019, a marked rise from its 2018 count of 195 prisoners. Those counted included participants of the 2019 Moscow election protests, human rights activists, and advocates for ethnic minority groups.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Use of excessive force by police is widespread, and rights groups have reported that law enforcement agents who carry out such abuses have deliberately employed electric shocks, suffocation, and the stretching of a detainee's body so as to avoid leaving visible injuries. Prisons are overcrowded and unsanitary; inmates lack access to health care and are subject to abuse by guards. In August 2018, *Novaya Gazeta* posted videos of guards engaging in organized beatings of prisoners in Yaroslavl. The authorities arrested at least 12 guards at the prison after a public outcry, but the NGO Public Verdict reported systematic abuse at another prison in the region in December. In July 2019, Public Verdict released another video showing continued abuse at Yaroslavl.

In November 2019, an ethnic Tatar prisoner, Airat Shakirov, went on a hunger strike in a penal colony in Vologda; his mother claimed that Shakirov, who is imprisoned over his alleged membership in Hizb ut-Tahrir, was placed in solitary confinement because he declined to serve as a prison informant.

Parts of the country, especially the North Caucasus, suffer from high levels of violence; victims include officials, Islamist insurgents, and civilians. Chechen leader Ramzan Kadyrov is accused of using abductions, torture, extrajudicial killings, and other forms of violence to maintain control. This activity sometimes occurs beyond Russian borders: Kadyrov is suspected of arranging the assassination of asylum-seekers and political opponents who have fled the country.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Immigrants and ethnic minorities—particularly those who appear to be from the Caucasus or Central Asia—face governmental and societal discrimination and harassment.

LGBT+ people are also subject to considerable discrimination, which has worsened in the last decade. Since 2013, a federal law banning the dissemination of information on “nontraditional sexual relationships” has been in force, making public discussion on homosexuality illegal. The European Court of Human Rights (ECHR) ruled the law discriminatory in 2017, saying it violated freedom of expression. The ECHR also ruled that Russia

was violating human rights by prohibiting LGBT+ demonstrations in 2018. Nevertheless, the law remains in force.

The Sova Center, which tracks hate crimes in Russia, reported the death of one LGBT+ activist and five injuries in hate-based attacks in 2019, but official statistics on such offenses are not maintained. The July murder of activist Yelena Grigoryeva brought to public attention the existence of hate group Saw, which circulates an online “hit list” of advocates; Grigoryeva’s name was added days before she was killed.

Chechnya remains particularly dangerous for LGBT+ people, with authorities launching a crackdown in January 2019 that ensnared nearly 40 people. According to the Russian LGBT Network, an LGBT+ advocacy group, they were identified when police seized the phone of an LGBT+ social media group’s administrator and accessed its contacts. Two detainees reportedly died after they were tortured by police.

In May, Maksim Lapunov became the first survivor of a previous 2017 crackdown to file charges at the ECHR, after efforts to have his case heard in Russia failed. In December, LGBT+ and feminist activist Yulia Tsvetkova was placed under house arrest in Khabarovsk on charges of distributing pornography. She faces a 6-year prison sentence if convicted. Earlier in 2019, Tsvetkova was fined 50,000 rubles (\$720) for administrating two social media pages, one featuring the work of female artists and the other tackling LGBT+ issues.

A rare victory for LGBT+ rights was recorded in April, when a St. Petersburg court ruled that a transgender woman was illegally dismissed from her job; her employer was ordered to reinstate her.

Despite some legal guarantees of gender equality, women continue to face various forms of discrimination. In July 2018, the State Duma rejected a bill first drafted in 2003 that would have expanded employment protections for women, in part by setting a definition for sexual harassment as unwanted sexual attention. The only existing law on the topic is a criminal code article that addresses the use of coercion to compel a person to perform sexual acts.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

The government places some restrictions on freedoms of movement and residence. Adults must carry internal passports while traveling and to obtain many government services. Some regional authorities impose registration rules that limit the right of citizens to choose their place of residence, typically targeting ethnic minorities and migrants from the Caucasus and Central Asia. Most Russians are free to travel abroad, but more than 4 million employees tied to the military and security services were banned from foreign travel under rules issued in 2014.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Power and property are intimately connected, with senior officials often using their government positions to amass vast property holdings. State takeovers of key industries and large tax penalties imposed on select companies after dubious legal proceedings have illustrated the precarious nature of property rights under Putin’s rule, especially when political interests are involved. Private businesses more broadly are routinely targeted for extortion or expropriation by law enforcement officials and organized criminal groups.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence receives little attention from the authorities. Instead, domestic violence survivors who kill abusers in self-defense are commonly imprisoned; as many as 80 percent of women imprisoned in Russia may fall under this category. In 2017, Putin signed a law that decriminalized acts of domestic violence that do not result in permanent physical harm. The new law also relieved police from the obligation of automatically opening domestic violence cases, transferring that burden to survivors.

Official tolerance of domestic violence was put to the test when Muscovite sisters Angelina, Krestina, and Maria Khachaturyan were charged with their father's 2018 murder, despite a subsequent investigation revealing his history of physical and sexual abuse. The case sparked controversy in Russia, fostering protests and calls for legal reform. In December 2019, murder charges were recommended against the two older sisters, Krestina and Angelina; their case remained open at year's end.

Residents of certain regions, particularly in the North Caucasus, face tighter societal restrictions on personal appearance and relationships, and some so-called honor killings have been reported. Chechen leader Ramzan Kadyrov has spoken in favor of polygamy and sought to compel divorced couples to remarry.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Legal protections against labor exploitation are poorly enforced. Migrant workers are often exposed to unsafe or exploitative working conditions. At least 21 workers reportedly died in accidents at World Cup construction sites ahead of the 2018 tournament. Both Russians facing economic hardship and migrants to Russia from other countries are vulnerable to sex and labor trafficking.

Rwanda

Population: 12,600,000

Capital: Kigali

Freedom Status: Not Free

Electoral Democracy: No

Overview: The Rwandan Patriotic Front (RPF), led by President Paul Kagame, has ruled the country since 1994, when it ousted forces responsible for that year's genocide and ended a civil war. While the regime has maintained stability and economic growth, it has also suppressed political dissent through pervasive surveillance, intimidation, and suspected assassinations.

KEY DEVELOPMENTS IN 2019

- Despite signs of eased pressure on opposition parties in 2018, the government continued its campaign of repression during 2019. At least two opposition figures were killed in apparent assassinations, and one went missing.
- In April and October, the president pardoned more than 400 women who had been imprisoned for involvement in illegal abortions.
- In September, 20 new senators were chosen through indirect elections and presidential appointments. The remaining incumbents were due to be replaced in 2020.

POLITICAL RIGHTS: 8 / 40 (-1)**A. ELECTORAL PROCESS: 2 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4**

Rwanda's 2003 constitution grants broad powers to the president, who has the authority to appoint the prime minister and dissolve the bicameral Parliament. Amendments passed in 2015 retained a two-term limit for the presidency and shortened the terms from seven to five years. The changes also explicitly stated, however, that the current president—Paul Kagame—was eligible for one additional seven-year term, after which he could run for two of the new five-year terms. This would extend Kagame's rule until 2034.

Kagame easily won the 2017 presidential election, taking 98.8 percent of the vote, according to official results. Frank Habineza of the Democratic Green Party of Rwanda (DGPR) and the independent Philippe Mpayimana split the remainder. The electoral process was marred by numerous irregularities, including political intimidation, unfair registration practices, and alleged fraud during the balloting itself.

The National Electoral Commission (NEC) blocked the candidacies of other would-be challengers, including independent and Kagame critic Diane Rwigara, who was barred from running on the grounds that some of the required signatures she had collected were invalid. She claimed that her followers were harassed and jailed as they attempted to gather signatures. The government also orchestrated a campaign of media smears and intimidation against Rwigara, and she was subsequently arrested along with her mother and sister.

Local authorities impeded the electoral campaigns of opposition presidential candidates, and some citizens were coerced into attending RPF rallies and voting for Kagame. Rwandans were also made to attend "solidarity" camps and listen to RPF propaganda, while local authorities tasked traditional leaders with persuading their communities to vote for Kagame. Access to the media and the content of electoral coverage were both skewed in favor of the RPF.

On election day, observers reported ballot stuffing, poll workers showing favoritism toward the ruling party, and denial of access to the vote-counting process, among other violations. Ballot secrecy was not always respected.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The 26-seat Senate, the upper house of Parliament, consists of 12 members elected by regional councils, 8 appointed by the president, 4 chosen by a forum of political parties, and 2 elected by faculty at universities. Senators' terms were shortened from eight to five years as part of the 2015 constitutional reform. The 80-seat Chamber of Deputies, the lower house, includes 53 directly elected members, 24 women chosen by local councils, 2 members from the National Youth Council, and 1 member from the Federation of Associations of the Disabled, all serving five-year terms.

In September 2019, the various electoral colleges chose 16 new senators, and the president appointed four. Six incumbent senators were still serving their previous eight-year terms and would be replaced in 2020.

The RPF dominated the Chamber of Deputies elections held in 2018, capturing 40 of the 53 elected seats. The DGPR gained two seats, marking the first time a genuine opposition party has won representation in Parliament. Three other parties allied with the RPF—the Social Democratic Party, the Liberal Party, and the Social Party—won five, four, and two seats respectively. As with other elections in recent years, the government's repression

of legitimate opposition parties and strict control of the media helped to ensure an overwhelming victory for the RPF.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The electoral laws are not impartially implemented by the NEC, whose members are proposed by the government and appointed by the RPF-dominated Senate. Elections in Rwanda routinely feature unfair barriers to registration, campaigning, poll monitoring, and media access for opposition parties and candidates, among other problems.

The 2015 constitutional amendments were adopted through a flawed petition and referendum process. Rights groups and news organizations cited reports that some signatures on the petition were not given voluntarily. The details of the amendments were not widely distributed or discussed ahead of the referendum, in which 98 percent of voters signaled their approval, according to the NEC. The government limited the political activities of groups opposed to the amendments, and the referendum was not monitored by any independent international observer groups.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The government-controlled Rwanda Governance Board (RGB) is responsible for registering political parties. In practice it can deny registration at its discretion without proper justification. The government has a long history of repressing its political opponents. For example, independent opposition politician Diane Rwigara was arrested and imprisoned in 2017, along with her mother and sister, on charges that included forgery of signatures to support her candidacy, tax evasion, and inciting insurrection.

Repression of opposition figures eased slightly in 2018, as President Kagame ordered the release of 2,140 prisoners, including 2010 presidential candidate Victoire Ingabire, and Rwigara and her mother were released on bail and then acquitted in court.

However, in 2019 opposition members were the victims of at least two murders and one disappearance. The body of Ingabire's assistant, Anselme Mutuyimana, was found in a forest in March, having apparently been strangled. Eugène Ndereyimana, a member of Ingabire's unregistered United Democratic Forces–Inkingi (FDU-Inkingi) party, went missing in July. In September, Syldio Dusabumuremyi, the national coordinator of FDU-Inkingi, was stabbed to death by unidentified men.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The RPF has ruled Rwanda without interruption since 1994, banning and repressing any opposition group that could mount a serious challenge to its leadership. All registered parties currently belong to the National Consultative Forum for Political Organizations, which is meant to promote political consensus. Despite the two seats in Parliament won by the DGPR in 2018, the RPF maintains a firm hold on power. The DGPR remains vastly outnumbered, holds no other positions of authority, and is unlikely to increase its support to the point where it can viably compete with the RPF in the near future.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Both voters and candidates face significant intimidation aimed at controlling their political choices. Even Rwandans living outside the country have been threatened, attacked, forcibly disappeared, or killed, apparently in response to their public or suspected opposition to the regime.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Although the constitution calls on the president to ensure “representation of historically marginalized communities” in the Senate through his appointees, asserting one’s ethnic identity in politics is banned, meaning the level of representation is unclear. The prohibition on discussion of ethnicity makes it nearly impossible for disadvantaged groups, including the indigenous Twa, to organize independently and advocate for their interests.

The constitution requires women to occupy at least 30 percent of the seats in each chamber of Parliament. They currently hold 10 of the 26 Senate seats and 49 of the 80 seats in the Chamber of Deputies, but women have little practical ability to engage in politics outside the RPF structure.

C. FUNCTIONING OF GOVERNMENT: 4 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Government policy is largely set and implemented by the executive, with the security and intelligence services playing a powerful role. Parliament generally lacks independence, merely endorsing presidential initiatives.

C2. Are safeguards against official corruption strong and effective? 2 / 4

The government takes some measures to limit corruption, including regular firings and prosecutions of low-level officials suspected of malfeasance. In 2018, President Kagame sacked dozens of civil servants in an ostensible effort to eradicate corruption, and Parliament passed revisions to the penal code that expanded the list of corruption-related crimes and increased penalties for those convicted. In 2019, several mayors and other local officials resigned or were dismissed for corruption and other misconduct, though the lack of transparency surrounding the cases made it difficult to assess whether any of the firings were politically motivated.

Despite these actions, graft remains a problem, and few independent organizations or media outlets are able to investigate or report on corruption issues due to the risk of government reprisals.

C3. Does the government operate with openness and transparency? 1 / 4 (-1)

While a 2013 law provides for public access to government information, implementation has been weak. Data published on Sobanukirwa, a website created by the government to ease the process of requesting access to documents, suggest that only a small fraction of requests result in positive and timely responses. Given the government’s active repression of any dissent in recent years, citizens do not have the ability in practice to obtain information about state operations, nor do they have a meaningful opportunity to comment on policy without the threat of punishment.

Score Change: The score declined from 2 to 1 because the government’s persecution of perceived opponents in recent years has undermined citizens’ practical ability to safely seek official information or scrutinize state policies.

CIVIL LIBERTIES: 14 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

The government imposes legal restrictions and informal controls on freedom of the press, and most media outlets practice self-censorship. The few journalists in the country who engage in independent reporting are subject to criminal charges and intimidation. The penal code revisions passed in 2018 criminalized cartoons and writing that “humiliate” Rwandan leaders, but also decriminalized defamation, which the Rwanda Journalists Association considered an improvement to the highly restrictive legal framework.

Many Rwandan journalists have fled the country and work in exile. Due in part to this phenomenon, the government has increasingly blocked access to news services and websites based abroad. The British Broadcasting Corporation’s Kinyarwanda-language service has been suspended in the country since 2014.

TV1 journalist Constantin Tuyishimire was reported missing by his colleagues in July 2019, and his whereabouts remained unknown late in the year.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Religious freedom has historically been respected, but the government has recently taken steps to assert greater control over religious institutions. In 2018, authorities shut down thousands of mostly Pentecostal churches and dozens of mosques, and banned mosques in Kigali from broadcasting the call to prayer over loudspeakers. Closures continued in 2019 as the government implemented a 2018 law obliging religious leaders to obtain a theology degree before establishing churches, mandating that religious organizations report grants to the RGB, and requiring that donations to faith-based groups be deposited in Rwandan banks.

In October 2019, the government arrested and then deported a prominent American-born evangelical pastor after shuttering his popular radio station. The pastor and the station were accused of spreading hate speech against women, but they were also known for criticism of the government.

Jehovah’s Witnesses face arrest for refusing to participate in security duties or oath-taking involving the national flag.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The government restricts academic freedom by enforcing official views on the genocide and other sensitive topics. Scholars and students are subject to suspension for “divisionism” and engage in self-censorship to avoid such penalties.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

The space for free private discussion is limited in part by indications that the government monitors personal communications. Social media are widely believed to be monitored, and the law allows for government hacking of telecommunications networks. The authorities reportedly use informants to infiltrate civil society, further discouraging citizens from expressing dissent.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

Although the constitution guarantees freedom of assembly, this right is limited in practice. Fear of arrest serves as a deterrent to protests, and gatherings are sometimes disrupted even when organizers obtain official authorization. In February 2018, police fired live ammunition into two crowds of Congolese refugees in the town of Karongi and Kiziba refugee camp who were protesting cuts in assistance, killing at least 11 people. Sixty-five protesters were charged with holding an illegal demonstration and violence against the police, among other allegations.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Registration and reporting requirements for both domestic and foreign nongovernmental organizations (NGOs) are onerous, and activities that the government defines as divisive are prohibited. Many organizations receive funds from the RGB, which challenges their independence. Several NGOs have been banned in recent years, leading others to self-censor. The government has been accused of employing infiltration tactics against human rights organizations.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The constitution provides for the rights to form trade unions, engage in collective bargaining, and strike, but free collective bargaining and strikes are limited by binding arbitration rules and rare in practice. Public-sector workers and employees in broadly defined “essential services” are generally not allowed to strike. Enforcement of rules against antiunion discrimination is weak. The country’s largest union confederation has close ties to the RPF, and the government allegedly interferes in union elections.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 0 / 4

The Rwandan judiciary lacks independence from the executive. Top judicial officials are appointed by the president and confirmed by the RPF-dominated Senate. Judges rarely rule against the government in politically sensitive cases.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The police and military regularly engage in arbitrary arrests and detentions, targeting opposition figures and dissidents as well as homeless people, street vendors, and suspected petty criminals.

A 2017 Human Rights Watch report detailed a system of secret unlawful detention at military facilities for suspected members of armed rebel groups or exiled opposition factions. Such detainees are allegedly denied basic due process rights, and many who are later brought to trial are convicted based on coerced confessions.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Both ordinary criminal suspects and political detainees are routinely subjected to torture and other ill-treatment in custody. Extrajudicial executions of suspected criminals by security personnel still occur with some frequency. Disappearances, physical assaults, and assassinations targeting journalists, opposition members, and other regime critics have been reported in recent years, including in 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Equal treatment for all citizens under the law is guaranteed, and there are legal protections against discrimination. However, the Tutsi minority group is often accused of receiving preferential treatment for high-ranking jobs and university scholarships under the pretext of an affirmative action program for “genocide survivors.” Members of the Hutu majority often face unofficial discrimination when seeking public employment or scholarships. The indigenous Twa minority continues to suffer from de facto disadvantages in education, employment, and health care.

While women enjoy broad legal equality and have a significant presence in the economy as workers and business owners, gender-based discrimination persists in practice. Same-sex sexual activity is not criminalized in Rwanda, though social stigma still exists for LGBT+ people. No laws specifically provide protection against discrimination based on sexual orientation or gender identity.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4**

An easily obtainable national identity card is required to move within the country. However, all government officials must receive approval from the president or prime minister’s office before traveling for personal or professional reasons; some current and former security officials have been arrested for unauthorized travel. Members of opposition groups have also reported restrictions on foreign travel or reentry to Rwanda.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

While the government is generally supportive of economic growth through private business activity, it has been criticized for seizing land for infrastructure and development projects without proper compensation, and for imposing agricultural and land-consolidation policies without adequate input from farmers.

The law grants the same property and inheritance rights to men and women, though women are not always able to assert their rights in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The law generally grants equal rights to men and women regarding marriage and divorce, but informal marriages under customary law, including polygamous unions, lack such protections. The penalties for spousal rape are much lighter than for other forms of rape. Domestic violence remains widespread and seldom reported despite government programs to combat it.

Abortion is a criminal offense unless it is the result of rape, incest, or forced marriage, or the life of the mother or child is endangered. Abortion convictions can lead to significant prison terms. The 2018 penal code revisions removed language requiring all abortions to be approved by a judge, leaving the final decision in the hands of the patient and her doctor. In April 2019, President Kagame pardoned some 365 women who had been jailed for receiving or otherwise being involved in illegal abortions. The president freed another 52 women serving prison terms for such offenses in October.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Regulations governing wage levels and conditions of work in the formal sector are poorly enforced. While Rwanda has increased prosecutions for transnational trafficking in recent years, Rwandan children are trafficked internally for domestic service under abusive conditions, or for commercial sex work, and little effort is made to hold internal traffickers to account. Many children work informally in the agricultural sector. Young Congolese and Burundian refugees are vulnerable to sexual exploitation and coerced recruitment into armed groups linked to Rwandan security forces.

Samoa

Population: 200,000

Capital: Apia

Freedom Status: Free

Electoral Democracy: Yes

Overview: Samoa has a democratic political system with regular elections, though the same political party has been in government for decades, and only traditional heads of families are eligible to run as candidates. The judiciary is independent, and civil liberties are generally respected.

KEY DEVELOPMENTS IN 2019

- In January, the parliament adopted a constitutional amendment that will redraw Samoa's legislative constituencies. The amendment will take effect in 2021, after the current parliament's term ends.
- A measles outbreak that began in September caused the deaths of 81 people by year's end, and prompted the government to declare a state of emergency. Public gatherings were restricted and schools were closed until the state of emergency ended in late December.
- Three individuals, including Australia-based blogger Malele Atofu Paulo, were accused of conspiring to assassinate Prime Minister Tuila'epa Sailele Malielegaoi in August; Paulo and another defendant pleaded not guilty and remained in custody at year's end.

POLITICAL RIGHTS: 30 / 40

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The parliament elects a ceremonial head of state every five years; there are no term limits. By custom rather than constitutional requirement, the position is given to one of the country's four paramount chiefs. In 2017, the parliament elected Tuimaleali'ifano Va'aletoa Sualauvi II as head of state.

The head of government is the prime minister, who requires the parliament's support. Tuila'epa of the Human Rights Protection Party (HRPP) has been in office since 1988, having been reelected most recently in 2016.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The Legislative Assembly (Fono) consists of 47 members elected in traditional village-based constituencies and 2 members elected by voters in “urban” constituencies—including citizens of mixed or non-Samoan heritage who lack village ties. Additional members can be added from among the unsuccessful candidates with the most votes in order to meet a minimum 10 percent quota of women members. Elections are held every five years.

In the 2016 parliamentary election, the HRPP won 35 of the 50 seats; one seat was added to meet the gender quota. Independents took 13 seats and the opposition Tautua Samoa Party (TSP) held two. After the election, 12 of the independents joined the HRPP, and the 13th joined the opposition. The HRPP retained a parliamentary seat in a March 2019 by-election, which was held after the incumbent died in office in January.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The constitutional and legal framework for elections is largely democratic and fairly implemented. However, only citizens with *matai* status (chiefs or family heads) are allowed to stand as candidates. There are some 17,000 *matai*, but only about 10 percent are women. A 2015 amendment to the Electoral Act replaced two at-large seats representing voters of non-Samoan heritage with two “urban” constituencies with defined boundaries. They overlapped with territorial constituencies and pertained to voters who either lacked or chose not to register according to traditional village ties.

In January 2019, the Tuila’epa government proposed a constitutional amendment that would effectively redraw Samoa’s constituencies, ensuring that all districts would be represented by a single member; the urban constituencies introduced in 2015 would be eliminated under the proposal. The amendment was adopted by the parliament that month, and will take effect after the current body’s term ends in 2021. One of the two lawmakers who voted against the proposal was dismissed from the ruling HRPP in February.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4**

There are no major constraints on the formation and operation of political parties, but parties must win a minimum of eight seats to qualify for formal recognition within the legislature. The TSP, which fell from 13 seats to just three after the 2016 election, lost this status, leading opposition members to criticize the rule for producing a “one-party state.”

Two parties were launched or relaunched since 2016. In 2018, Samoa First registered as a political party and aims to contest the 2021 poll. In August 2019, the Samoa National Democratic Party (SNDP) was reregistered; the SNDP, which was Samoa’s main opposition party between 1988 and 2003, also plans to contest the 2021 election.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

There are no obvious obstacles that prevent the opposition from increasing its support and gaining power through elections. However, the ruling HRPP has been in power since 1988 and has developed an effective campaign machinery during its incumbency, raising

concerns about whether its long stay in power is due to the party's popularity or features of the electoral system that may put the opposition at a disadvantage.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

While voters and candidates are largely free from undue interference with their political choices, traditional village councils consisting of local leaders with matai titles exercise considerable influence through candidate endorsements. Those who use the electoral laws to challenge the councils' preferred candidates in court have sometimes faced customary penalties such as banishment.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women and ethnic minorities have full voting rights, but the fact that candidates must hold matai titles means fewer women are eligible to run for office. The 2016 election marked the first application of the gender quota ensuring that at least five parliamentary seats are held by women. If fewer than that number are elected in normal constituency contests, the unsuccessful female candidates with the most votes are awarded additional seats. One extra seat was consequently added to the 2016 parliament. Few women participate in village council meetings.

Members of the *fa'afafine* community, which includes Samoans who are assigned male at birth but maintain a feminine gender identity, can also serve as matai; however, there are currently no elected *fa'afafine* parliamentarians.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The prime minister and cabinet determine and implement government policies without improper interference by outside groups. However, the weak opposition presence in the parliament undermines its role as a check on the executive, and the democratic credentials of the government are tarnished somewhat by restrictive features of the electoral system.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Independent entities including the Office of the Ombudsman, the Public Service Commission (PSC), and law enforcement agencies pursue allegations of corruption by public officials. However, corruption remains a problem and a cause of public discontent, and the government has at times resisted calls for a stronger response.

Several incidents of corruption and official misconduct came to light or were resolved in 2019. In March, two senior PSC members were charged with stealing over \$100,000 in public funds. That same month, an immigration officer was found guilty of selling passports to foreign individuals between 2016 and 2017, and received a four-year prison sentence in late May. The chief executive of the Ministry of Justice, Papalii John Taimalelagi Afele, was dismissed over misconduct allegations in May on the PSC's recommendation.

C3. Does the government operate with openness and transparency? 3 / 4

While the government generally operates with transparency, the effectiveness of the state auditing system remains the subject of public debate, and the country lacks a freedom of information law.

In September 2019, the government proposed a legislative amendment that would mandate prison terms and fines for public servants who disclose official information to a third party; the Journalists Association of Western Samoa (JAWS) denounced the proposal, which remained under consideration at year's end, as "heavy-handed."

CIVIL LIBERTIES: 51 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Several public and privately owned print and broadcast news outlets operate in Samoa, and internet access has expanded rapidly in recent years. While press freedom is generally respected, politicians and other powerful actors have used libel or defamation suits to respond to remarks or stories about them. In 2017, the parliament passed legislation that reintroduced criminal libel, which had been abolished in 2013. Artistic works are also subject to government restrictions; in June 2019, the feature film *Rocketman* was banned for depicting same-sex sexual activity, which is illegal in Samoa.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is constitutionally guaranteed, and is mostly respected in practice. However, in 2017, the parliament passed the Constitution Amendment Bill, which shifted references to Samoa being a Christian nation from the constitution's preamble to its body. As such, the text can potentially be used in legal action.

There is strong societal pressure at the village level—including from village councils—to participate in the activities of the main local church.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There are no significant restrictions on academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no serious constraints on private discussion or the expression of personal views. However, in July 2019, prominent Australia-based blogger Malele Atofu Paulo pleaded guilty to defamation, and was handed a seven-week prison sentence in October. Paulo had accused Prime Minister Tuila'epa of corruption and of involvement in the 1999 assassination of Samoan politician Luagalau Leva'ula Kamu.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by law and respected in practice. However, public gatherings were banned during a state of emergency that was declared in November 2019 during a measles outbreak that killed 81 people by year's end; the state of emergency expired in late December.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Nongovernmental organizations (NGOs), including human rights groups, operate freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers have the right to form and join trade unions, bargain collectively, and strike. Multiple unions exist, representing both public- and private-sector employees; these are often called “associations.” The Samoa Workers Congress (SWC) is an umbrella body for all workers’ unions. As of September 2019, it represented 4,198 workers, an increase from 2016, when 3,000 workers were represented.

Union members’ rights are governed by the constitution and the 2013 Labour and Employment Relations Act; the latter recognizes unions and employees’ roles and rights, the rights to collective bargaining, and rights to maternity and paternity leave, and mandates the establishment of a National Tripartite Forum, which provides for workers’ benefits and consults on employment policies and conditions. However, some cultural factors hinder the ability of workers and unions to pursue their rights.

Samoa became a member of the International Labour Organization (ILO) in 2005 and ratified the ILO’s eight fundamental conventions by 2008.

F. RULE OF LAW: 14 / 16**F1. Is there an independent judiciary? 4 / 4**

The judiciary is independent. The head of state, on the recommendation of the prime minister, appoints the chief justice. Other Supreme Court judges are appointed by the Judicial Service Commission, which is chaired by the chief justice and includes the attorney general and a Justice Ministry appointee. Judges typically serve until they reach retirement age, and cannot be removed arbitrarily.

In October 2019, the government issued the Samoa Law Reform Commission the task of elevating the Lands and Titles Court, which rules on customary matters, into a body that is coequal to the Supreme Court through new legislation; that work is ongoing at year’s end.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The authorities generally observe due process safeguards against arbitrary arrest and detention, and the courts provide defendants with the conditions necessary for a fair trial. However, village councils settle many disputes, and their adherence to due process standards varies. They have the authority to impose penalties including fines and banishment, though council decisions can be appealed in the court system.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Violent crime rates are relatively low. Police officers are occasionally accused of physical abuse. Prisons are under resourced, resulting in poor conditions for prisoners including overcrowding, as well as occasional difficulties keeping facilities themselves secure. In June 2019, Samoa opened a new prison in Tanumalala; two prisoners escaped from the prison in October. Prisons commissioner Taitosaua Edward Winterstein was suspended that month while an inquiry into the prison escape was conducted; his suspension was still in effect at year’s end.

In August 2019, police took three people accused of plotting to assassinate Prime Minister Tuila’epa into custody; a village matai reportedly handed the suspects over to the authorities that month, along with firearms allegedly intended for use in the assassination attempt. Blogger Malele Atofu Paulo and Lema’i Faioso Sione were charged with conspiracy to commit murder in September and remained in custody at year’s end, while a third individual accepted a guilty plea.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution prohibits discrimination based on descent, sex, religion, and other categories. The Labour and Employment Relations Act also prohibits discrimination against employees on such grounds as ethnicity, race, color, sex, gender, religion, political opinion, sexual orientation, social origin, marital status, pregnancy, HIV status, and disability. However, these are enforced unevenly. In practice women face some discrimination in employment and other aspects of life, and same-sex sexual activity remains a criminal offense for men. Ethnic Chinese residents at times encounter societal bias and restrictions on the location of their businesses.

Members of the fa'afafine community were previously subjected to a rarely enforced criminal code provision that prohibited the "impersonation" of a woman; a 2013 amendment removed this stipulation.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

While there are few constraints on freedom of movement, village councils still occasionally banish individuals from their communities as a penalty for serious violations of their bylaws.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Private business activity is encouraged, and property rights are generally protected, though roughly 80 percent of the country's land is communally owned, meaning it is overseen by matai title holders and other village leaders. The rest consists of freehold and state-owned land.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

While personal social freedoms are generally not restricted by law, domestic violence against women and children is a serious problem. The Crimes Act of 2013 made spousal rape a crime, and the Family Safety Act of 2013 empowers the police, public health officials, and educators to assist victims of domestic violence. Nevertheless, many victims do not report abuse due to strong social biases and fear of reprisal.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Individuals generally enjoy equality of opportunity and fair working conditions. However, most adults engage in subsistence agriculture, and local custom obliges residents to perform some labor on behalf of the community; those who fail to do so can be compelled.

San Marino

Population: 30,000

Capital: San Marino

Freedom Status: Free

Electoral Democracy: Yes

Overview: San Marino is a parliamentary democracy in which political rights and civil liberties are generally upheld. Corruption is a problem, and while investigative journalists are active, the risk of heavy fines for defamation can encourage self-censorship. Women are underrepresented in politics.

KEY DEVELOPMENTS IN 2019

- In February, a 2018 law recognizing civil unions for same-sex couples came into force.
- Referendum voters in June approved a constitutional amendment that banned discrimination based on sexual orientation.
- In October, a court held the first appellate hearing in the so-called Conto Mazzini case, in which 17 high-ranking Sammarinese officials—including eight former government ministers—were sentenced in 2017 for their involvement in money laundering and other corrupt activities.
- General elections held in December resulted in a victory for the opposition Sammarinese Christian Democratic Party, which formed a governing coalition with two smaller groups.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Executive power rests with the 10-member State Congress (cabinet), which is accountable to the parliament and is headed by two captains regent. As the joint heads of state with largely ceremonial roles, the captains are elected every six months by the legislature from among its own members. Although there is no official prime minister, the secretary of state for foreign and political affairs is regarded as the head of government. Nicola Renzi of the Future Republic party was elected to the post in 2016; a new executive leadership was due to be installed in early 2020 following the December 2019 elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 60 members of the unicameral Great and General Council are elected for five-year terms. The 2019 elections, called about a year early, were considered credible and free, and their results were accepted by stakeholders and the public. The elections were won by the opposition Sammarinese Christian Democratic Party, which obtained 21 seats. The left-wing Tomorrow in Motion coalition came in second with 15 seats, followed by Libera with 10 seats, Us for the Republic with 8 seats, and Future Republic with 6 seats. After the elections the Christian Democrats formed a governing coalition with Tomorrow in Motion and We for the Republic.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The electoral laws provide a sound basis for the organization of free and fair elections. In its 2018 compliance report, published in 2019, the Council of Europe's Group of States against Corruption (GRECO) indicated that San Marino had enacted adequate legislation to regulate the financing of political parties.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Parties are free to form and operate in San Marino, and a great number of them contest elections. Many parties participate in larger electoral coalitions, as the electoral law gives the largest political grouping the right to take the initiative in government formation.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There are no restrictions preventing the opposition from increasing support through elections, and the country has undergone transfers of power between rival party groupings in recent years. Multiple opposition groups are currently represented in the Great and General Council.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

The political choices of voters and candidates are free from undue pressure by unaccountable groups.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

While citizens generally enjoy full political rights, women are underrepresented in the Great and General Council, where they held 19 seats after the 2019 elections, and in politics generally. An assessment mission from the Organization for Security and Co-operation in Europe that was deployed ahead of the 2019 polls noted that gender quotas on candidate lists were undercut by the preferential voting system. Women are better represented in the country's Electoral Council and in polling administration.

About 16 percent of the population consists of noncitizens who do not have political rights in the country; most are Italian nationals. Under San Marino's strict naturalization criteria, individuals without a citizen spouse, parent, or grandparent generally must live in the country for over 30 years to be eligible for citizenship.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The government and legislature are able to exercise their powers without improper interference from unelected entities.

C2. Are safeguards against official corruption strong and effective? 3 / 4

In response to scandals involving high-ranking officials, San Marino has launched a series of programs to combat corruption and money laundering. In its 2018 report, GRECO found that progress had been made in closing key gaps in the legal framework, but that further improvements were required, particularly regarding trading in influence and bribery in the private and judicial sectors.

In 2017, a large number of former officials were convicted for their involvement in bribery, corruption, money laundering, and vote buying in the so-called Conto Mazzini case. Multiple former captains regent and ministers received prison sentences ranging from two to eight years. In October 2019, a court held the first hearing on appeals in the case.

C3. Does the government operate with openness and transparency? 4 / 4

Laws providing for the accessibility of government information are in place, and the government generally respects those laws. Public officials are not required to disclose their assets, though political candidates must report their income from the previous year as well as assets or investments.

CIVIL LIBERTIES: 57 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16****D1. Are there free and independent media? 3 / 4**

Freedom of the press is generally upheld. Local media are pluralistic, and journalists investigate important topics, including financial crimes. However, the risk of heavy fines or civil damages under San Marino's strict defamation laws can prompt self-censorship among journalists. News consumers also have access to Italian media, and internet access is not restricted.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is broadly upheld in San Marino. Religious discrimination is prohibited by law. There is no state religion, although Roman Catholicism is dominant. Catholic religious instruction is offered in schools but is not mandatory.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Freedom of expression is legally safeguarded, and people are generally free to discuss their views on politics and other sensitive topics, though the law prohibits hate speech based on various characteristics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12**E1. Is there freedom of assembly? 4 / 4**

Freedom of assembly is upheld in practice. Demonstrations routinely proceed without incident.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations may operate without undue restrictions, and a number of human rights groups are active in the country.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers are free to strike, organize in trade unions, and bargain collectively, unless they work in military occupations. Approximately half of the workforce is unionized. The law prohibits antiunion discrimination and provides avenues for recourse for workers penalized for union activity.

F. RULE OF LAW: 15 / 16**F1. Is there an independent judiciary? 4 / 4**

The judiciary is independent. Its affairs are managed by a Judicial Council made up of first-instance and appellate judges.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Due process rights surrounding charges and trials are generally upheld in practice. The authorities respect legal safeguards against arbitrary arrest and detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The population does not face any major threats to physical security. There is one prison in San Marino, and the inmate population is small, with no reports of serious mistreatment. Law enforcement officers generally operate with professionalism.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The law criminalizes the dissemination of ideas related to racial or ethnic superiority; acts of violence or discrimination on various grounds, including sexual orientation and gender identity; and incitement to such acts. However, color and language are not covered by these criminal provisions. While San Marino lacks civil legislation guaranteeing equality and freedom from employment or other discrimination for LGBT+ people, referendum voters in June 2019 approved a constitutional amendment banning all forms of discrimination based on sexual orientation.

A 2018 report from the European Commission against Racism and Intolerance (ECRI) reiterated concerns about the absence of a strong and comprehensive antidiscrimination framework in the country. The Office of the United Nations High Commissioner for Human Rights has also urged San Marino to strengthen its laws against discrimination, in particular gender discrimination. Women face societal prejudices that affect their access to employment and economic opportunity.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no restrictions on freedom of movement, and individuals in San Marino may freely change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The rights to own property and operate private businesses are upheld.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are generally safeguarded in San Marino. A law allowing civil unions for same-sex couples was adopted by the Great and General Council in November 2018 and came into force in February 2019. However, same-sex marriage is not recognized, and same-sex couples do not have the right to adopt children together. Abortion is a criminal offense unless the woman's life is in danger, and reform advocates have met with fierce resistance from conservative Catholic groups in recent years. Reports of domestic violence, which is prohibited by law, are rare.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

The government generally upholds labor protections for workers and provides assistance to low-income individuals. The Council of Europe's commissioner for human rights

in 2015 called on San Marino to continue with efforts to better protect foreign women employed as caregivers or household workers, and ECRI renewed this advice in 2018.

São Tomé and Príncipe

Population: 200,000

Capital: São Tomé

Freedom Status: Free

Electoral Democracy: Yes

Overview: São Tomé and Príncipe holds regular, competitive national elections and has undergone multiple transfers of power between rival parties. Civil liberties are generally respected, but poverty and corruption have weakened some institutions and contributed to dysfunction in the justice system. Threats to judicial independence have been a growing concern in recent years.

KEY DEVELOPMENTS IN 2019

- A long-running legal battle over ownership of the Rosema Brewery, one of the country's largest enterprises, continued to prompt political interference in the judiciary during the year, with the National Assembly authorizing the dismissal of three Constitutional Court judges in August.
- The government of former prime minister Patrice Trovoada, in power through late 2018, was accused in August of hiding more than \$70 million in debt.
- Trovoada's Independent Democratic Action (ADI) party, now in opposition, chose a new leader at a party congress in May. In September, Trovoada was elected president of an ADI splinter faction.

POLITICAL RIGHTS: 35 / 40 (+1)

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is directly elected for up to two consecutive five-year terms. The prime minister, who holds most day-to-day executive authority, is appointed by the president based on the results of legislative elections. Executive elections are typically considered free and fair.

In the 2016 presidential election, Evaristo Carvalho, a former prime minister and member of the ADI party, led the first round with just under 50 percent of the vote; he was initially credited with over 50 percent, but the National Electoral Commission (CEN) revised the total downward, citing late results from certain areas. Carvalho's leading opponent, incumbent president and independent Manuel Pinto da Costa, was credited with nearly 25 percent, but he boycotted the runoff vote, alleging irregularities in the first round. Carvalho was consequently elected unopposed. Despite this dispute, African Union observers generally praised the conduct of the election.

In the October 2018 legislative elections, the ADI, the party of incumbent prime minister Patrice Trovoada, won the most seats, but it failed to form a government. In November 2018, President Carvalho invited the Movement for the Liberation of São Tomé

and Príncipe–Social Democratic Party (MLSTP-PSD), under the leadership of Jorge Bom Jesus, and a bloc consisting of the Democratic Convergence Party, the Union of Democrats for Citizenship and Development, and the Force for Democratic Change Movement (PCD-UDD-MDFM), to form a new coalition government. Jesus was appointed prime minister later that month.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the unicameral, 55-seat National Assembly are elected by popular vote to four-year terms. In the October 2018 legislative elections, the ADI secured 25 seats, followed by the MLSTP-PSD with 23, the PCD-UDD-MDFM with 5, and the Movement of Independent Citizens with 2. Following the elections, in a bid to secure an absolute majority, Trovoada requested that the Constitutional Court order a recount of ballots that had been ruled invalid, which the court agreed to. The opposition condemned the court's decision as biased in favor of the ADI, and demonstrations held outside the site of the recount were violently dispersed by security forces, who fired tear gas into the crowd. However, later in October 2018, the Constitutional Court certified the initial election results, and the ADI did not gain any seats. Despite the controversy, international observers deemed the elections largely credible.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The electoral laws and framework are generally fair, but implementation suffers from lack of resources and staff. Municipal elections and elections in the autonomous region of Príncipe, which had been scheduled for 2017 but delayed due to funding shortages, were held concurrently with the parliamentary elections in 2018.

In 2017, the ADI parliamentary majority adopted legislation that would have reorganized the composition of the CEN in a manner that the opposition claimed would allow the ADI to manipulate future elections. In March 2018, however, the ADI government chose to maintain the CEN's structure, negating the legislation.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The multiparty system features free and vigorous competition among the ADI, MLSTP-PSD, PCD-UDD-MDFM, and a variety of other parties. The ADI suffered a fracture during 2019, with delegates choosing a new leader to replace former prime minister Trovoada at a party congress in May, and Trovoada securing election as leader of a splinter faction in September.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Manuel Pinto da Costa and the MLSTP-PSD ruled São Tomé and Príncipe as a one-party state from independence in 1975 until 1991. Since then there have been multiple democratic transfers of power between rival parties. Individual governments have tended to be short-lived, partly due to the country's system of proportional representation, which encourages coalition or minority governments. At the time of its electoral defeat in 2018, the ADI had been in government for four years.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Voters and politicians are generally free from undue interference with their decisions. The practice of vote buying by political parties and candidates remains a problem, but was reportedly less prevalent during the 2018 elections. While the country experienced military coups in 1995 and 2003, normal civilian rule was swiftly restored in both cases.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4 (+1)

Women and minority groups enjoy full political rights. While societal discrimination and disparities in access to education inhibit women's participation to some degree, women have made gradual advances in the political sphere. Maria das Neves of the MLSTP-PSD, the country's first woman prime minister from 2002 to 2004, placed third in the 2016 presidential election. Women won 10 out of 55 seats in the 2018 parliamentary elections, up from 5 a decade earlier.

Score Change: The score improved from 3 to 4 due to increased political participation by women over the last decade.

C. FUNCTIONING OF GOVERNMENT: 9 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

The prime minister and cabinet determine the policies of the government, under the supervision of the National Assembly and the president. They are able to implement laws and policies without improper interference from unelected entities.

The president and the prime minister, aligned with rival political blocs, clashed over their respective powers during 2019. In January, the Jesus government appointed a senior MLSTP-PSD party official as the new governor of the central bank, drawing objections from President Carvalho, who accused the government of infringing on his constitutional authority by dismissing the bank's former leadership.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption is a major problem. Oversight mechanisms, the opposition, and the media have repeatedly uncovered evidence of official malfeasance, sometimes resulting in dismissals and other repercussions, but on the whole, anticorruption laws are poorly enforced. The Jesus government announced that fighting corruption would be a priority, and a number of former officials faced accusations of malfeasance during 2019. Américo Ramos, the previous government's finance minister, was arrested in April on charges that included corruption and embezzlement, but the charges were dropped in July. The new government in December 2018 had also replaced the directors of public companies who had been nominated by the ADI, and inquiries into their actions were underway in 2019.

C3. Does the government operate with openness and transparency? 3 / 4

The government generally does not restrict access to information about its operations. However, there is no specific law guaranteeing public access to government information. Officials rarely disclose their assets and income. The prime minister in February 2019 decided to disclose the amounts he had spent on travel abroad, returning unspent funds from his subsidy, in what was apparently the first such action by the government. In August, the

government pledged to guarantee funding for the Court of Auditors and support its efforts to combat mismanagement of public resources. Also that month, the prime minister accused the former government of accumulating more than \$70 million in hidden debt.

CIVIL LIBERTIES: 49 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Freedom of the press is constitutionally guaranteed and largely respected in practice. Public media convey opposition views and grant some access to opposition leaders, but only a handful of private media outlets are available, and a degree of self-censorship is reported at both public and private outlets. There are no restrictions on online media, though the sector is poorly developed. About a third of the population has internet access.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides for freedom of religion. Religious groups are required to register with the Justice Ministry and can face penalties for failure to do so, but the process is not reported to be biased or restrictive.

In October 2019, lawmakers threatened to expel the Universal Church of the Kingdom of God from the country if it did not resolve the situation of a São Toméan pastor who had been arrested in Côte d'Ivoire for defamation against the church. Violent protests took place that month at the church's São Toméan headquarters. The pastor was subsequently released and returned to São Tomé and Príncipe in December.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The constitution prohibits political indoctrination in education, and academic freedom is generally respected in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no restrictions on individuals' freedom of expression, which is guaranteed by the constitution. The government is not known to engage in improper surveillance of personal communications or monitoring of online content.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution protects freedom of assembly, which the government generally observes in practice. However, organizers are obliged to give authorities two days' notice before public gatherings. During the protests against the Universal Church of the Kingdom of God in October 2019, some demonstrators attacked church buildings, and one person was reportedly killed by police gunfire.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights and governance-related work? 4 / 4

Nongovernmental organizations (NGOs), including organizations that focus on human rights and governance issues, are free to operate. The government has not placed any significant restrictions on NGOs in recent years, but a lack of funding limits their activities.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers have the legal rights to organize, strike, and bargain collectively, and these are mostly respected, though there are no provisions to regulate bargaining or punish antiunion practices by employers. Most union negotiations are conducted with the government, which remains the country's dominant formal-sector employer.

F. RULE OF LAW: 12 / 16**F1. Is there an independent judiciary? 3 / 4**

The constitution provides for an independent judiciary, and the courts are relatively autonomous in practice, but they are susceptible to political influence and corruption.

A series of politically charged appointments and dismissals of Supreme Court and Constitutional Court judges that began under the ADI government in 2018 continued during 2019. In February, the National Assembly installed five new Constitutional Court judges to replace those originally appointed by the ADI, whom the new governing coalition had dismissed in late 2018. In May, weeks after a lower court returned ownership of the Rosema Brewery—one of the country's largest companies—to an Angolan businessman, the Constitutional Court reversed the judgment, ruling in favor of two local politicians and businessmen. The governing coalition, which was seeking greater Angolan investment in São Tomé and Príncipe, then authorized the removal of the three Constitutional Court judges who had voted to restore the company to its local owners, and approved new appointees to replace them with a National Assembly vote in August.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Law enforcement authorities generally observe legal safeguards against arbitrary arrest and detention as well as guarantees for a fair trial, but police corruption is a problem, and indigent defendants are sometimes denied access to a lawyer. Nearly a third of prisoners are in pretrial detention, which can be lengthy in some cases.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Police are sometimes accused of beating suspects during arrest; a man was beaten to death in custody in 2018, drawing widespread condemnation. Prisons suffer from overcrowding and other harsh conditions. However, the country is otherwise free of major threats to physical security.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Equal treatment is guaranteed by law, but a degree of societal discrimination against women persists, hampering their access to economic and educational opportunities. Although same-sex sexual activity is not criminalized, discrimination against LGBT+ people is sometimes reported, and the law does not specifically address such bias.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

The constitution establishes the freedom of internal movement, foreign travel, emigration, and repatriation. The government has generally respected these rights.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal framework and government policies are generally supportive of property rights and private business activity, though bureaucratic obstacles and corruption pose challenges in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

There are few formal restrictions on personal social freedoms. However, domestic violence is reportedly common and rarely prosecuted. The minimum age for marriage with parental consent is 14 for girls and 16 for boys, as opposed to 18 without parental consent for both. Roughly a third of girls marry before age 18.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Forced labor is prohibited and child labor is restricted by law. There are also basic legal protections against exploitative or dangerous working conditions. However, the government lacks the capacity to enforce these rules effectively, particularly in the informal agricultural sector.

The economy depends in large part on foreign aid, and the government has sought assistance from a variety of sources.

Saudi Arabia

Population: 34,200,000

Capital: Riyadh

Freedom Status: Not Free

Electoral Democracy: No

Overview: Saudi Arabia's absolute monarchy restricts almost all political rights and civil liberties. No officials at the national level are elected. The regime relies on pervasive surveillance, the criminalization of dissent, appeals to sectarianism and ethnicity, and public spending supported by oil revenues to maintain power. Women and religious minorities face extensive discrimination in law and in practice. Working conditions for the large expatriate labor force are often exploitative.

KEY DEVELOPMENTS IN 2019

- The authorities continued to detain numerous dissidents during the year, and new arrests were reported. More than a dozen people, including two Saudi-US dual nationals, were arrested in April after allegedly expressing support for women's rights activists who have been behind bars since 2018. At least seven bloggers and other writers were arrested in November.
- In August, the government promulgated legal reforms that granted adult women the ability to obtain passports, travel abroad, and register births without a male guardian's permission, though a guardian's approval was still needed for marriage and a variety of other actions.

- In December, a Saudi court sentenced five people to death, and three others to prison terms, for their role in the 2018 assassination of US-based Saudi journalist Jamal Khashoggi. The most senior officials investigated in connection with the killing were acquitted on grounds of insufficient evidence, and Crown Prince Mohammed bin Salman was never investigated by Saudi authorities despite credible evidence that he was involved.

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Saudi Arabia's king is chosen by his predecessor from among male descendants of the country's founder, though the choice must be approved by a council of senior princes. The king rules for life. King Salman bin Abdulaziz al-Saud appointed his son Mohammed bin Salman as crown prince in 2017, displacing the prince's older cousin, Mohammed bin Nayef, who was stripped of all official positions and put under house arrest. The cabinet, which is appointed by the king, passes legislation that becomes law once ratified by royal decree. King Salman also serves as prime minister, and Mohammed bin Salman serves as deputy prime minister and minister of defense.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The king appoints the 150 members of the Majlis al-Shura (Consultative Council), who serve in an advisory capacity, for four-year terms. The council has no legislative authority.

Limited nonpartisan elections for advisory councils at the municipal level were introduced in 2005. In the 2015 elections, two-thirds of the seats on the 284 councils were open to voting, while the rest were filled through appointment by the minister of municipal and rural affairs. Women were allowed to vote and run as candidates for the first time, and a small number won seats. The next elections were due in 2019, but they were postponed without any clear official explanation.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral framework lacks constitutional protections, and the 2015 elections for municipal councils were subject to a number of onerous restrictions. The kingdom's rules on gender segregation were applied to campaigns, meaning no candidates could produce posters showing their faces or meet in person with voters of the opposite sex. Candidates were also barred from giving media interviews, leading many to campaign via social media. A number of candidates were disqualified for unclear reasons, though some were reinstated after appeals. Ultimately only a small fraction of the citizen population participated in the elections, reflecting doubts about the effectiveness of the advisory councils.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Political parties are forbidden, and political dissent is effectively criminalized. Some of the country's most prominent political rights organizations and activists, including founding

members of the banned Saudi Civil and Political Rights Association (ACPRA), have been arrested and sentenced to prison in recent years. Many other political activists continue to serve lengthy prison sentences.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The current leadership has given no indication that it plans to allow competitive elections for positions of executive or legislative authority in the future. Opposition movements are banned, and the government is increasingly intolerant even of moderate critics. The Muslim Brotherhood, a Sunni Islamist political organization, is believed to have the sympathy of a substantial minority of Saudis, but it remains banned and has been designated as a terrorist group by the Saudi government since 2014.

Other groups and individuals that criticize the regime or call for political reform—whether Sunni or Shiite, Islamist or secularist—are subject to arbitrary detention. Many of those arrested in a crackdown that began in September 2017 had questioned or declined to vocally support the government’s campaign to isolate Qatar over its relations with the Muslim Brotherhood and Iran. These included prominent reformist clerics such as Salman al-Awdah, Awad al-Qarni, and Ali al-Omari, who were arrested in 2017. All three faced the threat of the death penalty on charges of terrorism, though their cases have been stalled by arbitrary delays; the verdict in al-Awdah’s trial was repeatedly postponed in 2019.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The monarchy generally excludes the public from any meaningful political participation. In the absence of political parties, voters in Saudi Arabia’s limited municipal elections are heavily influenced by tribal and religious leaders, many of whom benefit from close ties to the ruling establishment.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Although political rights are curtailed for all Saudi citizens, women, religious minorities, and LGBT+ people face additional obstacles to participation given the kingdom’s strict laws and customs on matters such as gender segregation and sexual activity, and its intolerance of religious groups that deviate from Wahhabism, a highly conservative and literalist interpretation of Sunni Islam. Some 30 women serve on the appointed Majlis al-Shura, and women secured about 1 percent of the seats in the 2015 municipal council elections. Shiites reportedly hold a small number of seats on the Majlis al-Shura and many seats on municipal councils in Shiite-majority areas. Women and religious minorities are largely excluded from leadership positions in the government. A woman was appointed in 2018 as deputy minister of labor and social development to promote women’s employment opportunities.

Noncitizens, who make up roughly a third of the population in Saudi Arabia, have no political rights, and citizenship can only be directly transmitted by a citizen father whose marriage is recognized by the state.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The kingdom’s only elected officials serve on local advisory councils and have little or no influence over national laws and policies.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a significant problem. Although the government generates massive revenue from the sale of oil, which it redistributes through social welfare programs and as patronage, little is known about state accounting or the various direct ways in which public wealth becomes a source of private privilege for the royal family and its clients.

The government has taken some steps to combat corruption and recover misappropriated assets, but its opaque methods have raised serious concerns about politicization and lack of due process. Crown Prince Mohammed bin Salman heads an anticorruption committee, which in 2017 ordered the detention of more than 300 people, many of whom were coerced into turning over billions of dollars in assets to the state. In January 2019 the government said it had obtained a total of \$106 billion in settlements with 87 of those arrested. The crown prince's campaign coincided with a crackdown on dissent and targeted his potential rivals within the royal family, leading observers to suggest that it was part of a broader effort to consolidate Mohammed bin Salman's political and economic control.

Independent whistle-blowers and anticorruption advocates continue to face punishment. Saleh al-Shehi, a columnist at *Al-Watan*, was sentenced in 2018 to five years in prison after he suggested in a television appearance that there was corruption in the royal court.

C3. Does the government operate with openness and transparency? 0 / 4

The functioning of government is largely opaque. The availability of some economic data is improving, but overall there is little transparency on whether or how state funds are disbursed, or on the internal decision-making process that allocates them; there is no public mechanism for holding senior officials accountable for their decisions. The defense budget is especially shielded from public scrutiny.

The state's oil revenues make up the vast majority of its financial resources, but these are tightly controlled by the royal family, which uses the same income to support itself. In 2018 and 2019, the state oil company, Saudi Aramco, provided more information on its income and expenditures in preparation for an initial public offering. However, amid ongoing questions about its relationship with the government, the company opted in December to list shares only on a domestic stock exchange, which entailed less transparency than would be required on a major international exchange.

CIVIL LIBERTIES: 6 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16****D1. Are there free and independent media? 0 / 4**

The government controls domestic media content and heavily influences regional print and satellite-television coverage. Journalists can be imprisoned for a variety of vaguely defined crimes. A 2011 royal decree amended the press law to criminalize, among other things, any criticism of the country's grand mufti, the Council of Senior Religious Scholars, or government officials; violations can result in fines and forced closure of media outlets. All blogs and websites must have a license from the Ministry of Information or face fines and possible closure. The government has developed an extensive system of social media surveillance and regulation, and it invests considerable resources in automated "bot" and other accounts to influence and at times distort the social media environment.

In October 2018, one of the country's most prominent journalists, Jamal Khashoggi, was murdered by Saudi agents inside the Saudi consulate in Istanbul. Khashoggi, who had been critical of the government under Mohammed bin Salman, had been working in the United States as a columnist at the *Washington Post*. Saudi officials blamed rogue intelligence agents, but according to a UN special rapporteur, the evidence suggested that the

crown prince was involved. In December 2019, a Saudi court sentenced five men to death for their role in the killing, and three others received prison sentences, but the most senior officials under investigation were acquitted due to a supposed lack of evidence. Mohammed bin Salman was never officially investigated.

In December 2019, Reporters Without Borders said that at least 32 journalists and citizen journalists were behind bars in Saudi Arabia. At least seven bloggers and columnists were arrested in November, including some who had been inactive after writing in favor of the 2011 Arab Spring protests in previous years.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The 1992 Basic Law declares that the Quran and the Sunna are the country's constitution. Islam is the official religion, and all Saudis are required by law to be Muslims. A 2014 royal decree punishes atheism with up to 20 years in prison. The government prohibits the public practice of any religion other than Islam and restricts the religious practices of the Shiite and Sufi Muslim minority sects. The construction of Shiite mosques is constrained through licensing rules and prohibited outside of Eastern Province, where most Shiites live. Although the government recognizes the right of non-Muslims to worship in private, it does not always respect this right in practice.

The government exercises significant influence over Muslim clerics—both the officially appointed figures who depend on government patronage and more independent religious scholars who need a measure of official goodwill in order to function openly, appear on television, and avoid prison or other penalties.

Online commentary that touches on religion can be harshly punished. Among other prominent cases, liberal blogger Raif Badawi, arrested in 2012, received a 10-year prison sentence for blasphemy in 2014 and remained behind bars in 2019.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is restricted, and informers monitor classrooms for compliance with curriculum rules, including a ban on teaching secular philosophy and religions other than Islam. Despite changes to textbooks in recent years, intolerance in the classroom remains a significant problem, as some educators continue to espouse discriminatory and hateful views of non-Muslims and Muslim minority sects.

Academics face punishment for critical public analysis of government policies. Among other cases, Hatoon al-Fassi, a history professor and women's rights advocate, was arrested in 2018, days after she had been quoted in the *New York Times* about her views on the crown prince's reforms. She was provisionally released in May 2019, along with three other rights activists, but still faced trial for illegal contact with foreign media, diplomats, and human rights groups. Also in 2018, the well-known economist Essam al-Zamil, who had critiqued the plan to privatize part of the state oil company, was charged with terrorism. In March 2019, university lecturer Anas al-Mazroui was arrested after expressing support for detained women's rights activists during a panel discussion at the Riyadh book fair the previous month.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Saudis are able to engage in some degree of private discussion on political and other topics, including criticism of certain aspects of government performance, both online and

offline. However, severe criminal penalties deter more direct criticism of the regime and free discussion on topics like religion or the royal family. Laws are often vaguely worded, giving the state considerable discretion to determine what constitutes illegal expression. Surveillance is extensive inside Saudi Arabia, and even Saudis living abroad are subject to spying and intimidation.

The climate for free expression has deteriorated sharply since 2018, with the assassination of Jamal Khashoggi and the arrests of even mild critics of government policy, such as high-profile women's rights activists, serving as warnings to ordinary Saudis to avoid public dissent.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is not respected, and the government has imposed harsh punishments—including the death penalty—on those who lead or participate in public protests. In one case in 2018, six Shiite activists were put on trial in a terrorism court for protest-related offenses. These included Israa al-Ghomgham, a female activist, who was threatened with the death penalty until a court confirmed in January 2019 that she would not be executed, though she reportedly remained behind bars at year's end.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Nongovernmental organizations (NGOs) must obtain a license from the government to operate. Until the adoption of an NGO law in 2015, officials had approved licenses only for charitable groups; the authorities have expressed a desire to encourage the growth of civil society, but they discourage independent work on human rights and governance issues. Reformist organizations have been denied licenses in practice, in some cases through arbitrary delays. Human rights activists and other civil society representatives face regular harassment and detention.

In 2018, a month before women were allowed to drive for the first time, the authorities arrested several women who had campaigned for the change; prominent campaigners against the kingdom's male guardianship laws were also arrested later in the year. In April 2019, another 13 activists and writers who had supported women's rights were arrested, including two Saudi-US dual nationals. The arrests were seen as a signal that the government sought to discourage further independent activism on women's rights.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

No laws protect the rights to form independent labor unions, bargain collectively, or engage in strikes. Workers who engage in union activity are subject to dismissal or detention.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary has very little independence in practice. Judges are appointed by the king and overseen by the Supreme Judicial Council, whose chairman is also the justice minister. A special commission of judicial experts issues opinions that serve as guidelines for judges on the interpretation of Sharia (Islamic law), which forms the basis of Saudi law. Judges have significant discretion in how they interpret Sharia and do not have to publish an explanation of their judgments.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Defendants' rights are poorly protected by law. Detainees are often denied access to legal counsel during interrogation, and lengthy pretrial detention and detention without charge are common. Statistics on prisoners are lacking, and the number of political prisoners is therefore difficult to assess, but a Human Rights Watch report found that dozens of dissidents were on trial or in prison as of mid-2019.

An antiterrorism law that took effect in 2014 includes lengthy prison sentences for criticizing the monarchy or the government. Among other provisions, it expanded the power of police to conduct raids targeting suspected antigovernment activity without judicial approval.

The hundreds of people arrested in the anticorruption crackdown in 2017 did not go to trial or pass through the judicial system, but were instead compelled to hand over assets to the government in return for being released. Supporters of the government claimed that the courts lacked the capacity to process the cases swiftly, and that taking the judicial route would have led to a years-long process.

Due process is notably lacking in death penalty cases. In April 2019, for example, 37 people—mostly Shiites—were put to death in a single day. Human rights groups noted that the defendants were denied access to a lawyer while their charges were being investigated, and many had retracted confessions made under torture.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Allegations of torture by police and prison officials are common, and access to prisoners by independent human rights and legal organizations is extremely limited. In March 2019, international media published leaked prison medical records indicating that a number of political prisoners were suffering from cuts, bruises, burns, and malnutrition. Human rights groups had reported in late 2018 that detained women's rights activists were given electric shocks, whipped, beaten, sexually abused, and threatened with rape. The family of one of them, Loujain al-Hathloul, said she had been offered freedom if she publicly recanted her allegations of torture, which she refused to do.

Corporal punishment, most often lashing, is common in criminal sentencing. Capital punishment is applied to a wide range of crimes other than murder, including drug and protest-related offenses; juvenile offenders are not exempt from the penalty. Use of the death penalty has increased in recent years. According to the British human rights group Reprieve, Saudi Arabia executed at least 184 people in 2019, compared with 149 in 2018.

Saudi Arabia has faced a series of cross-border military attacks from Yemen since 2015, when it entered a war against that country's Shiite-led and Iranian-backed Houthi (Ansarallah) movement. In 2019 the Saudi military said it had intercepted several hundred missiles and drones, most of which came from Yemen, though it was unclear over what period the interceptions took place. A missile attack in September disabled the kingdom's main oil refinery; while the Houthis claimed responsibility, UN investigators reportedly disputed the claim, and Saudi Arabia as well as the United States and several European governments said Iran was responsible.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

The courts engage in routine discrimination against various groups, citing their interpretations of Sharia. A woman's testimony is generally given half the weight of a man's, and the testimony of anyone other than observant Sunni Muslims can be disregarded by judges.

Shiites, who make up 10 to 15 percent of the population, face socioeconomic disadvantages, discrimination in employment, and underrepresentation in government positions and the security forces.

Education and economic rights for Saudi women have improved significantly in recent years, but women are still subject to extensive legal and societal discrimination, most notably through the guardianship system, in which women must rely on a close male relative to approve many basic activities. Although legal reforms have recently reduced the scope of the guardianship system, it remains deeply entrenched in societal practices and customs, and an individual woman's degree of freedom depends to a large extent on the attitudes of her family. Reforms announced in August 2019 included a ban on gender discrimination in employment, potentially preventing employers from requiring women to obtain a guardian's permission to work.

Same-sex sexual activity is generally understood to be prohibited under Sharia, and LGBT+ people are at risk of harassment, discrimination, criminal punishment, and violence.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

The government punishes activists and critics by limiting their ability to travel outside the country, and reform advocates are routinely stripped of their passports. Family members of activists can also be banned from travel.

Gender segregation restricts freedom of movement for both men and women, but male guardianship and other factors impose especially onerous constraints on women. The long-standing ban on women driving was lifted in June 2018. Also in 2018, women were able to attend sporting events in stadiums for the first time, and both men and women could visit the movie theaters that began opening in April. Under reforms announced in August 2019, adult women would be able to obtain passports and travel abroad without a male guardian's permission.

Foreign workers cannot change jobs unless they have a no-objection letter from their existing employer, and some employers confiscate workers' passports to prevent them from leaving.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

While a great deal of business activity in the kingdom is dominated by or connected to members of the government, the ruling family, or other elite families, officials have given assurances that special industrial and commercial zones are free from interference by the royal family.

Women face legal discrimination regarding property rights, with daughters typically receiving half the inheritance awarded to sons. Women are no longer legally required to obtain permission from a male guardian to obtain business licenses.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

There are a number of official restrictions on marriage. For example, Muslim women may not marry non-Muslims, citizens typically require permission to marry noncitizens, and men are barred from marrying women from certain countries. All sexual activity outside of marriage is criminalized, and the death penalty can be applied in certain circumstances. Women face legal disadvantages in divorce and custody proceedings, and they cannot

marry without a male guardian's permission. Under the reforms announced in August 2019, women can register children's births and oversee children's travel.

A 2013 law broadly defined and criminalized domestic abuse, prescribing fines and up to a year in prison for perpetrators. However, enforcement remains problematic, with some officials prioritizing privacy and family integrity over safety and justice for victims. Prosecutions are extremely rare. Women's practical ability to leave abusive relationships is severely limited. While women are no longer legally required to live with their husbands under the August 2019 reforms, social taboos and other obstacles often deter women from leaving their family home; there are a limited number of shelters for women escaping abuse, but women are not allowed to leave the facilities without the permission of their guardian.

The authority of the religious police to enforce rules governing gender segregation and personal attire has been sharply curtailed in both law and practice since 2016. Nevertheless, some Saudis have faced penalties for breaching similar rules on social media. In October 2019, an openly gay Saudi man was arrested for electronic crimes and public nudity after using social media to post pictures of himself wearing shorts on the beach.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

A number of amendments to the labor law that went into effect in 2015 granted broader rights and protections to workers in the private sector. However, the law does not apply to household workers, who are governed by separate regulations that provide fewer safeguards against exploitative working conditions.

Foreign workers—who make up more than half of the active labor force—enjoy only limited legal protections and remain vulnerable to trafficking and forced labor, primarily through employers' exploitation of the *kafala* visa-sponsorship system. In 2014, the Ministry of Labor ruled that expatriate workers who are not paid their salaries for more than three consecutive months are free to switch their work sponsors without approval. In practice, foreign workers are subject to periodic mass deportations for visa violations or criminal activity, though due process is often lacking in such cases. Government programs give preferential treatment to companies that hire certain percentages of Saudi citizens and penalize those that fail to meet such targets.

Senegal

Population: 16,300,000

Capital: Dakar

Freedom Status: Free

Electoral Democracy: Yes

Status Change: Senegal's status declined from Free to Partly Free because the 2019 presidential election was marred by the exclusion of two major opposition figures who had been convicted in politically fraught corruption cases and were eventually pardoned by the incumbent.

Overview: Senegal is one of Africa's most stable electoral democracies and has undergone two peaceful transfers of power between rival parties since 2000. However, politically motivated prosecutions of opposition leaders and changes to the electoral laws have reduced the competitiveness of the opposition in recent years. The country is known for its relatively

independent media and free expression, though defamation laws continue to constrain press freedom. Other ongoing challenges include corruption in government, weak rule of law, and inadequate protections for the rights of women and LGBT+ people.

KEY DEVELOPMENTS IN 2019

- In February, President Macky Sall won a second consecutive term with 58 percent of the vote in the first round, making a runoff unnecessary. Two leading opposition leaders—Khalifa Sall, former mayor of Dakar, and Karim Wade, the son of former president Abdoulaye Wade—were barred from running because of previous, politically fraught convictions for embezzlement of public funds.
- In May, lawmakers approved a measure to abolish the post of prime minister, and Sall signed it later in the month. Critics denounced the reform as a power grab.
- In September, President Sall pardoned Khalifa Sall, who had been jailed in 2018 for five years on corruption charges and barred from participating in the February presidential election. (Wade, who was also barred from running, had been pardoned in 2016.)

POLITICAL RIGHTS: 29 / 40 (-1)

A. ELECTORAL PROCESS: 9 / 12 (-1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4 (-1)

The president is chief of state and head of government, and is directly elected to a maximum of two consecutive terms. In 2016, the presidential term was reduced via referendum from seven years to five, effective after the end of President Macky Sall's term in 2019.

In February 2019, President Sall, of the Alliance for the Republic (APR), defeated four challengers including former prime minister Idrissa Seck of the Rewmi Party, and Ousmane Sonko of the Patriots of Senegal for Ethics, Work, and Fraternity party (PASTEF); Sonko is a former tax inspector backed by many young Senegalese who were frustrated by President Sall and his administration's policies.

While international observers declared the election credible, it was marred by the exclusion of two prominent opposition politicians, Khalifa Sall and Karim Wade, who might have seriously challenged President Sall; in January 2019, just weeks before the polls, the Constitutional Council had ruled that both were both ineligible to run in the presidential election because both had been previously convicted in separate, politically fraught corruption cases.

In May, lawmakers approved a controversial constitutional reform that abolished the post of prime minister, and Sall promptly signed it. The move, which had not been a component of Sall's reelection platform, prompted an outcry from critics who accused him of seeking to consolidate power. Separately, In December 2019, President Sall suggested that he could attempt to run for a third term in 2024.

Score Change: The score declined from 4 to 3 because two major opposition candidates were excluded from the presidential election due to their convictions in politically fraught corruption cases.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Members of Senegal's 165-seat National Assembly are elected to five-year terms—105 are elected in single-member districts, and 60 by proportional representation. In the July

2017 parliamentary elections, the president's ruling United in Hope (BBY) coalition won 125 seats, followed by Abdoulaye Wade's Winning Coalition–Wattu Senegaal with 19 seats. Khalifa Sall's Mankoo Taxawu Senegaal coalition took 7 seats, and 11 groups divided the remainder. International observers deemed the elections credible despite some significant procedural errors and logistical challenges.

New biometric voting cards were distributed to only 70 percent of eligible voters before the 2017 elections. To address the problem, the president proposed and the Constitutional Council approved a plan to allow voters to use alternative forms of identification. Some voters were allegedly disenfranchised because of difficulties related to the identification measures, which were approved just four days before the elections.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The National Autonomous Electoral Commission (CENA) administers elections. Although the CENA is nominally independent, its members are appointed by the president. The opposition criticized the government for making important changes ahead of the 2017 legislative balloting, including the introduction of the new biometric voting system, without engaging in dialogue or building political consensus. The changes were approved in January 2017, only six months before the elections, which observers argued did not provide sufficient time for logistical information about the new electoral framework to be disseminated in a coordinated fashion.

A new electoral law passed in April 2018 requires all aspiring presidential candidates to collect signatures from at least 0.8 percent of the overall electorate before their names could appear on the ballot, and all groups presenting National Assembly lists to obtain signatures from 0.5 percent of voters in at least seven regions. The government asserted that the legislation was necessary to reduce the proliferation of parties that field candidates in elections. Of the 27 candidates who submitted the required signatures prior to the 2019 presidential election, only 5 were approved in January to run after the validation process by the Constitutional Council. In June, an European Union (EU) election observation mission said the controversial requirement could pose "serious political and organizational problems" in upcoming local elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Registration requirements for new political parties are not onerous, and registered parties can organize and operate without government interference. However, opposition candidates still face major financial inequities when competing with incumbents. There is no public financing for political parties, but the ruling party deploys a vast set of state resources to garner support, whereas opposition leaders are often forced to rely on personal wealth to finance party operations.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

The opposition can increase its support or gain power through elections. However, the 2018 electoral law was criticized by opposition leaders for making it more difficult for candidates to appear on the ballot, and was widely seen as a move to clear the field and ensure President Sall's reelection in 2019.

The prosecutions of some of President Sall's most prominent political opponents in recent years has also reduced the competitiveness of the opposition. Dakar mayor Khalifa Sall, considered one of President Sall's foremost rivals and a prospective 2019 presidential candidate, was arrested in 2017 after the government alleged that \$2.9 million in funding for his office was accounted for with false receipts. The mayor and his defense attorneys argued that such funds are commonly used as political financing and that Sall's prosecution was politically motivated. The National Assembly lifted Sall's parliamentary immunity, which he had acquired after being elected to the legislature earlier that year, in late 2017. In March 2018, Sall was found guilty, sentenced to five years in prison, and fined 5 million CFA francs (\$8,900). Barthélémy Dias, the mayor of Mermoz-Sacr -Coeur in Dakar and a close political ally of Khalifa Sall, was sentenced to six months in prison in April 2018 for "contempt of court, incitement to disturb public order, and discrediting a judicial decision" after sharply criticizing the verdict.

Sall was removed from office as mayor of Dakar in August 2018, and in January 2019, the Supreme Court ruled that he could not appeal his embezzlement sentence. Later in January, the Constitutional Council ruled that Khalifa Sall and Karim Wade were both ineligible to run in the next month's presidential election because both had been sentenced to prison terms for corruption. Wade, sentenced in 2015, received a pardon in 2016, and subsequently went into exile in Qatar. Although Khalifa Sall was supposed to serve a five-year prison sentence for embezzlement, he was eventually pardoned by President Macky Sall in September 2019.

In June 2018, the Economic Community of West African States (ECOWAS) Court of Justice determined that Khalifa Sall's preventive detention had been arbitrary. It also found that his rights to an attorney and the presumption of innocence had been infringed.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People's political choices are largely free from domination by groups that are not democratically accountable. Sufi Muslim marabouts exercise some influence on voters and politicians, particularly in regard to social issues such as homosexuality, marriage, and abortion rights.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women were elected to 70 of 165 seats in 2017, in part the result of a 2010 law requiring gender parity on candidate lists. However, women's overall rate of participation in politics, such as voting and engaging in local political activities, is lower than men's. Due to high levels of discrimination and social stigma, LGBT+ people have no meaningful political representation.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

President Sall, his cabinet, and national legislative representatives determine government policies. However, power is concentrated in the executive branch, and the National Assembly is limited in its ability to act as a check on the president. The executive branch has blocked certain parliamentary inquiries into its activities. In May 2019, lawmakers approved a controversial measure to abolish the post of prime minister, and Sall promptly

signed it. The development prompted an outcry from critics who accused him of seeking to consolidate power and undercut checks and balances.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a serious problem, and high-level officials often act with impunity. Anticorruption bodies enforce the law unevenly and are sometimes viewed as politically motivated. The corruption case against Khalifa Sall, for example, was seen by many observers as an effort to neutralize one of the president's most powerful opponents.

In June, Aliou Sall, the brother of President Macky Sall, resigned his post as mayor of a Dakar suburb in the wake of allegations of fraud worth \$250,000, related to natural gas contracts. Senegalese authorities strongly rejected allegations, which were publicized by investigative journalists with the Broadcasting Corporation (BBC).

C3. Does the government operate with openness and transparency? 3 / 4

The government generally operates with openness. However, authorities frequently award contracts without any formal tender process, and do not always publicly release contracts or bilateral agreements before they are signed.

A 2014 law requires confidential asset disclosures by the prime minister, cabinet members, top National Assembly officials, and the managers of large public funds; the president's asset disclosures are made public.

CIVIL LIBERTIES: 42 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 13 / 16

D1. Are there free and independent media? 2 / 4

The constitution guarantees freedom of speech, and Senegal is home to many independent television and radio stations and print outlets. However, defamation laws are occasionally enforced against journalists. The controversial 2017 press code increased punishments for defamation offenses, allows authorities to shut down press outlets without judicial approval, and enabled the government to block internet content deemed "contrary to morality." In November 2018, the National Assembly passed a Code on Electronic Communications, ostensibly to guard against disinformation on the internet; press freedom advocates said the new code could be misused to attack free speech.

Journalists who provide critical coverage of the government have been attacked or detained in recent years. In July 2019, journalist and political analyst Adama Gaye, known for strongly criticizing the ruling regime, was taken into custody for alleged offenses against the head of state and compromising state security. He was released on bail in September.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

There is no state religion, and freedom of worship is constitutionally protected and respected in practice. Muslims constitute 96 percent of the population.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is guaranteed by the constitution and generally respected in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion is generally open and free. However, individuals have occasionally been arrested for social media posts deemed offensive by the government.

In November 2018, the National Assembly passed a bill on electronic communications, which included a vaguely worded provision that expanded the regulatory power of the government over social media companies. Rights activists expressed concern that the law could be used to shut down, tax, or surveil communications on popular social media platforms.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees freedom of assembly, but the Ministry of Interior must approve protests in advance. The government has very often cracked down on assembly rights by banning protests around tense political moments and violently dispersing some demonstrations. In November 2019, nine activists taking part in a protest against the rising price of electricity were arrested and imprisoned. Six were released on bail in December. The three others, including civil society activist Guy Marius Sagna, were still in prison at year's end.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) generally operate without interference from state or nonstate actors.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers, with the exception of security employees, have rights to organize, bargain collectively, and strike, though the right to strike is impinged by legal provisions that ban pickets and sit-down strikes, among other activities. Trade unions must be authorized by the Ministry of the Interior, and unions lack legal recourse if registration is denied.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 2 / 4

The judiciary is formally independent, but the president controls appointments to the Constitutional Council, the Court of Appeal, and the Council of State. Judges are prone to pressure from the government on matters involving high-level officials. The Higher Council of the Judiciary, which recommends judicial appointments to the executive branch, is headed by the president and minister of justice, which critics argue compromises its independence.

F2. Does due process prevail in civil and criminal matters? 2 / 4

The law guarantees fair public trials and defendants' rights, but arbitrary arrest and detention remains a concern. Though the government is obligated to supply attorneys to felony defendants who cannot afford them, this representation is inconsistent in practice. Lengthy pretrial detention remains a problem.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Individuals are generally protected from the illegitimate use of physical force. However, Senegalese prisons are overcrowded, and human rights groups have documented incidents of excessive force and cruel treatment by prison authorities. In August 2019, two detainees died in Dakar's main prison, Rebeuss, after a ventilator in an overcrowded cell shot sparks onto the cell's occupants and caused panic. Human rights defenders called for an

end to the dilapidated state of prisons and the overcrowded conditions, as well as the building of a new prison to replace Rebeuss, which dates back to the French colonial period.*

A low-level separatist conflict in the Casamance Region is ongoing. In October 2019, gunmen killed three people, including a leading figure and spokesman of the Movement of Democratic Forces of Casamance (MFDC), who were attending a traditional ceremony.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The caste system is still prevalent among many of Senegal's ethnic groups. Individuals of lower castes are subject to discrimination in employment. Women face persistent inequities in employment, health care, and education.

Same-sex sexual activity remains criminalized. While these laws are rarely enforced, LGBT+ people risk violence, threats, and mob attacks, as well as discrimination in housing, employment, and health care.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Citizens generally enjoy freedom of movement and can change their residence, employment, and educational institution without serious restrictions, though the threat of land mines and rebel activity has hindered travel through parts of the Casamance region.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The civil code facilitates ownership of private property, and property rights are generally respected. Commercial dispute-resolution processes can be drawn out, and property title and land registration protocols are inconsistently applied, though the government has worked to ease property acquisition and registration. Husbands are legally regarded as heads of households. Traditional customs limit women's ability to purchase property, and local rules on inheritance make it difficult for women to become beneficiaries.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Rates of female genital mutilation have declined due in part to campaigns to discourage the practice, but it remains a problem. The government launched a plan to reduce early marriage in 2016, given that almost one in three Senegalese girls married before age 18. Rape and domestic abuse are common and rarely punished. The law allows abortion only to save a woman's life, and abortions for medical reasons are difficult to obtain in practice.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Child labor remains a problem, particularly in the informal economy, and laws restricting the practice are inadequately enforced. Forced begging by students at religious schools is common, and teachers suspected of abuse are rarely prosecuted.

Sex trafficking remains a concern, although according to the US State Department, the government has increased its efforts to eliminate trafficking and prosecute perpetrators.

*Le Figaro: <https://www.lefigaro.fr/flash-actu/senegal-des-ong-decrient-la-surpopulation-carcerale-apres-la-mort-de-deux-detenus-a-dakar-20190829>; https://www.newvision.co.ug/new_vision/news/1506424/senegal-rights-decry-jail-conditions-deaths

However, it is difficult to discern the robustness of the law enforcement response, since the government does not publicize records on sex trafficking arrests and prosecutions.

Serbia

Population: 6,900,000

Capital: Belgrade

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Serbia is a parliamentary democracy with competitive multiparty elections, but in recent years the ruling Serbian Progressive Party (SNS) has steadily eroded political rights and civil liberties, putting pressure on independent media, the political opposition, and civil society organizations. Despite these trends, the country has continued to move toward membership in the European Union (EU).

KEY DEVELOPMENTS IN 2019

- A series of antigovernment protests that were initially prompted by a November 2018 assault on opposition politician Borko Stefanović continued throughout the year, with participants calling for the resignation of President Aleksandar Vučić, increased press freedom, and fair elections.
- The Independent Journalists' Association of Serbia (NUNS) documented 119 incidents of pressure or violence against journalists during the year, as independent media continued to endure smear campaigns by progovernment outlets, harassment, and physical threats.
- Recent scandals involving alleged plagiarism in the doctoral theses of senior state officials resulted in confrontations between rival groups of university students in September and the annulment of the finance minister's doctorate by Belgrade University in December.

POLITICAL RIGHTS: 23 / 40 (-1)

A. ELECTORAL PROCESS: 8 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is directly elected for up to two five-year terms. In 2017, then prime minister Vučić won the election with 55 percent of the vote in a field of 11 candidates. The campaign was characterized by media bias and allegations of misuse of public resources and vote buying. Vučić remained prime minister throughout the election period, blurring the line between official and electoral activities.

The prime minister is elected by the parliament. Vučić named Ana Brnabić, then the minister for local government and public administration, to succeed him as prime minister following the 2017 presidential election, and she was subsequently confirmed in office by lawmakers.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The Serbian National Assembly is a unicameral, 250-seat legislature whose deputies are elected to four-year terms under a system of proportional representation with a single nationwide constituency.

In the wake of the snap parliamentary elections held in 2016, leaders of several opposition parties accused the SNS of rigging the polls, including by tampering with ballot boxes. Election observers from the Organization for Security and Co-operation in Europe (OSCE) noted pressure on public-sector workers to vote for the ruling party. Private television outlets largely favored the SNS in their coverage.

While the SNS and its coalition partners won the largest portion of the vote, enabling Vučić to remain prime minister, they lost 27 seats, falling from 158 to 131. Foreign Minister Ivica Dačić's Socialist Party of Serbia (SPS) and its allies, running separately from the SNS-led list, took 29 seats. The far-right Serbian Radical Party (SRS) placed third with 22 seats, returning to the parliament after a four-year absence. The progressive Enough Is Enough movement and a coalition led by the Democratic Party (DS) each won 16 seats. The pro-EU Alliance for a Better Serbia bloc won 13 seats, as did the conservative and Euroskeptic Dveri–Democratic Party of Serbia. The remaining seats went to smaller parties representing ethnic minorities. The SNS also performed well in the concurrent local and regional elections, particularly in the Vojvodina region, where the opposition DS had previously enjoyed broad support.

Belgrade city council elections held in 2018 were, according to domestic observers, marred by procedural errors and numerous irregularities. Some voters were pressured to vote for the SNS, while others were allegedly provided with completed ballots. Media coverage was largely biased in favor of the ruling party, and there were multiple reports of the misuse of administrative resources for campaigning. Some independent observers from the Center for Research, Transparency, and Accountability (CRTA) were threatened and expelled from polling stations before vote counting commenced. Similar problems were reported during municipal elections in smaller towns later that year; opposition parties boycotted in three of four towns that held balloting in December.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws largely correspond to international standards, but aspects of the electoral process are poorly regulated, and implementation of existing rules is flawed in some respects. The Republic Electoral Commission's composition before the 2017 presidential election raised concerns about partisan influence. A parliamentary oversight committee meant to monitor the campaign was never established, and the media regulator did not proactively track and punish biased media coverage.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties may be established freely and can typically operate without encountering formal restrictions. However, campaign finance regulations are weakly enforced and place no overall cap on the private funds raised and spent by parties and candidates. Following the 2017 presidential election, the OSCE reported that the Anti-Corruption Agency (ACA) had decreased the resources dedicated to proactively monitoring campaign funds and did not thoroughly investigate dubious donations. The Balkan Investigative Reporting Network (BIRN) found that the SNS had orchestrated the use of thousands of

proxy donors to bypass legal limits on individual donations and disguise the true source of funding.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

There have been peaceful transfers of power between rival parties over the past two decades, and the political system remains competitive. However, the current ruling party has used various tactics to unfairly reduce the opposition's electoral prospects. These include manipulating the timing of snap elections, exerting pressure on independent state institutions, and mobilizing public resources to support the SNS's campaigns.

The SNS has expanded its influence over the media through both state-owned enterprises and an array of private outlets that are dependent on government funding, and it has harnessed this influence to strengthen its political position and discredit its rivals, further reducing opposition parties' competitiveness. Opposition figures have also faced escalating harassment and violence in recent years. In November 2018, prominent politician Borko Stefanović of the Serbian Left party was severely beaten by seven men before a scheduled debate in the city of Kruševac. The attack was symptomatic of a broader campaign carried out by the ruling party to intimidate opposition leaders.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Voters enjoy a significant degree of freedom to make political decisions without undue interference, though the ruling party and allied private businesses allegedly use patronage networks to influence political outcomes. Various incentives have also been employed in recent years to convince hundreds of local elected officials to form alliances with the SNS or change their party affiliation after elections. SNS electoral campaigns have allegedly benefited from the misuse of public resources, such as use of public buses to transport loyalists to rallies. Separately, Russia has been accused of attempting to influence Serbian politics through its state-owned media and an array of small pro-Russian parties, media outlets, and civil society groups in Serbia.

During the 2017 election, there were widespread reports of employees at state or state-affiliated entities facing pressure to support the SNS and to compel their friends and families to do the same. Allegations of bribery, usually with money or food, in exchange for SNS votes, were extensive during the 2018 local elections. Citizens were also reportedly intimidated by SNS operatives who knocked on doors and pressured them to vote.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

The country's 5 percent electoral threshold for parliamentary representation does not apply to parties representing ethnic minorities. Groups centered on the ethnic Albanian, Bosniak, Slovak, and Hungarian communities won a total of 10 seats in the 2016 legislative elections. Nevertheless, ethnic minorities have a relatively muted voice in Serbian politics in practice. No party representing the interests of the Romany minority ran in the 2016 elections.

Women enjoy equal political rights. According to electoral regulations, women must account for at least 33 percent of a party's candidate list, and women currently hold 34 percent of seats in the parliament. Ana Brnabić became Serbia's first woman and first gay prime minister in 2017, but critics argued that her appointment was a superficial bid to showcase

the government's claims of openness toward the LGBT+ community without systematic engagement on policy issues important to LGBT+ people.

C. FUNCTIONING OF GOVERNMENT: 5 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Vučić's move to the presidency in 2017 raised new concerns about the personalization of governance and politicization of state institutions. Vučić has remained the dominant figure in government despite the presidency's limited executive powers under the constitution, creating a de facto presidential system.

Moreover, the executive largely controls the legislative process, and opposition lawmakers are sidelined through the disproportionate use of disciplinary measures, frequent use of accelerated legislative procedures, and late changes to the legislative agenda, among other tactics.

C2. Are safeguards against official corruption strong and effective? 1 / 4 (-1)

Although the number of arrests and prosecutions for corruption has risen in recent years, high-profile convictions are very rare. Critics have credibly accused President Vučić and the SNS government of having ties to organized crime, and cronyism—in the form of jobs provided to allies of the president and the ruling party—is reportedly common. The responsibility for prosecuting corruption cases has been passed among different public prosecutors, who typically fault the police for supplying insufficient evidence in cases against government ministers. The work of the ACA is also undermined in part by the ambiguous division of responsibilities among other entities tasked with combating corruption.

Notable cases that came to light in recent years without being resolved include those of Nenad Popović, a minister without portfolio who was implicated in a questionable privatization that caused an important electrical transformer manufacturer to declare bankruptcy; Finance Minister Siniša Mali, whom anticorruption agencies have investigated for suspected money laundering; and Health Minister Zlatibor Lončar, who allegedly has links to an organized crime group. Senior officials' close relatives and associates have also faced corruption allegations. For example, a series of reports and leaked documents since 2018 have tied the father of Interior Minister Nebojša Stefanović to an arms-trading scheme and other malfeasance. A whistleblower who implicated Stefanović's father in the purchase of arms from the state at reduced rates was arrested in September 2019, potentially deterring others with knowledge of corruption from coming forward.

Score Change: The score declined from 2 to 1 because many cases of alleged corruption among senior officials have gone unaddressed in recent years.

C3. Does the government operate with openness and transparency? 2 / 4

The government has received sustained criticism for a lack of transparency in large-scale infrastructure projects and for secrecy surrounding public tenders. For example, details about the state-funded Belgrade Waterfront project, which includes the construction of hotels and luxury apartments and has been beset by controversy since its announcement in 2012, have not been made available to the public.

Members of parliament do not have adequate opportunities to ask questions about government activities and legislation, and the vast majority of parliamentary questions go unanswered by the government.

Public officials are subject to asset disclosure rules overseen by the ACA, but penalties for violations are uncommon. While a 2004 freedom of information law empowers citizens and journalists to obtain information of public importance, authorities frequently obstruct requests in practice.

CIVIL LIBERTIES: 43 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

Despite a constitution that guarantees freedom of the press and a penal code that does not treat libel as a criminal offense, media freedom is undermined by the threat of lawsuits or criminal charges against journalists for other offenses, lack of transparency in media ownership, editorial pressure from politicians and politically connected media owners, direct pressure and threats against journalists, and high rates of self-censorship. The Regulatory Body for Electronic Media (REM) has been criticized for a lack of independence.

The state and ruling party exercise influence over private media in part through advertising contracts and other indirect subsidies. Many private outlets are owned by SNS supporters. Some privately owned national broadcasters and popular tabloids regularly participate in smear campaigns against the political opposition and other perceived government opponents. The incumbent political parties generally receive the majority of media coverage from public broadcasters. In March 2019, protesters in Belgrade stormed the headquarters of the Serbian public broadcaster RTS to draw attention to its biased coverage.

A number of critical journalists and outlets faced smear campaigns, punitive tax inspections, and other forms of pressure in 2019. According to NUNS, there were 119 media freedom violations against journalists during the year. They included physical assaults, though most incidents involved aggressive rhetoric and other forms of pressure or intimidation. In December 2018, investigative reporter Milan Jovanović, who has reported extensively on corruption, was the victim of an arson attack for which an SNS official was on trial at the end of 2019.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution guarantees freedom of religion, which is generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom has largely been upheld, though recent practice and legal changes have raised concerns about political influence. The Law on Higher Education, adopted by the National Assembly in 2017, increased the presence of state-appointed members on the National Council for Higher Education and a national accreditation body; another education law, also adopted in 2017, gave the education minister centralized control over the appointment of school principals.

Over the last several years, senior state officials have been accused of plagiarizing their doctoral theses, stirring debate within academia and casting doubt on the autonomy of university administrative bodies. The officials implicated include Interior Minister Nebojša Stefanović, Finance Minister Siniša Mali, and National Bank Governor Jorgovanka Tabaković. The plagiarism controversies have triggered a smear campaign against academics who express criticism of the government and the accused officials. In May 2019, the ethics council of Belgrade University ruled that Mali did not commit plagiarism, but it reversed

its decision in November, and the university senate annulled his doctorate in December. In September, a group of students calling for Mali's dismissal blocked the rectorate building at Belgrade University and clashed with activists affiliated with the SNS.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion is generally free and vibrant, but a pattern of retribution against high-profile critics of the government has contributed to an increasingly hostile environment for free expression and open debate. Throughout 2019, perceived government opponents including journalists, university professors, civil society leaders, and celebrities were targeted with smear campaigns in progovernment media outlets, as well as with criminal investigations and other retaliatory measures. Particularly worrisome were instances in which even the highest government officials took part in discrediting nonpolitical figures based on their public criticism of government policies.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 4 / 4

Citizens are generally able to exercise freedom of assembly, though in late 2019 there were more than 30 ongoing prosecutions against activists associated with the protest movement *Ne davimo Beograd*, which had organized demonstrations against the contentious development project on Belgrade's waterfront.

The assault on Stefanović in November 2018 prompted massive demonstrations against the SNS and President Vučić, which continued through 2019. The protesters called on the government to cease attacks on the press and opposition figures, and denounced corruption within the government and the SNS.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Foreign and domestic nongovernmental organizations (NGO) generally operate freely, but those that take openly critical stances toward the government or address sensitive or controversial topics have faced threats and harassment in recent years. In 2019, a number of NGOs were the targets of sustained smear campaigns in the media in response to their activities. Some individual activists were physically assaulted, and the offices of the Youth Initiative for Human Rights and the Pride Info Center were vandalized or attacked, apparently by right-wing extremists.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers may legally join unions, engage in collective bargaining, and strike, but the International Trade Union Confederation has reported that organizing efforts and strikes are often restricted in practice, with employers allegedly retaliating against workers and union activists.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 2 / 4

The independence of the judiciary is compromised by political influence over judicial appointments, and many judges have reported facing external pressure regarding their rulings. Politicians regularly comment on judicial matters, including by discussing ongoing cases or investigations with the media.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process guarantees are upheld in some cases, but corruption, lack of capacity, and political influence often undermine these protections. Among other problems, rules on the random assignment of cases to judges and prosecutors are not consistently observed, and mechanisms for obtaining restitution in civil matters are ineffective. High-profile, politically sensitive cases are especially vulnerable to interference.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The population is generally free from major threats to physical security, though some prison facilities suffer from overcrowding, abuse, and inadequate health care. Radical right-wing organizations and violent sports fans who target ethnic minorities and other perceived enemies also remain a concern.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Legal safeguards for socially vulnerable groups are poorly enforced. For example, women are legally entitled to equal pay for equal work, but this rule is not widely respected. The Romany minority is especially disadvantaged by discrimination in employment, housing, and education. LGBT+ people continue to face hate speech, threats, and even physical violence, and perpetrators are rarely punished despite laws addressing hate crimes and discrimination. The government has made some gestures of support for the rights of LGBT+ people, for example by sending representatives to pride events and ensuring adequate police protection for parades.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

There are no formal restrictions on freedom of movement. Serbians are free to change their place of employment and education, and have the right to travel. Citizens have been able to enter the Schengen area of the EU without a visa since 2010.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

In general, property rights are respected, but adjudication of disputes is slow, and problems such as illegal construction and fraud persist. An estimated two million buildings in Serbia are not registered. Romany residents are often subject to forced evictions, and those evicted are generally not offered alternative housing or access to legal remedies to challenge eviction notices.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are generally respected, and men and women have equal legal rights on personal status matters like marriage and divorce. However, early and forced marriage is reportedly more common among the Romany minority, with more than half of Romany girls marrying before the legal age of 18. A new law aimed at preventing domestic violence took effect in 2017, but such violence remains a problem; Serbia has one of the highest rates of domestic violence in Europe.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Residents generally have access to economic opportunity, but factors such as weak macroeconomic growth and a relatively high rate of unemployment contribute to labor exploitation in some industries. Several reports in recent years have described worsening conditions in factories, particularly those that produce shoes and garments, including low wages, unpaid overtime, and hazardous work environments. Legal protections designed to prevent such abuses are not well enforced. According to the Ministry of Labor, Employment, Veterans Affairs, and Social Affairs, 53 workers died in workplace accidents in 2018, and a similar number of occupational fatalities was reported for 2019.

Seychelles

Population: 100,000

Capital: Victoria

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Since 2016, when an opposition coalition won a majority of seats in the National Assembly, Seychelles has seen an increase political pluralism. However, government corruption remains a problem, as does lengthy pretrial detention. Migrant workers remain vulnerable to abuse.

KEY DEVELOPMENTS IN 2019

- In October, a labor agreement was signed between the governments of Seychelles and Bangladesh to protect Bangladeshi workers from labor exploitation in Seychelles.
- The National Assembly amended its anticorruption law in July 2019 to increase the Anti-Corruption Commission's resources, clarify its strength, explicitly give it investigative powers, and enhance its law enforcement provisions.

POLITICAL RIGHTS: 29 / 40 (+1)

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is chief of state and head of government; the winning candidate is directly elected for up to two five-year terms. The president nominates cabinet ministers and a vice president, all of which require approval from the National Assembly.

President James Michel of the People's Party (PL) was narrowly reelected in 2015. International observers noted allegations of vote buying. In October 2016, President Michel resigned. He gave no reason for his resignation, but it followed parliamentary elections in which the opposition coalition, the Seychelles Democratic Alliance (LDS), took control of the legislature. Vice President Danny Faure became president and will complete Michel's five-year term. In October 2019, he was endorsed by PL, renamed United Seychelles (US), to run in the 2020 presidential election.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the unicameral National Assembly are directly elected in 25 constituencies, while up to 10 additional seats are assigned by parties according to a proportional calculation of the vote.

The opposition coalition LDS won the majority of seats in the 2016 National Assembly elections, marking the first transfer of power between parties in the country's post-independence period. An African Union (AU) election monitoring mission generally praised the elections but noted reports of attempted vote buying.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The country's Electoral Commission has faced some criticism from opposition parties and others for enforcing its mandates inconsistently. The 2016 AU election monitoring mission recommended steps be taken to improve transparency, carefully scrutinize the voter rolls, and improve efforts to inform the public about voter registration processes and voting procedures. In December 2018, President Faure approved an amendment to the Elections Act establishing a permanent chief electoral officer to oversee the Electoral Commission secretariat and its operations. The amendment also intended to alleviate concerns about the efficiency of the previous system, in which a chief electoral officer was appointed a few months before an election.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4**

There are no restrictions on the right to organize political parties or other competitive political groupings. However, during the 2015 presidential election, several opposition parties claimed the government was engaged in systematic harassment and intimidation of candidates.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

The 2016 National Assembly elections changed the political scene significantly, as the LDS, a new alliance of opposition parties, became the first political grouping to defeat the PL and gain a majority of legislative seats. The developments reflected increasing political pluralism in Seychelles.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

The people's political choices are generally free from domination by powerful groups that are not democratically accountable. However, there have been reports of vote buying and voter intimidation by political parties.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The constitution mandates equal suffrage for adult citizens. Early voting procedures are designed to encourage the participation of some groups, including pregnant women, the elderly, and those with disabilities.

There are still no mechanisms to allow citizens living abroad to vote. Few women hold senior political office as a result of a number of factors, including longstanding traditional beliefs about the role of women, and a lack of commitment on the part of political parties to nominate women for office. PL is the only party that typically includes high numbers of women among its political candidates. Political life is dominated by people of European and South Asian origin.

C. FUNCTIONING OF GOVERNMENT: 8 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The head of government and national legislative representatives are generally able to determine the policies of the government, though widespread corruption can influence policymaking.

C2. Are safeguards against official corruption strong and effective? 3 / 4 (+1)

Concerns about government corruption persist, but there has been significant improvement. In 2016, the National Assembly passed an anticorruption law that established the country's first independent Anti-Corruption Commission and strengthened the legal framework to fight corruption. Complaints and Communications Manager of the Anti-Corruption Commission itself, Abison de Giorgio, was sentenced in December 2018 to eight years imprisonment for extortion, bribery, and tampering with an investigation. In recognition of the success of the Commission, the National Assembly amended the anticorruption law in July 2019 to increase the number of its commissioners, clarify its strength, explicitly give it investigative powers, and enhance its law enforcement provisions. Transparency International increased Seychelles's score by six points for 2019, labeling it the least corrupt country in sub-Saharan Africa. By the end of 2019, the Anti-Corruption Commission had recorded 178 complaints of potential infractions.

Score Change: The score improved from 2 to 3 because the government has made efforts to address corruption.

C3. Does the government operate with openness and transparency? 2 / 4

There are laws allowing public access to government information, but compliance is inconsistent. Some government officials are required to declare assets, but they do not always comply, and the declarations are not made public unless a legal challenge forces their release. The Access to Information Act of 2018 seeks to increase openness and transparency of government. Article 54 of the Act created an Information Commission, established in September 2019, with the responsibility to provide government information and resources to citizens for particular disclosures. It has the power to impose fines when citizens are not provided information in a given time frame.

Concerns about corruption often focus on a lack of transparency in the privatization and allocation of government-owned land, as well as in Seychelles's facilitation of international finance.

CIVIL LIBERTIES: 43 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

The Seychelles Media Commission Act of 2010 establishes relatively strict guidelines for journalists. There are two privately owned newspapers, five political party weeklies, and

the online news of the Seychelles News Agency. The government owns the only television station and two radio stations; there is one independent radio station. The law prohibits political parties and religious organizations from operating public radio broadcasts.

Media workers practice a degree of self-censorship to protect their earnings from advertising. Newspaper reporting is generally politicized. Although Seychelles has strict defamation laws, they have not been used for years. As the government seeks to maintain the country's image as ideal for tourism, many outlets will temper their commentary on sensitive national issues.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally respected. The government grants larger religious groups programming time on state radio, subject in most cases to advance review and approval. Smaller religious groups do not have access to dedicated broadcast time. Non-Catholic students in public schools providing Catholic instruction have no access to alternative activities during those classes.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The Charter of the University of Seychelles places academic freedom at the center of its activities, labeling it an ethical concern. While the constitution only indirectly references academic freedom, a 2016 study from the International Labour Organization (ILO) and the United Nations Education, Scientific, and Cultural Organization (UNESCO) recognized Seychelles as having high compliance in institutional autonomy, tenure, individual rights, and democratic structure in the country's two universities. Some activists have claimed that the government limits academic freedom by not allowing educators to reach senior positions in the academic bureaucracy without demonstrating at least nominal loyalty to the PL, which holds the presidency and has historically dominated parliament.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

As the government seeks above all to protect the country's image as a tourist's paradise, many sensitive subjects are considered off limits. Individuals who criticize the government publicly or privately sometimes suffer reprisals, such as harassment by police or the loss of jobs or contracts.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 3 / 4

The government passed a revised law in 2015 on public assembly, which several observers credited with permitting a more open and free political environment. However, the law still contains some restrictive provisions, including the need to give five days' notice to the police for assemblies. It also empowers the head of police to disperse public meetings on grounds of preserving public health, morality, and safety, and sets conditions on the timing and location of large gatherings.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Human rights groups and other nongovernmental organizations (NGOs) operate without restriction. However, some groups lack the resources necessary to operate and advocate effectively.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Unions are permitted, but only about 15 percent of the workforce is unionized, and collective bargaining is relatively rare. Workers have the right to strike, but only if all other arbitration procedures have been exhausted.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 2 / 4

Judges sometimes face interference in cases involving major commercial or political interests. Due to the low number of legal professionals in Seychelles, the country brings in expatriate judges to serve fixed-term contracts on the Supreme Court. The government controls the negotiations and renewal of expatriate contracts, potentially allowing officials to compromise the impartiality of the non-Seychellois magistrates. The judiciary also lacks budgetary independence from the executive and can be subject to external influence. The Supreme Court remains a target of political threats and intimidation.

F2. Does due process prevail in civil and criminal matters? 3 / 4

While constitutional rights to due process are generally respected, prolonged pretrial detention is common. The courts introduced new systems in 2016 intended to expedite the processing of cases, but their effect has been limited.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Security forces have occasionally been accused of using excessive force, and impunity for such offenses remains a problem. Police corruption continues, particularly the solicitation of bribes. Prisons remain overcrowded.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Same-sex sexual activity was decriminalized in 2016, though societal discrimination against LGBT+ activists remains a problem. Prejudice against foreign workers has been reported.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The government does not restrict domestic travel but may deny passports for arbitrary reasons based on “national interest.”

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Individuals may generally exercise the right to own property and establish private business without undue interference from state or nonstate actors. An underdeveloped legal framework can hamper business activities, as can corruption.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Inheritance laws do not discriminate against women, and the government does not impose explicit restrictions on personal social freedoms. However, domestic violence against women remains a problem.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Economic life is dominated by people of European and South Asian origin. The government has made minimal progress in preventing or prosecuting instances of human trafficking and labor exploitation. Worker rights in the Seychelles International Trade Zone are different from the rest of the islands, and migrant laborers are vulnerable to abuse there. There were some reports of employers seizing migrant workers' passports upon arrival, a practice that is not currently illegal under Seychelles law.

Bangladeshi workers have been victims of human trafficking abuses such as seizure of travel documents, unpaid work, and extreme labor exploitation at a particularly high frequency in Seychelles. Many migrants spoke little to no English and arrived in the country particularly vulnerable to abuses. In October 2019, a labor agreement was signed between the governments of Seychelles and Bangladesh to protect migrants and regulate the recruitment of Bangladeshi workers. The legislation provides employers in Seychelles two designated authorities to approve individuals being sent over. The authorities will ensure that the workers have an employment contract, speak basic English, and are well prepared to leave Bangladesh.

Sierra Leone

Population: 7,800,000

Capital: Freetown

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Sierra Leone has held regular multiparty elections since the end of its civil war in 2002. However, opposition parties have faced police violence and restrictions on assembly. Civic groups are constrained by onerous regulations, the work of journalists is hampered by the threat of defamation charges, and government corruption remains pervasive. Other long-standing concerns include gender-based violence and female genital mutilation (FGM).

KEY DEVELOPMENTS IN 2019

- In January, the government launched a sweeping investigation into corruption during the administration of former president Ernest Bai Koroma.
- President Julius Maada Bio declared rape and gender-based violence a national emergency in February, while maintaining the government's ban on pregnant girls attending school. The Economic Community of West African States (ECOWAS) Community Court of Justice issued a ruling in December that called for the ban to be overturned with immediate effect.
- In May, a High Court decision on the 2018 elections removed 10 opposition members from Parliament, handing nine of the seats to the president's party and giving it a majority.
- The government took steps toward a repeal of defamation laws that are often used to suppress journalistic freedoms, but it retained restrictive Koroma-era regulations on nongovernmental organizations (NGOs).

POLITICAL RIGHTS: 28 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is elected by popular vote for up to two five-year terms. In the March 2018 presidential election, Julius Maada Bio of the Sierra Leone People's Party (SLPP) defeated Samura Kamara of the incumbent All People's Congress (APC), taking nearly 52 percent of the vote in the second round. Outgoing president Koroma was ineligible to run due to term limits. Sixteen candidates competed in the first round, but none gained the 55 percent of valid votes required to win the election outright. Allegations of violence and voter intimidation marred the campaign period. Nevertheless, international observers determined that the election was credible, praising the National Election Commission (NEC) in particular for carrying out its duties effectively, despite budget constraints, logistical challenges, and pressure from the government, which disbursed election funds late and threatened to withhold resources on occasion.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

In the unicameral Parliament, 132 members are chosen by popular vote, and 14 seats are reserved for indirectly elected paramount chiefs. Parliamentary elections are held concurrently with the presidential election every five years. During the 2018 parliamentary elections, the APC retained its majority, winning 68 seats, while the SLPP increased its share to 49 seats, up from 42 in the last elections, held in late 2012. The Coalition for Change won eight seats, the National Grand Coalition (NGC) took four, and independents captured the remaining three. Despite some procedural errors, international observers stated that the parliamentary elections were credible.

In March 2019, APC members of Parliament (MPs) staged a walkout over the SLPP's efforts to remove a number of APC lawmakers. In May, the High Court ruled in favor of an SLPP petition alleging APC electoral fraud in 2018, resulting in the removal of 10 MPs and securing a parliamentary majority for the SLPP, since nine of the seats went to the ousted members' SLPP electoral opponents. At the end of the year, the Court of Appeal had not yet heard the APC's appeal of the ruling despite a four-month deadline set by the constitution.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The electoral laws and framework are generally deemed to be fair, and the NEC, which administers elections, works impartially and independently. However, restrictions that limit who can run for office, such as a requirement that candidates be citizens by birth, have drawn criticism from international observers. During the 2018 campaign period, the major political parties interpreted the citizenship provision to exclude people with dual citizenship from standing for office. Analysts believe this interpretation was meant to push the presidential candidate of the NGC, Kandeh Kollleh Yumkella, out of the race. Many candidates also reportedly failed to secure nominations from their parties due to their dual citizenship.

B. POLITICAL PLURALISM AND PARTICIPATION: 11 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Although people have the right to organize in different political parties, opposition parties and leaders have faced intimidation and harassment from the current SLPP government and the APC when it held the presidency.

The APC and SLPP are the country's main political parties, but 17 parties officially registered for the 2018 elections. In 2017, several high-profile figures left the SLPP to form the NGC. Despite government subsidies for candidate nomination fees, the costs of running for office, as well as a rule requiring people in public-sector posts to resign 12 months in advance of an election, remain a barrier to entry for many candidates, giving an advantage to larger parties and those with greater resources.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

The SLPP's presidential victory in 2018, despite the APC's continued use of public resources during the campaign, marked the second peaceful transfer of power between rival parties since the end of the civil war in 2002. The APC had won the previous two presidential elections, in 2007 and 2012.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Sierra Leoneans generally enjoy freedom in their political choices, although traditional chiefs and religious leaders exercise influence on voters. Local elites from both major parties often control the selection of candidates for Parliament.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ethnic and religious minorities typically enjoy full political rights and electoral opportunities. Societal impediments to women's political participation remain a challenge, with only 18 of 146 Parliament seats held by women in 2019; five of the cabinet's 27 members were women.

Sierra Leoneans who are not of African descent do not have birthright citizenship and must be naturalized to be able to vote; naturalized citizens cannot run for elected office.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The elected president and Parliament generally determine the policies of the government, but most power lies in the executive branch.

China has become the largest investor in Sierra Leone, providing billions of dollars in aid and infrastructure financing since 2013. Beijing cultivated a close relationship with the administration of former president Koroma, which led civil society leaders to claim that China had an undue influence on policymaking. In 2018, the new SLPP government cancelled a controversial \$318 million deal with China to build a new airport near Freetown, though other bilateral projects were ongoing as of 2019.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a pervasive problem at every level of government. Although there has been a decrease in perceived corruption among political institutions, rates of bribery remain high among ordinary citizens seeking basic services.

The Bio administration promised to tackle systemic corruption and hold perpetrators from the previous government accountable. Amid APC claims of a politically motivated “witch hunt,” a Commission of Inquiry into Koroma-era corruption began its work in January 2019, with the first hearings held in early February. It was headed by judges from Sierra Leone, Nigeria, and Ghana. Although the commission twice ruled against the state’s application to compel former APC government ministers to appear in person, those invited as persons of interest included Koroma and many previously high-ranking APC officials. The inquiry was ongoing at year’s end.

Separately, in a case pertaining to pilgrimage funds that was brought by the Anti-Corruption Commission in 2018, former mines minister Minkailu Mansaray was acquitted in October 2019, though the trial continued for former vice president Victor Bockarie Foh and other codefendants.

C3. Does the government operate with openness and transparency? 3 / 4

Sierra Leone has an uneven record on transparency. The Right to Access Information Commission was created in 2013 to facilitate transparency and openness in government, but its effectiveness has been hampered by lack of funding and limited public outreach.

Sierra Leone continues to review and make public all mining and lease agreements, retaining its Extractive Industries Transparency Initiative (EITI) compliance designation. Its latest EITI compliance report, released in June 2019, assessed it as having made meaningful but not satisfactory progress on all requirements.

CIVIL LIBERTIES: 37 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

Numerous independent newspapers circulate freely, and there are dozens of public and private radio and television outlets. However, public officials have employed the country’s libel and sedition laws to target journalists, particularly those reporting on elections and high-level corruption. In September 2019, following a promise made by President Bio in December 2018 to repeal the laws, the cabinet approved a repeal of Part V of the 1965 Public Order Act. The measure was then sent to Parliament, which had not voted on it by the end of the year. Also during 2019, a number of journalists were threatened or assaulted in the course of their work, and a newspaper editor was arrested on defamation charges and briefly detained in November after investigating corruption allegations against the chief minister.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is protected by the constitution and respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally upheld, but strained resources within the university system have led to strikes by professors. Student protests have also been violently dispersed by security forces in recent years.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion remains largely open, though freedom of personal expression may sometimes be affected by defamation laws or the threat of violence from powerful interests.

While authorities reportedly monitor discussions on social media platforms, including WhatsApp, few arrests have been made for online discussions or comments. On election day in 2018, the police briefly shut down the internet, preventing people from communicating about the polls and the results.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 2 / 4

While freedom of assembly is constitutionally guaranteed, the police have repeatedly refused to grant permission to organizers planning protests, and a number of peaceful demonstrations have been violently dispersed in recent years. In May 2019, after the court decision forcing the removal of 10 APC MPs, protests broke out near the APC's Freetown headquarters; police reportedly used excessive force during clashes with the demonstrators, including the firing of tear gas into the headquarters.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

A variety of NGOs and civic groups operate in the country. However, stricter regulations were adopted in late 2017 and went into effect the following year, requiring annual renewal of registrations and ministry approval for projects. Although the SLPP government had initially indicated its openness to reconsidering the new regulations, it ultimately upheld the policy after a 2018 review. Many NGOs have expressed dissatisfaction with the review's lack of transparency and inclusivity, and concern over the narrowing of space for civil society.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

While workers have the right to join independent trade unions, there are no laws preventing discrimination against union members or prohibiting employers from interfering with the formation of unions. Reports of the SLPP replacing union leaders or pressuring them to resign since it returned to government have provoked condemnation from regional union affiliates.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 2 / 4

While the constitution provides for an independent judiciary, in practice the courts are prone to interference from the executive branch, particularly in corruption cases. A lack of clear procedures for appointing and dismissing judges leaves those processes vulnerable to abuse. Judicial corruption, poor salaries, and inadequate resources also undermine the courts' autonomy.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Resource constraints and a shortage of lawyers hinder access to legal counsel. Although the constitution guarantees a fair trial, this right is sometimes limited in practice, largely due to corruption. Pretrial and remand prisoners spend between three and five years behind bars on average before their cases are adjudicated. Police can hold criminal suspects for several days without charge and sometimes engage in arbitrary arrests.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Detention facilities are under strain, with occupancy levels at some 220 percent of official capacity in 2019. Prisons and detention facilities fail to meet basic standards of health and hygiene, and infectious disease is prevalent.

Police are rarely held accountable for physical abuse and extrajudicial killings, which remain frequent. Civilians can report ill-treatment to the Police Complaints, Discipline, and Internal Investigations Department or the Independent Police Complaints Board, though these agencies have limited capacity and efficacy.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Members of the LGBT+ community face discrimination in employment and access to health care, and are vulnerable to violence. Sex between men is criminalized under a colonial-era law, and discrimination against LGBT+ people is not explicitly prohibited by the constitution. Women experience discrimination in employment, education, and access to credit. Employers frequently fire women who become pregnant during their first year on the job.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Sierra Leoneans generally enjoy freedom of movement. However, petty corruption is common, and parents often must pay bribes to register their children in primary and secondary school. In 2018, the government launched a program offering all children free education at primary and secondary schools. Despite strong donor support, the lack of adequate facilities and teaching staff, coupled with large increases in student enrollment, hampered the policy's rollout.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The government has sought to reduce regulatory barriers to private business in recent years, and property rights are constitutionally guaranteed, though the laws do not effectively protect those rights. There is no land titling system. Outside of Freetown, land falls under customary law, and its use is determined by chiefs. The government often fails to regulate the activities of international investors, exacerbating threats to property rights. In January 2019, security forces clashed with local residents involved a land-rights dispute with a multinational palm-oil firm in Pujehun District, causing two deaths and triggering a crackdown that allegedly included raids, beatings, and other abuses.

Laws passed in 2007 grant women the right to inherit property, but many women have little power to contest land issues within the customary legal system.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Reports of rape and domestic violence rarely result in conviction, and the police unit responsible for investigating and prosecuting these crimes remains underfunded and understaffed. In February 2019, President Bio declared rape and gender-based violence a national emergency after reported cases nearly doubled in 2018. In September, Parliament voted to increase the minimum sentence for rape to 15 years, raise the maximum penalty for rape of a child to life imprisonment, and guarantee medical treatment for rape victims.

Women experience discrimination on personal status matters such as marriage and divorce. Customary law governs many of these issues, and under such rules women are often considered equal to children and the property of their husbands.

FGM is not prohibited by law, and the practice remains widespread. In December 2019, the ECOWAS Community Court of Justice ruled that a 2015 ban preventing “visibly pregnant” girls from attending school should be overturned with immediate effect. The government was reviewing its policy at the end of the year. Child marriage remains a problem, with a reported 39 percent of women aged 20–24 having been married by age 18.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Reports of economic exploitation among workers in the natural-resource sector are common. Human trafficking remained a problem in 2019, and the government has made minimal efforts to combat it. According to the US State Department’s 2019 *Trafficking in Persons Report*, authorities investigated 13 allegations of trafficking between April 2018 and March 2019, which resulted in three prosecutions and no convictions. Child labor is prevalent, despite laws limiting it.

Singapore

Population: 5,800,000

Capital: Singapore

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Singapore’s parliamentary political system has been dominated by the ruling People’s Action Party (PAP) and the family of current prime minister Lee Hsien Loong since 1959. The electoral and legal framework that the PAP has constructed allows for some political pluralism, but it constrains the growth of credible opposition parties and limits freedoms of expression, assembly, and association.

KEY DEVELOPMENTS IN 2019

- The Protection against Online Falsehoods and Manipulation Act (POFMA) was adopted in May, giving government ministers the power to determine whether content is false and to order removals or corrections. The law, which was enacted despite objections from academics and civil society, had been invoked several times by year’s end, including against the political opposition.
- The Electoral Boundaries Review Committee was appointed by the prime minister in August in preparation for the 2020 elections. The committee was tasked with reviewing and redrawing the boundaries of parliamentary constituencies—a process that has traditionally favored the ruling PAP.

POLITICAL RIGHTS: 19 / 40

A. ELECTORAL PROCESS: 4 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The government is led by a prime minister and cabinet formed by the party that controls the legislature. The current prime minister, Lee Hsien Loong, has been in power since 2004 and secured a new mandate after the 2015 parliamentary elections. While polling-day

procedures are generally free of irregularities, numerous structural factors impede the development of viable electoral competition.

The president, whose role is largely ceremonial, is elected by popular vote for six-year terms, and a special committee is empowered to vet candidates. Under 2016 constitutional amendments on eligibility, none of Singapore's three main ethnic groupings (Malays, Chinese, and Indians or others) may be excluded from the presidency for more than five consecutive terms, and presidential candidates from the private sector, as opposed to senior officials with at least three years of service, must have experience leading a company with at least S\$500 million (US\$370 million) in shareholder equity. Only one candidate—Halimah Yacob, backed by the PAP—was declared eligible for the 2017 presidential election, making her the winner by default.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The unicameral Parliament elected in 2015 includes 13 members from single-member constituencies and 76 members from Group Representation Constituencies (GRCs). The top-polling party in each GRC wins all of its three to six seats, which has historically bolstered the majority of the dominant PAP. As many as nine additional, nonpartisan members can be appointed to Parliament by the president, and another nine can come from a national compensatory list meant to ensure a minimum of opposition representation. Members serve five-year terms, with the exception of appointed members, who serve for two and a half years.

In the 2015 elections, the PAP secured nearly 70 percent of the popular vote and 83 of the 89 elected seats. The largest opposition group, the Workers' Party (WP), retained the six elected seats it had won in 2011, but lost a seat it won in a 2013 by-election. Three compensatory seats were awarded to the opposition to achieve the minimum of nine.

Elections are largely free of fraud and other such irregularities, but they are unfair due to the advantages enjoyed by the incumbent party, including a progovernment media sector, the GRC system, high financial barriers to electoral candidacy, and legal restrictions on free speech.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Singapore lacks an independent election commission; the country's Elections Department is a government body attached to the Prime Minister's Office. The secretary to the prime minister is the head of the Electoral Boundaries Review Committee, which is responsible for reviewing and redrawing the boundaries for electoral constituencies. The prime minister appointed the committee's members in August 2019 in preparation for the 2020 elections. In the past, the PAP-controlled boundaries process has ensured an advantage for the party. The new electoral districts for 2015 were announced just seven weeks before the elections. The electoral framework suffers from a number of other features—including the GRC system and the onerous eligibility rules for presidential candidates—that favor the PAP-dominated political establishment.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Singapore has a multiparty political system, and a total of nine parties contested the last parliamentary elections in 2015. However, a variety of factors have helped to ensure the PAP's dominant position, including an electoral framework that favors the incumbents, restrictions on political films and television programs, the threat of defamation suits, the PAP's vastly superior financial resources, and its influence over the mass media and the courts.

In October 2018, hearings began in lawsuits filed by two PAP-led town councils against a group of WP officials—including three sitting members of Parliament—who were accused of mismanaging public finances while the councils were under WP control. The expenses associated with the cases forced the defendants to solicit donations for a legal defense fund. The trial concluded in April 2019, and in October the High Court ruled that the three lawmakers were responsible for damages related to the mismanagement of the public funds, the total of which would be decided in a separate trial.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

The PAP has governed without interruption since 1959. The opposition has made some progress in mounting stronger election campaigns over the last decade; opposition factions collectively put forward candidates for all 89 directly elected Parliament seats in 2015, a first since independence. However, the WP lost one seat compared with the outgoing Parliament, and the PAP managed to win a higher percentage of the popular vote than in 2011, indicating that the opposition is unlikely to secure a majority in the foreseeable future.

As of late 2019, some smaller opposition parties were considering an alliance to contest the 2020 elections. A number of new parties also formed ahead of the polls.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The corporatist structure of the economy creates dense ties between business and political elites that have been criticized as oligarchic in nature. These networks contribute to the PAP's political dominance.

Many senior government officials formerly served as military officers, and the military has a close relationship with the PAP, but it does not directly engage in politics.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Ethnic and religious minority groups have full voting rights, but critics—including academics and civil society organizations—have questioned whether the GRC system really achieves its stated aim of ensuring representation for minorities. Separately, the rules for presidential candidacy have been criticized for excluding non-Malays from the 2017 election. Malays are generally underrepresented in leadership positions.

Women remain underrepresented in senior government and political positions, though women candidates won 21 of the 89 directly elected Parliament seats in 2015, and the president who took office in 2017 is a woman. The cabinet as of 2019 included three women ministers. LGBT+ interest groups operate but do not have vocal representation in Parliament; open LGBT+ identity can be a barrier to election in practice.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Elected officials determine the policies of the government, but the PAP's political and institutional dominance ensures its victory at the polls, and the party leadership maintains discipline among its members. The constitution stipulates that lawmakers lose their seats if they resign or are expelled from the party for which they stood in elections. This inhibits Parliament's ability to serve as an effective check on the executive.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Singapore has been lauded for its lack of bribery and corruption. However, its corporatist economic structure entails close collaboration between the public and private sectors that may produce conflicts of interest. Lawmakers often serve on the boards of private companies, for example. The current prime minister's wife is the chief executive of Temasek Holdings, a government-linked corporation and sovereign wealth fund; the relationship has drawn accusations of nepotism and cronyism.

C3. Does the government operate with openness and transparency? 2 / 4

The government provides limited transparency on its operations. The Singapore Public Sector Outcome Review is published every two years and includes metrics on the functioning of the bureaucracy; regular audits of public-sector financial processes are also made accessible to the public. However, other data, including key information on the status of the national reserves, are not made publicly available, and there is no freedom of information law giving citizens the right to obtain government records.

There is a lack of transparency surrounding the activities and salary of the prime minister's wife as the chief executive of Temasek Holdings.

In a move to increase transparency on monetary policy, the Monetary Authority of Singapore announced in May 2019 that it would release statistics on its foreign exchange intervention operations on a six-month aggregated basis beginning in July 2020.

CIVIL LIBERTIES: 31 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16 (-1)

D1. Are there free and independent media? 2 / 4

All domestic newspapers, radio stations, and television channels are owned by companies linked to the government. Editorials and news coverage generally support state policies, and self-censorship is common, though newspapers occasionally publish critical content. The government uses racial or religious tensions and the threat of terrorism to justify restrictions on freedom of speech. Media outlets, bloggers, and public figures have been subjected to harsh civil and criminal penalties for speech deemed to be seditious, defamatory, or injurious to religious sensitivities. Major online news sites must obtain licenses and respond to regulators' requests to remove prohibited content. However, foreign media and a growing array of online domestic outlets—including news sites and blogs—are widely consumed and offer alternative views, frequently publishing articles that are critical of the government or supportive of independent activism.

Among other ongoing legal cases against the media, in September 2019 the prime minister initiated a civil defamation suit against the editor of an alternative news website, *The Online Citizen*, over an article that allegedly made baseless claims about the prime minister and his family. The plaintiff demanded the article's removal, a published apology, and a pledge not to publish any similar allegations. The suit was pending at year's end.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution guarantees freedom of religion as long as its practice does not violate any other regulations, and most groups worship freely. However, religious actions perceived as threats to racial or religious harmony are not tolerated, and the Jehovah's Witnesses and the Unification Church are banned. Religious groups are required to register with the government under the 1966 Societies Act.

Muslim religious teachers must be certified by the Asatizah Recognition Board, a body of religious scholars under the purview of the state's Islamic Religious Council of Singapore. The system is seen as an effort to ensure that only state-approved forms of Islam are taught.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Public schools include a national education component that has been criticized for presenting a history of Singapore that focuses excessively on the role of the PAP. All public universities and political research institutions have direct government links that enable political influence and interference in hiring and firing; recent faculty turnover at two major universities has increased concerns about political pressure. Self-censorship on Singapore-related topics is common among academics, who can face legal and career consequences for critical speech.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4 (-1)

While there is some space for personal expression and private discussion, legal restrictions on topics that involve race and religion constrain dialogue. The threat of defamation suits and related charges are also deterrents to free speech, including on social media. In November 2019, a judge overseeing a criminal defamation case against the editor of and a contributor to *The Online Citizen* rejected the defendants' argument that the charges were unlawful because the article in question had alleged corruption in the cabinet without identifying any specific person. The ruling effectively allowed defamation charges for criticism of the government in general.

Parliament enacted POFMA in May 2019, and it went into effect in October. The law gives government ministers the authority to identify false online content and order its removal or correction; the measure's criminal penalties include fines and up to a year in prison for failure to comply with removal or correction orders. POFMA was invoked five times before the end of the year, targeting the political opposition as well as a critical blogger.

Score Change: The score declined from 3 to 2 due to growing legal restrictions on free expression, including a law empowering government ministers to suppress online content that they deem false and a court ruling that allowed criminal defamation charges for criticism of the cabinet rather than a particular person.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 2 / 4

Public assemblies are subject to extensive restrictions. Police permits are required for assemblies that occur outdoors; limited restrictions apply to indoor gatherings. Speakers' Corner at Hong Lim Park is the designated site for open assembly, though events there can likewise be restricted if they are deemed disruptive. Non-Singaporeans are generally prohibited from participating in or attending public assemblies that are considered political or sensitive. A 2017 amendment to the Public Order Act increased the authorities' discretion to

ban public meetings and barred foreign nationals from organizing, funding, or even observing gatherings that could be used for a political purpose.

The Public Order and Safety (Special Powers) Act of 2018 granted the home affairs minister and police enhanced authority in the context of a “serious incident,” which was vaguely defined to include scenarios ranging from terrorist attacks to peaceful protests. Officials would be permitted to potentially use lethal force and to halt newsgathering and online communications in the affected area. The special powers could even be invoked in advance of a likely or threatened incident.

Activist Jolovan Wham was fined S\$3,200 (US\$2,300) in February 2019 for “organizing an assembly without a permit.” He had organized a conference in 2016 that featured a speech via video link by a prodemocracy leader from Hong Kong.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

The Societies Act requires most organizations of more than 10 people to register with the government; the government enjoys full discretion to register or dissolve such groups. Only registered parties and associations may participate in organized political activity. Despite these restrictions, a number of nongovernmental organizations engage in human rights and governance-related work, advocating policy improvements and addressing the interests of constituencies including migrant workers and women. Prominent activists are subject to police questioning, criminal charges, civil lawsuits, and other forms of harassment in reprisal for their work.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Unions are granted some rights under the Trade Unions Act, though restrictions include a ban on government employees joining unions. Union members are prohibited from voting on collective agreements negotiated by union representatives and employers. Strikes must be approved by a majority of members, as opposed to the internationally accepted standard of at least 50 percent of the members who vote. Workers in essential services are required to give 14 days’ notice to an employer before striking. In practice, many restrictions are not applied. Nearly all unions are affiliated with the National Trade Union Congress, which is openly allied with the PAP.

F. RULE OF LAW: 7 / 16

F1. Is there an independent judiciary? 1 / 4

The country’s top judges are appointed by the president on the advice of the prime minister. The government’s consistent success in court cases that have direct implications for its agenda has cast serious doubt on judicial independence. The problem is particularly evident in defamation cases and lawsuits against government opponents. While judgments against the government are rare, the judiciary is perceived to act more professionally and impartially in business-related cases, which has helped to make the country an attractive venue for investment and commerce.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Defendants in criminal cases enjoy most due process rights; political interference does not occur in a large majority of cases. However, the colonial-era Internal Security Act (ISA) allows warrantless searches and arrests to preserve national security. ISA detainees can be held without charge or trial for two-year periods that can be renewed indefinitely. In recent years it has primarily been used against suspected Islamist militants. The Criminal Law

Act, which is mainly used against suspected members of organized crime groups, similarly allows warrantless arrest and preventive detention for renewable one-year periods. The Misuse of Drugs Act empowers authorities to commit suspected drug users, without trial, to rehabilitation centers for up to three years.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Singaporeans are largely protected against the illegitimate use of force and are not directly exposed to war or insurgencies. Prisons generally meet international standards. However, the penal code mandates corporal punishment in the form of caning, in addition to imprisonment, for about 30 offenses, and it can also be used as a disciplinary measure in prisons. Singapore continues to impose the death penalty for crimes including drug trafficking. Thirteen people were executed during 2018; complete information on executions during 2019 was not available at year's end.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The law forbids ethnic discrimination, though in some instances minorities may face discrimination in private- or public-sector employment. Women enjoy the same legal rights as men on most issues, and many are well-educated professionals, but no laws protect against gender-based discrimination in employment.

The LGBT+ community faces significant legal obstacles. The penal code criminalizes consensual sex between adult men, setting a penalty of up to two years in prison. The law is not actively enforced, but the Court of Appeal upheld its constitutionality in 2014. The Pink Dot parade, held annually in support of equal rights for LGBT+ people since 2009, drew another large turnout in 2019, despite the legal ban on foreign funding and participation.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Citizens enjoy freedom of movement and the ability to change their place of employment. Policies aimed at fostering ethnic balance in subsidized public housing, in which a majority of Singaporeans live, entail some restrictions on place of residence, but these do not apply to open-market housing. There are practical limits on freedom of movement for foreign workers.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Individuals face no extensive restrictions on property ownership, though public housing units are technically issued on 99-year leases rather than owned outright. While the state is heavily involved in the economy through its investment funds and other assets, private business activity is generally facilitated by a supportive legal framework.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Men and women generally have equal rights on personal status matters such as marriage and divorce, though same-sex marriage and civil unions are not recognized. Social pressures deter some interreligious marriages and exert influence on personal appearance. The government has generally barred Muslim women from wearing headscarves in public-sector jobs

that require a uniform, but the issue remains a subject of public debate, and President Yacob herself wears a headscarf. Spousal immunity from rape charges was eliminated through a penal code amendment adopted by Parliament in May 2019.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Singapore's inhabitants generally benefit from considerable economic opportunity, but some types of workers face disadvantages. The country's roughly 200,000 household workers are excluded from the Employment Act and are regularly exploited. Several high-profile trials of employers in recent years have drawn public attention to the physical abuse of such workers. Laws and regulations governing their working conditions have modestly improved formal protections over the past decade, but the guarantees remain inadequate. In 2018, the Ministry of Manpower issued a new work-permit condition that banned employers from holding the paid wages and other money of foreign household workers for safekeeping. Existing laws such as the Foreign Worker Dormitories Act of 2015 are intended to ensure the food and shelter needs of foreign workers. However, illegal practices such as passport confiscation by employers remain common methods of coercion, and foreign workers are vulnerable to exploitation and debt bondage in the sex trade or industries including construction and manufacturing.

Slovakia

Population: 5,500,000**Capital:** Bratislava**Freedom Status:** Free**Electoral Democracy:** Yes

Overview: Slovakia's parliamentary system features regular multiparty elections and peaceful transfers of power between rival parties. While civil liberties are generally protected, democratic institutions are hampered by political corruption, entrenched discrimination against Roma, and growing political hostility toward migrants and refugees.

KEY DEVELOPMENTS IN 2019

- In March, controversial businessman Marian Kočner was charged with ordering the 2018 murder of investigative reporter Ján Kuciak and his fiancée. After phone records from Kočner's cell phone were leaked by Slovak news outlet Aktuality.sk, an array of public officials, politicians, judges, and public prosecutors were implicated in corrupt dealings with Kočner.
- Also in March, environmental activist and lawyer Zuzana Čaputová of Progressive Slovakia, a newcomer to national politics, won the presidential election, defeating Smer-SD candidate Maroš Šefčovič. Čaputová is the first woman elected as president in the history of the country.

POLITICAL RIGHTS: 36 / 40**A. ELECTORAL PROCESS: 12 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

Slovakia is a parliamentary republic whose prime minister leads the government. There is also a directly elected president with important but limited executive powers. In March 2018, an ultimatum from Direction–Social Democracy (Smer–SD), a junior coalition partner, and center-right party Most–Híd, led to the resignation of former prime minister Robert Fico. Former president Andrej Kiska appointed Peter Pellegrini of Smer–SD as prime minister. The coalition partners of the previous Fico government, the nationalist Slovak People’s Party (SNS) and Most–Híd, continued to lend their support to the new cabinet.

In March 2019, an environmental activist and a leader of the newly formed Progressive Slovakia party, Zuzana Čaputová, was elected the first woman elected as president of the country. Čaputová won 58.3 percent of the second round of voting to defeat diplomat Maroš Šefčovič, nominated by Smer–SD, who took 41.7 percent.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 150 members of the unicameral parliament, the National Council, are directly elected to four-year terms in a single national constituency by proportional representation. The last elections took place in 2016. The ruling Smer–SD lost its outright majority and formed a coalition with two other parties, SNS and Most–Híd. The vote took place peacefully and its results were accepted by stakeholders and certified by the State Commission for Elections and the Control of Funding for Political Parties (known as the State Commission).

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The legal framework for elections is generally fair, and 2014 legislation that addressed some gaps and inconsistencies in electoral laws was praised by a 2016 Organization for Security and Co-operation in Europe (OSCE) election monitoring mission. However, electoral legislation leaves ambiguous whether meetings of the State Commission—which is tasked with oversight of party funding, vote tabulation, and electoral preparations—should be open to the public. In June 2019, the parliament passed a law that caps total donations to parties within the four-year electoral term. Critics point out that established parties are less affected than newer parties, as they receive public subsidies that do not count as donations. Moreover, parliament in October passed a law that would ban publicizing the result of opinion polls within 50 days of elections. The Constitutional Court ruled in December that the law would not apply to the 2020 parliamentary vote. The court planned to continue to consider the law’s general constitutionality in 2020.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Citizens can freely organize in political parties and movements. In 2016, 23 parties competed in the year’s elections and 8 of them entered the parliament.

The constitution and other laws prohibit parties that threaten the democratic order. In April 2019, the Supreme Court ruled against the proposal put forward by the prosecutor general calling for the far-right People’s Party Our Slovakia (ĽSNS) to be dissolved due to activities that violated the constitution and aimed to eliminate Slovakia’s democratic regime. The court ruled there was not enough evidence that the party posed an immediate threat to the country’s democracy.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been regular transfers of power between parties in the last two decades. President Čaputová, elected in 2019, is the chairwoman of the Progressive Slovakia party, which was formed in 2017.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

The citizens of Slovakia are generally able to make political choices free from external pressures.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Nearly all political parties in parliament have expressed bias against LGBT+ people, who are poorly represented in politics. Roma are poorly represented, and there have been reports of vote-buying in Romany settlements for local and regional elections.

Women hold one-fifth of the seats in parliament and are underrepresented in politics generally. The government has worked to implement action plans aimed at increasing parliamentary gender parity, but no significant change has been achieved in recent years.

The Supreme Court confirmed in September 2019 that LSNS member of parliament Milan Mazurek had made racist comments towards the Roma on a radio show in 2016. The constitution stipulates that a parliamentarian automatically loses their seat if found guilty of a deliberate crime, including hate speech, which is banned. The Supreme Court levied a fine against him and removed him from his seat in parliament. Former prime minister Fico attempted to defend Mazurek, doubling down on Mazurek's racially prejudiced remarks. In December 2019, Fico was charged by police for inciting racial hatred and could face up to five years imprisonment. The incident reflected the racial bias against the Roma in the country, including prejudice among elected officials. Mechanisms to confront hate speech can be effective when invoked.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Democratically elected politicians are the key agents for determining public policy.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption remains a long-standing problem, and few high-profile corruption cases have led to convictions. The number of corruption convictions has declined in the last three years, and an overwhelming majority of convictions result in suspended sentences.

Despite improvements to legislation protecting whistleblowers and the establishment of an anticorruption department in the office of the government, senior officials continue to be implicated in corruption scandals. The investigation into the murder of journalist Ján Kuciak exposed links between wealthy oligarch Marian Kočner, who orchestrated Kuciak's murder, and high-ranking politicians and officials. Former prosecutor general Dobroslav Trnka was found to be heavily implicated in illicit activities and abused his powers to cover up their connections. In October 2019, the deputy speaker of parliament resigned, due to his connections with Kočner coming under public scrutiny. After official charges were brought against Kočner in March, leaked reports of messages on his cellphone suggest that Kočner bribed and collaborated with a number of judges, prosecutors, and politicians, including a

former–SD junior minister in the Justice Department. Police also confiscated cell phones of several judges who were also allegedly involved in Kočner’s schemes.

In February 2019, the government established the Office for the Protection of Whistleblowers, to strengthen the protection of whistleblowers in public and private institutions.

In August 2019, a report by Council of Europe’s Group of States Against Corruption (GRECO) group pointed out a number of systemic weaknesses in the Slovak government’s administration and urged improvement of policies and a legal framework to address and prevent further issues of corruption.

C3. Does the government operate with openness and transparency? 2 / 4

The law obliges mandatory publication of all contracts in which a state or public institution is a party, but enforcement is inconsistent. Many business leaders believe that corruption was the main reason behind their failure to secure public tenders.

CIVIL LIBERTIES: 52 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 2 / 4

The February 2018 murder of Ján Kuciak, an investigative reporter who was working on corruption and tax fraud cases, represented the worst attack on media freedom in recent Slovak history. The investigator of the Interior Ministry’s inspection service brought charges in September 2019 several public officials implicated in the murder ordered by Marian Kočner, for unlawful surveillance of several journalists, including Ján Kuciak.

Parliament passed in September 2019 an amendment to the Press Act granting public officials a right-of-reply to stories about them. Over 400 journalists criticized the amendment for giving politicians an undue influence over media content.

Media ownership is concentrated in the hands of a few business groups and individuals. In addition, concerns over the independence of public broadcaster Radio and Television of Slovakia (RTVS) continued as more reporters were laid off or left in 2019, citing political pressure from their superiors.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is guaranteed by the constitution and generally upheld by state institutions. Registered churches and religious societies are eligible for tax exemptions and government subsidies.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is guaranteed by the constitution and upheld by authorities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

People may discuss sensitive or political topics without fear of retribution or surveillance. Hate speech laws prohibit the incitement of racial hatred or violence. In September and December 2019, these laws were used to remove former parliamentarian Mazurek from office for making racist remarks against the Roma. Former prime minister Fico was also charged under these laws. The incident reflected the presence of anti-Roma racism in electoral politics, but also that mechanisms to confront hate speech can be effective when invoked.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12**E1. Is there freedom of assembly? 4 / 4**

Freedom of assembly is constitutionally guaranteed and upheld by state authorities, and peaceful demonstrations are common. A series of demonstrations sparked by the murder of Ján Kuciak in 2018 pressured former prime minister Fico to resign. Throughout 2018, these peaceful protests, called “For a Decent Slovakia,” were organized in several cities. Police interrogated protest organizers, which critics say only served to intimidate civic activists.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) are free to operate and criticize state authorities. In 2018, NGOs came under pressure from former prime minister Fico who accused them of seeking to overthrow the legitimate government, following some organizations’ support of and work for the “For a Decent Slovakia” protests. In January 2019, a law entered into force requiring NGOs to register in a single nationwide database. Despite initial fears that the law would be similar to the restrictive “foreign agent” laws in Russia or Hungary, the adopted version does not impede NGO activities, as it only seeks clearer identification of the people acting on their behalf and a legal proof of their authority to act on behalf of their NGO.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Trade unions in Slovakia are pluralistic and operate freely.

F. RULE OF LAW: 12 / 16**F1. Is there an independent judiciary? 3 / 4**

The constitution provides for an independent judiciary. However, there is a widespread perception of a lack of transparency and an abundance of corruption in the functioning of the judicial system. Individual judicial panels occasionally release controversial decisions that critics suggest reflect corruption or intimidation within the judiciary. The fallout of the revelation of the corrupt dealings of Marian Kočner has greatly diminished public trust in the courts. Many of the officials implicated in dealings with Kočner were judges and prosecutors, including a former prosecutor general and his deputy. According to an August 2019 poll, two-thirds of Slovaks do not trust the independence of the court system.

In February 2019, the tenure of 9 out of 13 constitutional judges expired, which paralyzed the Constitutional Court. The constitution states that the parliament selects twice as many candidates as the number of vacancies by a simple majority, and the president appoints candidates from this list. However, during former president Kiska’s term in office, parliament was unable to nominate the full number of candidates for the posts. Kiska decided to appoint three new judges, allowing for just a simple majority on the top court. In September, parliament was finally able to select the full number of candidates and president Čaputová appointed the remaining six judges in October. The Constitutional Court was incomplete for almost eight months, resulting in a long backlog of cases.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process usually prevails in civil and criminal matters. However, there have been reports of warrantless detentions or detentions otherwise carried out without other appropriate authorization.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While Slovakia is free from war, insurgencies, and high rates of violent crime, police abuse of suspects is a persistent problem.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The Roma face persistent discrimination in many forms, including from public officials and in employment. Romany children in primary schools are regularly segregated into Roma-only classes, and many are educated in schools meant to serve children with mental disabilities. In October 2019, the European Commission called for the Slovak authorities to take steps aimed at stopping the de facto segregation of Romany children.

Women are underrepresented in senior-level business and government positions. The 2019 Gender Equality Index issued by the European Institute for Gender Equality indicates that in Slovakia the gender pay gap and the percentage of women in top posts in the private sector are among the worst in the European Union.

According to Slovakia's public defender of rights, Maria Patakyova, LGBT+ people face much discrimination throughout the country outside of the capital, and especially online. While there are antidiscrimination laws in place, most cases of discrimination are unreported, and police do not always investigate or take action in cases of discrimination on the basis of gender identity or sexual orientation. A 2017 survey found that LGBT+ people have little trust in authorities and antidiscrimination mechanisms.

The number of asylum applications is very low (only 178 in 2018) which reflects the status of Slovakia primarily as a transit country. However, Slovak authorities apply asylum protections very restrictively; by June 2019 just 2 out of 93 asylum seekers were successful.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

The government respects the freedom of movement and the right of citizens to freely change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

In general, the government does not arbitrarily interfere with citizens' rights to own property and to establish private businesses.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms, including choice of marriage partner and size of family, are guaranteed and upheld by the state authorities, but a 2014 constitutional amendment defines marriage as a "unique bond" between one man and one woman. Laws neither allow nor recognize same-sex marriages or civil unions. A September 2019 poll indicates over half of the population opposes granting those in same-sex partnerships the same rights granted to unions between a man and a woman.

Slovakia permits abortions, although the governing coalition debated legislation to increase some restrictions on abortions in September.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Severe marginalization of Roma harms their opportunities for social mobility. According to the 2019 US State Department's *Trafficking in Persons Report*, human trafficking is a problem, and mainly involves the transport of men, women, and children to countries in Western and Central Europe, where they are engaged in forced labor, sex work, and begging. The government has recently increased antitrafficking efforts, including with more frequent investigations and prosecutions of organizers. However, sentences are sometimes light, and victim identification and services are inadequate.

Slovenia

Population: 2,100,000

Capital: Ljubljana

Freedom Status: Free

Electoral Democracy: Yes

Overview: Slovenia is a parliamentary republic with a freely elected government. Political rights and civil liberties are generally respected. Corruption remains an issue, though media are proactive in exposing it. The judiciary, while somewhat distrusted, has established a record of independent rulings, and the rule of law is generally respected. Cases of harassment against LGBT+ people and members of religious and other minority groups continue to occur, but are generally investigated when reported.

KEY DEVELOPMENTS IN 2019

- In October, the Constitutional Court struck down controversial 2017 amendments to the Aliens Act that had limited the rights of migrants seeking asylum. Earlier, in August, the court widened the legal definition of hate speech.
- Elections to the European Parliament (EP) took place in May. Fears of a surge in popularity of the far right did not materialize, as the votes for eight members of the EP coalesced around the three established party groups.
- In January, the government initiated procedures to constitutionally guarantee the right of people with hearing disabilities to use Slovenian Sign Language.

POLITICAL RIGHTS: 39 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister heads the executive branch and is appointed by the National Assembly (Državni Zbor) for a four-year term. The president holds the mostly ceremonial position of head of state, and is directly elected for up to two five-year terms.

Parliamentary elections were held in June 2018, and after extended negotiations, a minority center-left coalition government took office that September. Prime Minister Marjan Šarec—formerly a two-term mayor of Kamnik, and before that, a comedian—heads the new administration. Slovenian president Borut Pahor was reelected for a second term in 2017.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The legislature is composed of the 40-seat National Council and the 90-seat National Assembly. Councilors are indirectly elected to five-year terms by an electoral college. Of the 90 National Assembly members elected to four-year terms, 88 are elected by proportional representation vote. Two additional seats are reserved for lawmakers representing Hungarian and Italian minorities.

Monitors from the Organization for Security and Co-operation in Europe (OSCE) deemed the June 2018 National Assembly elections free and fair. Although the center-right Slovenian Democratic Party (SDS), led by former prime minister Janez Janša, won the most seats with 25, it was the second-place party List of Marjan Šarec (LMŠ) that was able to form a center-left minority government. Šarec's party took 13 seats; members of his coalition include the Social Democrats (SD) and the Modern Center Party (SMC), which each took 10 seats, the Democratic Party of Pensioners of Slovenia (DeSUS), which took 5 seats, and the Party of Alenka Bratušek (SAB) which also took 5 seats. The coalition is supported by the left-most party, Levica, which won 9 seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The National Election Commission is an independent and impartial body that supervises free and fair elections, and ensures electoral laws are properly implemented.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

The constitutional right to organize in different political parties is upheld in practice. In May 2019, 14 parties and candidate lists participated in the EP elections. At 28.89 percent, the turnout was the third-lowest in the European Union (EU). Fears of a surge in popularity of the far right did not materialize, as the votes for eight members of the EP coalesced around three main party groups: the European People's Party (EPP), which took 4 seats; the Progressive Alliance of Socialists and Democrats (S&D), which took 2; and Renew, which also took 2.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Political power frequently rotates between parties.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are free from domination by powerful groups that are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Citizens enjoy full political rights and electoral opportunities. Hungarian and Italian minorities each elect their own lawmaker to the National Assembly. Roma councilors sit on 20 municipal councils, but are not represented in the national legislature.

Women's political interests are relatively well represented. A 35 percent gender quota is mandated by law, and parties that fail to adhere to it have had their lists rejected. However, gender quotas are enforced on the precinct level, and nongovernmental organizations (NGOs) have long complained that women candidates are allotted precincts with lower chances of being elected. Only 24 percent of lawmakers elected in 2018 are women, a decline from the last term.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials are free to set and implement government policy without undue interference.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption in Slovenia primarily takes the form of conflicts of interest between government officials and private businesses. The Commission for the Prevention of Corruption (KPK) was mired in controversy in recent years, which saw the fining of its president in March 2018 for misuse of personal data. More recently, it has functioned without major incident.

While whistleblower protection is regulated in anticorruption and other laws, NGOs have repeatedly called for comprehensive stand-alone legislation to better protect them, as enshrined in a new EU directive on the issue. In its absence, in 2019 an investigative journalism outlet launched a portal through which whistleblowers may submit information, claiming to guarantee the highest possible level of security. Media are increasingly proactive in exposing corruption.

Corruption and irregularities in the health sector remained in the public focus in 2019, and were additionally the subject of parliamentary oversight.

Several instances of improper political pressure have been uncovered in recent years, with consequences for those involved. Parliament has yet to adopt an ethics code for lawmakers.

C3. Does the government operate with openness and transparency? 4 / 4

The government generally operates with openness and transparency. In January 2018, amendments to the Access to Public Information Act distributed the fees incurred by public information requests more evenly among the parties involved, thus lessening the financial burden on journalists and other information requesters.

CIVIL LIBERTIES: 55 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Freedom of speech and of the press are constitutionally guaranteed, but defamation remains a criminal offense. In a positive development, in 2018 the Supreme Court ruled that journalists cannot legally be compelled to reveal their sources unless there is a clearly demonstratable public good in doing so.

Media ownership is sometimes opaque, and journalists are subject to pressure and occasional harassment due to their coverage. State-owned enterprises continue to hold a stake in several media outlets, leaving them vulnerable to government intervention. Media published by municipalities have been abused as propaganda tools favoring incumbent mayors. Public broadcaster RTVSLO frequently faces pressure from political actors. Some private outlets

have been accused of running stories promoting their owners' business interests. Journalists can also face direct pressure from powerful business interests. In March 2019, a Maribor real estate developer verbally harassed a journalist with *Večer* after she published a story that included details on his business operations, insulting her and attempting to follow her into her office. Separately, four former *Dnevnik* journalists were put on trial for misuse of personal data in May, for publishing transcripts of a phone call about the sale of the Mercator retail chain in 2012. The journalists maintain that publishing of the information was in the public interest, and the case was ongoing at year's end. And, after the *Mladina* weekly published an unflattering cover featuring Hungarian prime minister Viktor Orbán, the Hungarian embassy demanded that the Slovenian government discipline the magazine; the government responded that it does not interfere in the media.

Journalists also face economic threats to their livelihoods, be it by cost-cutting across newsrooms, or outright terminations. These fears have been exacerbated by ownership shifts at various outlets.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The Slovenian constitution guarantees religious freedom and contains provisions prohibiting enticement of religious intolerance or discrimination. However, there are occasional instances of vandalism of religious buildings, and hate speech by high-profile figures.

Construction of a long-delayed mosque in Ljubljana was recently completed, and religious services are expected to commence in early 2020.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are generally free to express their personal beliefs without fear of reprisal. Defamation remains a criminal offense, though officials may no longer press charges through the state prosecutor. Debates on issues such as migration are frequently combative.

In 2019, the Supreme Court widened the definition of hate speech. Right groups and journalists' organizations applauded the move, though critics claim the new definition can potentially muzzle free speech.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The rights to peaceful assembly and association are guaranteed by the constitution and respected in practice. Assemblies must be registered with the authorities in advance, and in some instances permits are required.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Numerous NGOs operate freely and play a role in policymaking.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers may establish and join trade unions, strike, and bargain collectively. Union membership is declining, though the number of unions is also increasing.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The constitution provides for an independent judiciary. Its efficiency has increased, but a significant portion of the general public still has a negative perception of the courts.

A quarrel between two Constitutional Court justices spilled into public domain in 2019, when one justice, in a dissenting opinion, accused another of attempting to pressure him into ruling a particular way and of lying to cover up a conflict of interest. Separately, the court blocked a parliamentary investigation into judges handling cases against former Maribor mayor Franc Kangler, citing judicial independence. This led an opposition lawmaker to liken the judiciary to the mafia; he was later reported by the state prosecutor for defamation.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The rule of law is respected in civil and criminal matters. Programs aimed at reducing court backlogs have seen some success in recent years.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

People in Slovenia are generally free from threats of physical force. Prison conditions meet international standards, though overcrowding has been reported.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

In October 2019, the constitutional court ruled that the 2017 amendments to the Aliens Act limiting the rights of migrants to claim asylum were unconstitutional.

While their legal status and ability to claim compensation have been resolved to a large extent, some individual cases of “The Erased”—a group of more than 25,000 non-Slovene citizens purged from official records in 1992—relating to restitution and reestablishing legal rights remain pending. Roma face widespread poverty and societal marginalization. While there are legal protections against discrimination based on sexual orientation, discrimination against LGBT+ people is still present. However, recent research suggests that the social gap experienced by LGBT+ persons is closing.

Investigations into cases of discrimination and mistreatment of members of minority groups often follow reported incidents, with several open at year’s end. Events being investigated include an incident in September 2019 in which a bouncer in a Ljubljana club hurled anti-Semitic slurs and used a Nazi salute against a guest; one in November in which unidentified assailants attacked and damaged an LGBT+ club in Ljubljana; and an incident the same month in which a bouncer in a Maribor club verbally abused and manhandled an LGBT+ person.

Despite legal protections people with disabilities still often face workplace discrimination. In January, the government initiated procedures to constitutionally guarantee the right of people with hearing disabilities to use Slovenian Sign Language.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Citizens enjoy the right to change their residence, employment, and place of education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Individuals may exercise the right to own property and establish private business in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individuals generally enjoy personal social freedoms. People entering same-sex partnerships enjoy most of the rights conferred by marriage but cannot adopt children or undergo in-vitro fertilization procedures. Marriage is still legally defined as a union between a man and a woman. Domestic violence is illegal, but remains a concern in practice. Up to 1,300 cases are reported annually, though nearly all reported cases are investigated.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Authorities actively prosecute suspected human traffickers and work to identify victims.

Many people at the beginning of their careers or nearing retirement are employed under precarious conditions. Additional legal protections against labor exploitation were enacted in recent years, but the scope of the problem is still being investigated.

Labor unions cite extended work hours and workplace quality as pressing issues, while experts say that the main problem is lack of oversight.

Solomon Islands

Population: 700,000

Capital: Honiara

Freedom Status: Free

Electoral Democracy: Yes

Overview: Political rights and civil liberties are generally respected in the Solomon Islands. There are weaknesses in the rule of law, and corruption remains a serious concern, but recent governments have taken steps to address it. Violence against women is also a significant problem.

KEY DEVELOPMENTS IN 2019

- The Solomon Islands Democratic Party (SIDP) and Kadere were the parliament's two largest immediately after the April election, winning 8 seats each, while independents won 21. Days after the election, a new governing coalition coalesced around the relaunched Ownership, Unity, and Responsibility Party (Our Party) of former prime minister Manasseh Sogavare.
- Sogavare won a fourth nonconsecutive term as premier after he was selected by the parliament in late April. SIDP leader Matthew Wale attempted to halt his selection in the courts, but his legal efforts were rejected in May.
- In September, the Solomon Islands ended its diplomatic recognition of Taiwan, shifting it to China. A group of MPs, including former prime minister Rick "Hou" Houenipwela, were dismissed from the cabinet after abstaining on the government's decision.

POLITICAL RIGHTS: 30 / 40**A. ELECTORAL PROCESS: 9 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4**

The prime minister, who serves as the head of government, is elected by the National Parliament. Irregularities are frequent in the run-up to prime ministerial elections, known as “second elections.” Leading contenders usually separate into camps in Honiara’s major hotels and bid for the support of other members of Parliament (MPs) with promises of cash or ministerial portfolios.

Following the April 2019 general election, Manasseh Sogavare was elected, winning a fourth nonconsecutive term as prime minister. SIDP leader Matthew Wale attempted to stop Sogavare’s selection, saying that Sogavare relaunched the Ownership, Unity, and Responsibility Party (Our Party) too late to abide by a law requiring prime ministerial candidates to maintain party membership; Sogavare was previously aligned with the SIDP before moving to Our Party after the election was held. Then governor general Frank Kabui ruled that Sogavare was eligible in late April, and the High Court rejected Wale’s legal petition against Sogavare in May.

Parliament also selects a governor general to represent the British monarch as head of state for five-year terms. The governor general appoints members of the cabinet on the advice of the prime minister. David Vunagi, a retired Anglican bishop, was named governor general in June 2019 and took office in July.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The 50 members of the National Parliament are directly elected in single-seat constituencies by a simple majority vote to serve four-year terms. In the April 2019 legislative election, the SIDP and the Kadere Party obtained 8 seats each, while 21 seats went to independents; another 6 parties won the remainder. In the days after the election, support among MPs shifted to the relaunched Our Party, which formed the country’s governing coalition along with the Kadere Party, the Democratic Alliance, and the Peoples First Party.

A Commonwealth observer mission commended the peaceful conduct of the election, but called for improvements in the voter registration process, along with expanded early voting options for individuals living overseas and for essential service personnel.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The legal framework generally provides for democratic elections. The electoral rolls have been improved since the 2013 introduction of a biometric voter registration system. Nevertheless, the Solomon Islands Electoral Commission (SIEC) found 4,000 instances of multiple voter registration during the 2018–19 registration period. The SIEC reported its findings to the police, but noted that many of these incidents would likely go uninvestigated for a lack of resources.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

There are no restrictions on the right to organize political parties, but in practice political alliances are driven more by personal ties and local allegiances than formal policy

platforms or ideology, and party affiliations shift frequently, often as part of efforts to dislodge incumbent governments.

The 2014 Political Parties Integrity Act was meant to encourage a stronger party system through more formalized registration mechanisms. Many formerly party-aligned legislators responded by standing as independents in the 2014 and 2019 elections, calculating that doing so left them with greater flexibility under the new law. Of the 333 candidates who took part in the April 2019 election, 170 ran as political party candidates, while another 163 ran as independents.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties and candidates may campaign freely, and power shifts frequently between rival groups. Since 1978, three governments have been ousted in opposition-led no-confidence votes, and prime ministers have resigned to fend off no-confidence challenges on two occasions. No incumbent prime minister has been able to win reelection, although both Sogavare and former prime minister Solomon Mamaloni were repeatedly able to return to the prime minister's office after a period on the opposition benches.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People's political choices are generally unconstrained, though in some regions of the country church or tribal leaders exert strong influence. On the island of New Georgia, the Christian Fellowship Church has secured reelection of its candidate, Job Dudley Tausinga, for decades, but schisms have since emerged on that island.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women and ethnic minorities enjoy full political rights under the law, but discrimination limits political opportunities for women in practice. While lawmakers have voiced support for increasing women's participation in the National Parliament, including through reserved seats for women, only three women held seats at the end of 2019. Freda Tuki Soriocomua, who entered the parliament in 2014, lost her seat in 2018 after her predecessor filed a legal petition against her, but won reelection in April 2019. Lanelle Tanangada entered the parliament in a 2018 by-election and retained her seat in April 2019. Lillian Maefai won her seat in a December 2019 by-election, after her husband, incumbent Charles Maefai, died in office.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Solomon Islands governments have generally been able to determine national policy without outside interference, but the country's fractious politics hamper efficient policy-making. Prime ministers have struggled to sustain legislative majorities, and splits within the cabinet are frequent. Ministries are often run as ministers' personal fiefdoms, lacking accountability to the prime minister.

Prime ministers can consequently face significant difficulty when enacting policy choices, with decisions prompting fights for political survival. Sogavare's decision to switch diplomatic recognition from Taiwan to China in September 2019 destabilized his government, with a group of pro-Taiwan MPs—including planning minister and former prime minister Hou—being dismissed from cabinet after they abstained from a vote on the

matter. In late September, Sogavare accused Hou of bribing MPs to support a no-confidence motion against him.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption and abuse of office are serious problems. The previous Sogavare government struggled to win support for anticorruption legislation in 2016 and 2017, largely due to resistance from within the cabinet. In 2018, the Hou government secured passage of the Anti-Corruption Act, which establishes an independent anticorruption commission, and the Whistleblowers Protection Act. Some opposition MPs considered the laws to be watered down, for example by allowing the use of local custom as a defense in corruption cases and by stipulating that the law cannot be applied retroactively.

Under both the Sogavare and Hou governments, a number of senior officials were investigated or arrested on corruption charges due to the efforts of Task Force Janus, a joint anticorruption initiative by the police force and the Finance Ministry. However, prosecutors have had difficulty winning convictions against politicians accused of corruption; in March 2019, charges were dropped against MP Dickson Mua, who was arrested on suspicion of misappropriating SI\$3 million (\$370,000) in shipping grants in 2018, after prosecution witnesses repeatedly failed to appear in court. In late 2018, minister Samuel Manetoali was accused of misappropriating funds to host a Christmas party in 2014, but was acquitted in August 2019.

C3. Does the government operate with openness and transparency? 1 / 4

Successive governments in the Solomon Islands have not operated transparently. State dealings with foreign logging companies, as well as mining companies, are not open to scrutiny. There is no law stipulating a formal process by which members of the public may request official information.

Commonwealth observers who monitored the April 2019 election voiced concern over the possible misuse of the public Rural Constituency Development Fund (RCDF) ahead of the campaign; in late 2018, each MP received SI\$400,000 (\$57,000) from the RCDF, and the funds were allegedly used for campaigning purposes by lawmakers. Despite these concerns, efforts to improve accountability for funds spent by MPs in their constituencies have not been greatly successful.

CIVIL LIBERTIES: 49 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16****D1. Are there free and independent media? 4 / 4**

Freedom of the press is usually respected. While politicians and elites sometimes use legal and extralegal means to intimidate journalists, such incidents have been relatively rare in recent years. There are several print newspapers. The government operates a national radio station, and subnational and private radio stations are also available. Subscription television services offer some local content in addition to foreign broadcasts. In 2018, the Solomon Islands adopted the Whistleblowers Protection Act, which was expected to facilitate journalistic efforts to report on political corruption. In April 2019, Reporters Without Borders (RSF) criticized the use of defamation laws, warning that they worked to intimidate journalists and encourage self-censorship.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is generally respected. Registration requirements for religious groups are not onerous, and religious education is not mandatory.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

While social taboos persist regarding the open discussion of some topics, including domestic violence, rape, and child abuse, individuals are generally free to express their views on politics and other sensitive matters.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 3 / 4

The constitution guarantees freedom of assembly, and the government generally upholds this right. However, peaceful demonstrations can give way to civil unrest, particularly during contentious parliamentary debates, elections, or large-scale labor actions. In late April 2019, demonstrators in Honiara rallied against Sogavare's selection as prime minister; police used tear gas to disperse protesters after a local hotel was damaged, and arrested at least 30 people. Disturbances continued in the settlement of Burns Creek for two days after Sogavare's appointment.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) in the country operate informally in many cases, and the government is not always receptive to the viewpoints of governance-focused groups. Locally based NGOs often lack resources and reportedly grow dependent on the funds and priorities of international donors. Nevertheless, there are no major constraints on the activities of NGOs in the Solomon Islands.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers are free to organize, and strikes are permitted with certain restrictions. Laws against antiunion discrimination by employers are reportedly ineffective. The country's main labor union, the Solomon Islands National Union of Workers, was disbanded by court order in 2013 after lengthy litigation over an illegal strike by plantation workers. However, labor activists registered a new entity, the Workers Union of Solomon Islands (WUSI), in 2014.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary has a reputation for independence, though a severe lack of resources has contributed to case backlogs. Judges are appointed by the governor general on the advice of an impartial Judicial and Legal Service Commission. The Court of Appeal is mainly reliant on foreign judges. In August 2019, Maelyn Bird became the first woman to serve as a local High Court judge in the Solomon Islands.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Deficiencies in due process are somewhat common, but they are mainly a result of limited resources and capacity constraints. Due to case backlogs, roughly half of the country's prison inmates are on remand awaiting trial.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

There are few major threats to physical security, though crime remains a problem in some areas. While the country has a history of internal conflict, the threat has subsided over the past two decades, thanks in large part to security aid from international partners. Rebuilding the police force was the major focus of the 2003–17 Australian-led Regional Assistance Mission to the Solomon Islands (RAMSI). The local police force was disarmed in 2003, and its paramilitary unit, the Police Field Force (which had participated in a 2000 coup), was disbanded. Nearly all of the police officers serving in the Royal Solomon Islands Police Force (RSIPF) have resigned, retired, or been dismissed since 2003, and an extensive training program has created a much more youthful force, with better representation of officers from across the country, and a better gender balance. In 2016, RAMSI undertook a limited rearmament of the police force.

RAMSI concluded its mission in the Solomon Islands in 2017, but a residual Australian police advisory program continues, and Australia and New Zealand have extended RAMSI programs under bilateral auspices. Matthew Varley, who served as the country's police commissioner from 2017 to November 2019, is an Australian, as was his predecessor. Sixteen years after the RSIPF's wholesale restructuring, there are now signs of significant improvements in the functioning of the police force, as was demonstrated by its ability to respond to rioting after Prime Minister Sogavare's appointment in April 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution prohibits discrimination based on race, place of origin, sex, and some other categories, but the legal framework does not provide robust protections. De facto discrimination limits economic opportunities for women. Same-sex sexual activity can be punished with up to 14 years in prison. While cases are reportedly rare, the government has resisted international pressure to decriminalize such activity.

Discrimination based on regional differences also remains a factor. The Guadalcanal Plains Palm Oil Ltd. (GPPOL) operation on northern Guadalcanal, one of the country's biggest employers, avoids employing laborers from the nearby island of Malaita, even on a casual basis picking loose fruit, for fear of antagonizing local Guadalcanal communities.

Ethnic Chinese residents have also been subject to discrimination in the Solomon Islands; businesses and buildings owned or operated by ethnic Chinese were targeted during the unrest following Sogavare's appointment in April 2019.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 12 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4**

Residents generally enjoy freedom of movement, but some impediments exist, particularly in parts of rural Guadalcanal where people from the island of Malaita were expelled during the unrest in 1999–2000. Hostility to Malaitan settlement also persists in parts of the Western Province.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal and regulatory framework largely supports property ownership and private business activity. However, property rights are frequently contested. GPPOL has had its

administrative buildings attacked on several occasions. Logging concessions have been disputed by local groups, as have tourism operations.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individual freedoms on personal status issues such as marriage and divorce are generally protected. However, the legal age of marriage is 15, and about a fifth of women are married by age 18. The 2014 Family Protection Act, which formally criminalized domestic violence and enabled victims to apply for protection orders, has been implemented, and police have received training on how to interact with victims and handle cases. Nevertheless, domestic violence and rape are serious and underreported problems, and there is a reluctance among many victims who do report offenses to take their cases to court.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Legal protections against exploitative working conditions are not consistently enforced, though authorities have made efforts to update and implement laws against human trafficking in recent years. Local and foreign women and children are vulnerable to sex trafficking and domestic servitude, including through forced marriages or “adoptions” to pay off debts. Migrant workers sometimes face forced labor in the mining, logging, and fishing industries.

Somalia

Population: 15,400,000

Capital: Mogadishu

Freedom Status: Not Free

Electoral Democracy: No

Note: The numerical ratings and status listed above do not reflect conditions in Somaliland, which is examined in a separate report.

Overview: Somalia has struggled to reestablish a functioning state following the collapse of an authoritarian regime in 1991. Limited, indirect elections brought the Federal Government of Somalia (FGS) to power in 2012. By 2016, the FGS had established five federal member states, though these semiautonomous regions are often at odds with the central government. Somalia’s territory is divided among the FGS, the federal member states, the Shabaab militant group, and a separatist government in Somaliland. No direct national elections have been held to date, and political affairs remain dominated by clan divisions. Amid ongoing insecurity, impunity for human rights abuses by both state and nonstate actors is the norm.

KEY DEVELOPMENTS IN 2019

- Puntland and Jubaland held electoral processes for state leadership during the year. Leaders in both states accused the central government of trying to manipulate the elections.

- In October, the Puntland regional government banned federal officials from opening regional offices in the state until an agreement on electoral procedures is reached between the FGS and member states.
- As the country prepared for direct, one-person-one-vote elections in 2020 and 2021, six opposition political parties formed a political alliance known as the Forum for National Parties (FNP).
- Negotiations between the federal government and the FNP regarding the forthcoming elections stalled in November after the FNP withdrew, citing “fruitless discussions.”

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Under the 2012 provisional constitution, the president is elected by a two-thirds vote in the federal parliament to serve a four-year term. In February 2017, legislators who were not freely elected themselves chose Mohamed Abdullahi Mohamed, also known as “Farmaajo,” as president. President Farmaajo then nominated Hassan Ali Khayre as prime minister, and he was confirmed by the parliament.

Parliaments in Puntland and Jubaland held elections for their executives in 2019. In both contests, candidates accused President Farmaajo of meddling in electoral processes, claiming that the federal government tried to manipulate them in order to install the president’s allies. In January, parliamentarians in Puntland opted against the FGS-favored candidate, electing local businessman Said Abdullahi Deni as the state’s president. A similar backlash occurred in Jubaland in August, where regional parliamentarians reinstated incumbent president Ahmed Mohamed, or “Madobe.” The federal government rejected the Jubaland outcome, calling it “unconstitutional” after a series of candidates were unable to register.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Somalia has yet to hold direct legislative elections. Though leaders have promised direct general elections in 2020 and 2021, it is unlikely that these will be held.

Members of the 54-seat upper house were elected in 2016 and 2017 by state assemblies, while the lower house was elected under a system in which 135 clan elders chose 275 electoral colleges, each of which had 51 people and elected one lawmaker. Corruption reportedly played a major role in the elections and the operations of the legislature once constituted.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral framework in use for the most recent parliamentary elections did not provide for universal suffrage. The balloting was the result of an ad-hoc process based on lengthy negotiations among the country’s main clans.

Following an October 2019 meeting of the Somalia Partnership Forum, a grouping of government representatives and Somalia’s international partners, the FGS released a communique promising passage of an electoral law by December and a constitutional review process by June 2020. In December, the lower house passed an electoral law to govern the 2020–21 elections; it was awaiting approval by the Senate at year’s end.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4**

Legislation enacted in 2016 allowed the first formal registration of political parties since 1969. The National Independent Electoral Commission (NIEC) had registered more than 50 parties by the end of 2019. As the country prepared for direct, one-person-one-vote elections set for 2020 and 2021, six opposition parties formed a political alliance, the Forum for National Parties (FNP).

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The lack of direct elections prevents any grouping from gaining power through democratic means. However, there was an orderly transfer of executive power in February 2017, and individuals not selected for the presidency have opportunities to remain engaged through the legislative process.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Ordinary citizens are largely unable to participate in the political process as voters, and the indirect electoral process in 2016–17 was reportedly distorted by vote buying, intimidation, and violence.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Presidential candidates are required to be Muslim, according to the provisional constitution. The current political system is designed to ensure some representation for the country's many clans, but the prevailing "4.5" formula gives the four largest groups eight out of every nine positions, marginalizing all other clans. The system is also dominated by clan leaders, who do not necessarily represent the interests of their respective groups. Women's political participation is limited by discriminatory attitudes and hostility from incumbent elites, and the interests of women are poorly represented in practice. Women constitute 24 percent of parliamentarians.

C. FUNCTIONING OF GOVERNMENT: 0 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

The government, which is not democratically elected, has little practical ability to implement its laws and policies even in parts of the country it controls. Its basic operations remain heavily dependent on international bodies and donor governments. Relations between the federal government and federal member states remain poor in 2019, more than a year after leaders from all five states formally suspended ties with the government in Mogadishu. Critics accuse President Farmaajo of seeking to centralize power.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is rampant in Somalia and state agencies tasked with combating it do not function effectively. Impunity is the norm for public officials accused of malfeasance.

In September 2019, President Farmaajo signed legislation that seeks to create state and national anticorruption commissions. Meanwhile, in October, the country's auditor

general released a critical report accusing the government of bypassing the central bank to keep \$18 million worth of donor funds in offshore accounts.

C3. Does the government operate with openness and transparency? 0 / 4

Government transparency is limited. Officials are not required to make public declarations of their income and assets, and oversight procedures for public contracts are not well enforced. There is no law guaranteeing public access to government information.

CIVIL LIBERTIES: 6 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 1 / 4

While the provisional constitution calls for freedom of the press, journalists regularly face harassment, arbitrary detention and fines, and violence from both state and nonstate actors. Somalia continued to top the Committee to Protect Journalists' Global Impunity Index, with 25 unresolved cases of journalist murders. From mid-September to late-October 2019, the Somali Journalists Syndicate (SJS) noted 15 cases of online harassment and intimidation of journalists throughout the country.

In May, the Somali government arrested Ali Adan Mumin of Goobjoog Media Group for "insulting public officials, disrupting government work, and spreading propaganda." Despite a regional court decision ordering his release the next day, Mumin was held several days longer before being released. In October, the former director of Radio Daljir, Ahmed Sheikh Mohamed "Tallman," was detained in relation to a critical set of stories the station produced regarding extrajudicial killings of alleged Shabaab detainees under the order of the Puntland police commissioner. Tallman was released five days later after releasing a video apology in which he claimed the story was false, though Radio Daljir released a statement distancing themselves from the apology and standing by the merits of the reporting. In late December, police, on orders of the attorney general's office, raided City FM in Hirshabelle. Authorities briefly detained seven City FM staff and ordered the station to shut down. The move followed a story in which the station interviewed local farmers accusing the government of conducting illegal land grabs. Government officials accused the station of "inciting the public to protest," and the station remained closed at the end of the year.

In July, the lower house of parliament passed, without public consultation, a Media Bill containing vague clauses and definitions that rights groups characterized as "repressive" and as seeking to "muzzle freedom of expression rights, both offline and online." Separately, in September, Puntland regional state's information minister, Ali Hassan Ahmed "Sabareey," announced a new mandatory registration process for journalists and media outlets, which contained broadly worded powers to revoke journalists' accreditation, and duplicated accreditation duties already designated to the Puntland Media Council. The National Union of Somali Journalists (NUSOJ), Media Association of Puntland (MAP), and Reporters Without Borders released statements expressing concern about the move, which follows a series of arrests, raids, and increasing pressure on journalists, and the minister eventually withdrew the new process.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Nearly all Somalis are Sunni Muslims, though there is a very small Christian community. The provisional constitution recognizes Islam as the official religion and forbids the promotion of any other faith. However, it also includes clauses promoting religious freedom and forbidding discrimination based on religion. In areas under its control, the Shabaab use

violence to enforce their interpretation of Islam, including execution as a penalty for alleged apostasy.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Despite limited funding and infrastructure and other challenges, universities operate in major cities. Academics reportedly practice self-censorship on sensitive topics. Islamic instruction is required in all schools except those operated by non-Muslim minorities. Schools under Shabaab control integrate radical interpretations of Islam into the curriculum.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Individuals enjoy some freedom of expression in more secure areas of the country, but criticism of powerful figures in the state and society can draw reprisals. Open debate is severely restricted in areas controlled or threatened by the Shabaab.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Although the provisional constitution guarantees freedom of assembly, security officials require approval for demonstrations and have used violence to suppress unauthorized protests. Citizens do assemble in urban centers anyway, but often at great risk. In April, Mogadishu police killed seven demonstrators protesting the murder of a tuk-tuk driver.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Local civil society groups, international nongovernmental organizations (NGOs), and UN agencies have been able to conduct a wide range of activities in some parts of the country, but they face difficult and often dangerous working conditions. Regional authorities and security forces have reportedly harassed, extorted, obstructed, and attempted to control NGOs and aid groups, and the Shabaab generally do not allow such organizations to operate in their territory.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Independent labor unions are active in Somalia and have worked to expand their operations and capacity. However, constitutional and legal protections for union activity are not always respected. The Federation of Somali Trade Unions has reported threats, dismissals, attempts at co-optation, and other forms of repression and interference from both government officials and private employers.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The judicial system in Somalia is fractured, understaffed, and rife with corruption. Its authority is not widely respected, with state officials ignoring court rulings and citizens often turning to Islamic or customary law as alternatives. In October 2019, opposition leader Abdallah Ahmed Ibrahim “Afwaranle” wrote to international donors seeking support for the establishment of independent courts. Afwaranle called for this support after his effort to appeal Ahmed Madobe’s victory of the Jubaland presidency was hampered due to a lack of court capacity; he is instead seeking to file the petition with the regional East African Court of Justice.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Safeguards against arbitrary arrest and detention are not observed by the country's police, intelligence, and military services, and their performances are undermined by corruption. Clan politics and other external factors often play a role in the outcome of court cases. Military courts routinely try civilians, including for terrorism-related offenses, and do not respect basic international standards for due process.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The ongoing civil conflict has seen numerous terrorist attacks on government, international, and civilian targets. Government security services, international troops, and various local militias have also been implicated in indiscriminate lethal violence and the use of excessive force against civilians. Authorities carry out executions ordered by military courts after flawed proceedings. Detainees are at risk of torture in custody, and perpetrators generally enjoy impunity.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

While the provisional constitution and legal system offer some formal protections against discrimination based on sex, clan, and other categories, they have little force in practice. Women face widespread disadvantages in areas including housing, education, and employment, while members of marginalized clans suffer disproportionately from economic exclusion and violence.

LGBT+ people generally do not make their identity public. Same-sex sexual activity can be punished with up to three years in prison under the penal code, and individuals accused of engaging in same-sex sexual activity are subject to execution in Shabaab-controlled areas.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 0 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Travel throughout Somalia is dangerous due to the presence of extremist groups in many parts of the country. Travel is further hampered by the presence of checkpoints controlled by security forces, militants, and other armed groups that commonly extract arbitrary fees and bribes from travelers.

According to the UN High Commissioner for Refugees, approximately 2.6 million people were internally displaced in 2019, the majority of whom were forced to move due to conflict and insecurity.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 0 / 4

The provisional constitution guarantees property rights, but securing ownership is complicated by a mixture of formal and informal or traditional systems governing land rights. Procedures for registering property and businesses are impeded by corruption and other barriers, and disputes can lead to intimidation and violence. Shabaab and militants associated with the Islamic State (IS) manage elaborate corruption and taxation schemes, placing tremendous pressure on business owners and inhibiting free operations. Women do not enjoy equal rights to inherit property and are often denied the assets to which they are legally entitled due to discriminatory norms.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

Sexual violence remains a major problem, especially for displaced persons. Perpetrators include government troops and militia members. Though convictions are often rare, in February 2019, the gang rape and murder of a 12-year-old girl, Aisha Ilyes Aden, in Galkayo, led to widespread outrage, a social media movement around the hashtag #JusticeForAisha, and resulted in the arrest of four men. The case followed a similar gang rape and murder one month earlier of a 16-year-old girl, also in Galkayo. Five men were prosecuted in that case.

Female genital mutilation is extremely widespread despite a formal ban. Early marriages are common. The Shabaab impose forced marriages with their fighters, and individuals can face strong societal pressure to marry or not marry within certain clans.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Child labor and trafficking in persons for the purposes of sexual exploitation or forced labor are common. Refugees and displaced persons are particularly vulnerable. Children are abducted or recruited to serve as fighters by the Shabaab and to a lesser extent by government and militia forces.

South Africa

Capital: Pretoria

Population: 58,600,000

Freedom Status: Free

Electoral Democracy: Yes

Overview: South Africa is a constitutional democracy. Since the end of apartheid in 1994, it has been regarded globally as a proponent of human rights and a leader on the African continent. However, in recent years, the ruling African National Congress (ANC) has been accused of undermining state institutions in order to protect corrupt officials and preserve its power as its support base began to wane. In 2018, a widely respected anticorruption commission began hearing testimony about high-level corruption allegations.

KEY DEVELOPMENTS IN 2019

- The ruling ANC won the May parliamentary election, though its share of the vote fell below 60 percent for the first time in a national contest since the end of apartheid. Later that month, the National Assembly elected President Cyril Ramaphosa to serve a full term.
- The anticorruption commission continued its work throughout the year. In January, a former executive of logistics firm African Global Operations, formerly known as Bosasa, testified that it received preferential treatment from the government and had bribed dozens of politicians and officials since 2004.
- Foreign workers were targeted by xenophobic violence in two major incidents during the year. In March, at least 3 people were killed in the city of Durban, while 12 were killed in attacks in Gauteng Province in September.
- In September, President Ramaphosa pledged to bolster the government's efforts against gender-based violence after several high-profile incidents of femicide,

including the August rape and murder of a university student in Cape Town, prompted nationwide protests.

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The National Assembly, the lower house of South Africa's bicameral Parliament, elects the president to serve concurrently with its five-year term, and can vote to replace him or her at any time. Presidents can serve a maximum of two terms.

Former president and ANC leader Jacob Zuma survived four parliamentary no-confidence votes before ANC delegates elected Deputy President Cyril Ramaphosa to become party leader at a 2017 conference. Ramaphosa defeated former African Union (AU) Commission Chairperson Nkosazana Dlamini-Zuma, President Zuma's ex-wife and preferred candidate for the leadership. This defeat made it difficult for Zuma to remain as South Africa's president, and the ANC executive committee forced his resignation in early 2018. The National Assembly then selected Ramaphosa to serve as acting president.

The most recent national election, held in May 2019, was declared free and fair by domestic and international observers. The ANC won 57.5 percent of the vote, and the National Assembly selected Ramaphosa to serve a full term as president later that month. Ramaphosa is eligible for reelection in 2024.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 400-seat National Assembly is elected by party-list proportional representation. The 90 members of the upper chamber, the National Council of Provinces, are selected by provincial legislatures. Parliamentary and provincial elections were concurrently held in May 2019. The ANC won 230 National Assembly seats with 57.5 percent of the vote. The opposition Democratic Alliance (DA) won 84 seats with 20.77 percent of the vote and maintained control over Western Cape Province. The Economic Freedom Fighters (EFF) won 44 seats, the Inkatha Freedom Party (IFP) won 14, Freedom Front Plus (FF+) won 10, and smaller parties won the remaining 18 seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The Independent Electoral Commission (IEC) is largely considered independent, and the electoral framework fair, though recent years have seen questions raised concerning the integrity of the commission's leadership. In 2018, deputy chairman Terry Tselane, a former ANC anti-apartheid activist, revealed that after the ANC lost control of major metropolitan municipalities such as Johannesburg and Pretoria in the 2016 municipal elections, party leaders accused him of contributing to their electoral misfortunes. Tselane stepped down later that year, saying he was asked to do so ahead of schedule.

The IEC has been working to comply with a 2016 Constitutional Court directive to accurately record the addresses of all registered voters. In 2017, it launched an online campaign to encourage South Africa's voters to update their details. In 2018, the IEC received an extension to comply with the order after citing logistical difficulties, and was given a new deadline of November 2019. By September, as the process neared its conclusion, the IEC reported that only five percent of all registered voters had no address on file.

The IEC is also responsible for enforcing the Political Party Funding Act, which was passed by the National Assembly in 2018 and signed into law by President Ramaphosa in January 2019. The legislation requires political parties to disclose donations worth at least 100,000 rand (\$7,100), and prohibits funders from donating more than 15 million rand (\$1 million) annually; foreign donations were also prohibited. The legislation took effect in April 2019, but the IEC warned that full implementation would not take place in time for the May elections. Internal party contests remain relatively opaque; in August 2019, President Ramaphosa declined to name the backers of his successful 2017 ANC leadership campaign, saying that no rules were in place to mandate this reporting.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

The ANC, which is part of a tripartite governing alliance with the Congress of South African Trade Unions (COSATU) and the South African Communist Party (SACP), has won every national election since 1994. Nevertheless, the political environment is generally free from formal constraints, and opposition parties have gained ground in recent elections.

Several new groups have recently emerged, as well. The National Union of Metalworkers of South Africa, which largely represents private-sector workers, sponsored the formation of the Socialist Revolutionary Workers' Party, which launched in April 2019. Patricia de Lille, the former DA mayor of Cape Town, launched the GOOD party after her split from the opposition in 2018. GOOD won two National Assembly seats in May 2019, and de Lille was subsequently named public works minister.

Independent candidates may not run for national office, though a group of smaller parties called on the Western Cape High Court to end this restriction in a March 2019 court filing. The court declined, and the plaintiffs appealed to the Constitutional Court; their appeal was heard in August, but no ruling was made public at year's end.

Nontransparent mechanisms for the funding of political parties have benefited the ANC, though reforms to party financing laws were partially implemented in 2019.

Over two dozen political murders have taken place in KwaZulu-Natal Province since 2016. In 2017, the ANC deputy chairperson of Harry Gwala region, Khaya Thobela, and a former ANC Youth Leader, Sindiso Magaqa, were killed in separate incidents. In May 2019, ANC councilor Martin Sithole was shot and killed; Sithole was expected to serve as a witness in the murder trial of another ANC member before his own death. In August, IFP councilor Mthembeni Majola was murdered; a second IFP councilor, Khayelihle Sithole, was killed in October.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

The ANC has won every national election since 1994, but its performance in the May 2019 contest was its poorest since end of apartheid. Meanwhile, opposition parties have made local and regional gains; in the 2016 municipal elections, the ANC lost its majorities in municipalities of Johannesburg and Tshwane, the metropolitan area that includes the national capital city of Pretoria. Opposition gains in local elections are especially significant because of the taxation powers and autonomy afforded to municipalities, presenting opposition parties with an opportunity to demonstrate governance capacity.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People's political choices in South Africa are largely free from domination from external actors, and the military is professional and generally stays out of politics. However, there is widespread corruption within the ANC, including vote buying from delegates to the party conference and bribes to influence political appointments. There have also been reports of individuals buying party membership cards in bulk in order to hold full control of specific branches of the party.

A 2016 report on state capture, issued by a former public prosecutor, and other investigations revealed that the Gupta business family's close relationship with former president Zuma enabled it to exercise influence over a wide range of political and economic activities. President Ramaphosa was implicated in similar behavior when South African logistics firm African Global Operations, formerly known as Bosasa, directed a 500,000 rand (\$38,000) donation to his 2017 leadership campaign. The president originally claimed that the funds were meant for a foundation managed by his son, Andile Ramaphosa, but he retracted the statement when his son denied involvement.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

The constitution prohibits discrimination and provides full political rights for all adult citizens. Women are well represented in government, holding 47 percent of National Assembly and 2 of 9 provincial premierships. South Africa has one of the world's most liberal legal environments for LGBT+ people. However, discrimination and the threat of violence can discourage LGBT+ people from political participation in practice.

C. FUNCTIONING OF GOVERNMENT: 8 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4**

Pervasive corruption and apparent interference by nonelected actors have hampered the proper functioning of government, particularly during the Zuma administration, which the Gupta family heavily influenced. Ramaphosa appointed a Judicial Commission of Inquiry into state capture, or external influence held over an administration—namely that of the Gupta family over Zuma's—in 2018. Ramaphosa also amended the terms of the state capture inquiry to pave the way for evidence gathered to be used in prosecutions.

Testimony offered at the commission, as well as media reports, suggest that the Gupta family influenced selections to the cabinet and to the boards of state-owned companies. At the end of 2018, the Gupta brothers were living in the United Arab Emirates (UAE), having left South Africa to avoid prosecution. In October 2019, the South African government began discussions with the UAE to finalize an extradition treaty in an effort to secure the Guptas' return.

The state capture commission continued its hearings in 2019. In sessions held in January and March, it heard the testimony of former Bosasa executive Angelo Agrizzi; Agrizzi claimed that Bosasa received preferential government contracts since 2004, and that the firm bribed as many as 38 officials and politicians during the course of business. Former president Zuma appeared in front of the commission in July 2019, and denied wrongdoing during his term in office.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Comprehensive anticorruption laws and several agencies tasked with combating corruption exist, but enforcement has historically been inadequate. The National Prosecuting

Authority (NPA) was hobbled by political interference during the Zuma administration; before Zuma became president, a money-laundering investigation stemming from a \$2.5 billion arms deal in the 1990s was effectively set aside by the NPA. In 2018, the NPA announced that it would prosecute Zuma over these allegations, but the former president launched an appeal in October 2019; Zuma's trial is expected to commence in 2020 should the appeal fail.

President Ramaphosa has come under scrutiny after the Bosasa donation was revealed in 2018. In July 2019, Public Protector Busisiwe Mkhwebane claimed that Ramaphosa deliberately misled the parliament about the donation and called for remedial action against him. The president denied the allegation, which was still under consideration at year's end.

Mkhwebane has been criticized for her own performance in 2019, after her office saw several high-profile reports and recommendations rejected or stayed by the judiciary. In July, the opposition DA tried to launch a parliamentary debate to force Mkhwebane's removal, but the public protector threatened to sue, saying that no procedure legally existed to govern her dismissal in such a fashion. In December, the National Assembly instituted a procedure to remove the heads of institutions defined by Chapter 9 of the constitution, including Mkhwebane's office, but she remained in her post at year's end.

C3. Does the government operate with openness and transparency? 3 / 4

Section 32(1) of the South African constitution states that everyone has the right to access "any information held by the state" and requires that private bodies release information necessary for the exercise and protection of rights. The 2000 Promotion of Access to Information Act created a framework for access to information procedures in both public and private entities. However, in practice the procedure of accessing information is laborious and bureaucratic.

State contracts worth hundreds of millions of rand were awarded to companies linked to the Gupta family without following proper procedures. A similar lack of transparency and competitive bidding has affected the awarding of other government contracts.

CIVIL LIBERTIES: 46 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Freedom of expression and the press are constitutionally protected and generally respected in practice. South Africa features a vibrant and adversarial media landscape, including independent civic groups that help counter government efforts to encroach on freedom of expression. In 2017, the media played a crucial role in exposing the corruption linked to the Gupta family and the involvement of British public relations firm Bell Pottinger in stirring up racial tensions in the country. However, journalists face harassment for critical reporting and occasional attack, with government and opposition parties exerting pressure on both state-run and independent outlets. In September 2019, EFF leader Julius Malema banned the amaBhungane Centre for Investigative Journalism, news website Daily Maverick, and Scorpio, the Daily Maverick's investigative arm, from attending party events or briefings. Malema claimed that the outlets were working at the behest of public enterprises minister Pravin Gordhan.

Journalists and rights groups have expressed concern that the misuse of surveillance laws, notably the 2002 Regulation of Interception of Communications and Provision of Communication-Related Information Act (RICA), can enable spying on reporters. In 2017, the amaBhungane Centre launched a constitutional challenge to RICA, and the Gauteng High Court ruled that several sections of the act were unconstitutional in September 2019.

The amaBhungane Centre then applied to the Constitutional Court to uphold the ruling, but police minister Bheki Cele opposed their application in October; the Constitutional Court's hearing on the matter was pending at year's end.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally guaranteed and actively protected by the government. Religious leaders are largely free to engage in discussions of a political nature without fear of adverse consequences.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom in South Africa is constitutionally guaranteed and actively protected by the government.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

South Africans are generally free to engage in private conversations of a political nature without harassment. However, a 2016 report from the UN Human Rights Committee expressed concern about the government's use of surveillance and about RICA, the law governing surveillance. A legal challenge to RICA was ongoing at the end of 2019.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally guaranteed and generally respected, and South Africa has a vibrant protest culture. Demonstrators must notify police of events ahead of time, but are rarely prohibited from gathering; in 2018, the Constitutional Court ruled that a failure to notify authorities of intent to protest could not be classified as a crime. Protests over the government's shortcomings in the provision of public services are common in South Africa, and sometimes turn violent. Police have faced accusations of provoking some protest violence.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

South Africa hosts a vibrant civil society. Nongovernmental organizations (NGOs) can register and operate freely, and lawmakers regularly accept input from NGOs on pending legislation.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

South African workers are generally free to form, join, and participate in independent trade unions, and the country's labor laws offer unionized workers a litany of protections. Contract workers and those in the informal sector enjoy fewer safeguards. Strike activity is very common, and unionized workers often secure above-inflation wage increases. Union rivalries, especially in mining, sometimes result in the use of violent tactics to recruit and retain members and to attack opponents.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 3 / 4

The constitution guarantees judicial independence, and courts operate with substantial autonomy in practice. The government lost several cases during 2019, notably including the

amaBhungane Center's ongoing challenge against RICA. The Judicial Services Commission recommends to the president the appointment of Constitutional Court judges based on both merit and efforts to racially diversify the judiciary.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Prosecutorial independence in South Africa was undermined in recent years, with the NPA experiencing a string of politically motivated appointments and ousters. However, President Ramaphosa appointed a new NPA head in 2018, who has worked to reform the institution. In October 2019, the NPA further bolstered its capacity when it hired several private lawyers to prosecute state capture cases.

Shortages of judicial staff and financial resources undermine defendants' procedural rights, including the right to a timely trial and state-funded legal counsel. Many detainees wait months for their trials to begin, and some are held beyond the legal maximum of two years.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

According to a Judicial Inspectorate for Correctional Services (JICS) 2017–18 annual report, the most recent report available as of this writing, there is severe overcrowding in some prisons—in part due to delays in holding trials. During this period, 82 unnatural deaths were reported in prisons, and there were 988 complaints of assault by prison officials on inmates.

Despite constitutional prohibitions, police torture and excessive force during arrest, interrogation, and detention are commonly reported. The Independent Police Investigative Directorate (IPID) legally required to investigate allegations of police offenses or misconduct. In its annual report for the 2018–19 fiscal year, the IPID reported 607 deaths either in police custody or as a result of police action, 124 rapes by police officers, 270 incidents of torture, and 3,835 assaults. Overall, there was a 3 percent increase in total reported incidents over the previous fiscal year.

Official statistics released in 2019 continue to show high levels of violent crimes in some parts of the country.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution prohibits discrimination based on a range of categories, including race, sexual orientation, and culture. State bodies such as the South African Human Rights Commission (SAHRC) and the Office of the Public Protector are empowered to investigate and prosecute discrimination cases. Affirmative-action legislation has benefited previously disadvantaged racial groups in public and private employment as well as in education but racial imbalances in the workforce persist. White people, constituting a small minority, still own a majority of the country's business assets. The indigenous, nomadic Khoikhoi and Khomani San peoples suffer from social and legal discrimination.

The constitution guarantees equal rights for women, which are actively promoted by the Commission on Gender Equality. Nevertheless, women are subject to wage discrimination in the workplace and are poorly represented in top management positions.

Xenophobic violence against immigrants from other African countries has broken out in recent years. In late March and early April 2019, foreign-owned shops were targeted in the city of Durban; at least three people died in the ensuing violence, and dozens more sought shelter in a police station and local mosque. Xenophobic violence flared in Gauteng

Province in September, resulting in the deaths of at least ten South Africans and two foreign nationals. Political leadership on countering xenophobic violence has been lacking, and in some cases political leaders have blamed foreign nationals for their own failure to deliver on political promises.

South Africa's asylum system is plagued by delays and administrative errors, leading to a backlog of as many as 190,000 applications according to an Amnesty International report issued in September 2019. Asylum seekers living in the country often lack official documentation that guarantees access to local services, and asylum applications are almost always rejected when they are processed.

There are frequent reports of physical attacks against LGBT+ people, including instances of so-called corrective rape, in which men rape lesbians, claiming that the action can change the victim's sexual orientation.

Services and accommodations for disabled people remain generally inadequate, especially in the education sector. Human Rights Watch (HRW) reported that disabled schoolchildren are often excluded from the mainstream education system and are instead enrolled in special schools that do not consistently support their developmental needs.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

While there are no official restrictions on housing, employment, or freedom of movement for most South Africans, travel and some other personal freedoms are inhibited by the country's high crime rate. For many foreigners, the threat of xenophobic violence impedes freedom of movement as well. The legacy of apartheid continues to segregate the population and restrict nonwhite opportunity for employment and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The state generally protects citizens from arbitrary deprivation of property. However, the vast majority of farmland remains in the hands of white South Africans, who make up some 9 percent of the population. Illegal squatting on white-owned farms is common, as are attacks on white farm owners.

In a 2017 party conference, the ANC resolved there was a need to expropriate land without compensation for redistribution purposes, on the condition that such expropriation should not negatively affect the economy or compromise food security. Since then, there has been intense public debate about the best way to effect meaningful land reform to address apartheid-era inequalities in property ownership. In July 2019, a presidential panel endorsed the limited use of land expropriation, and an ad-hoc parliamentary committee published a draft constitutional amendment on the matter in December. The committee is expected to continue its work through March 2020.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Despite a robust legal framework criminalizing domestic violence and rape, both are grave problems. The South Africa Police Service (SAPS) reported 4,649 rapes during the 2018–19 reporting period. Sexual harassment is common, and reports of forced marriages persist.

Femicide is also a severe problem in South Africa, with nearly 3,000 women being murdered during the government's 2018–2019 statistical reporting period; many were raped or

sexually assaulted before their deaths. Several high-profile acts of violence against women occurred in 2019, including the August rape and murder of university student Uyinene Mrwetyana in Cape Town; these sparked nationwide protests in September. That same month, President Ramaphosa pledged to review legislation on sexual offenses, publish a national sexual offenders list, and launch a public education program on gender-based violence; this effort is scheduled to conclude in March 2020.

Same-sex couples have the same adoption rights as heterosexual married couples, and same-sex marriage is legal.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Inequality levels in South Africa are among the highest in the world. Only a small percentage of the population benefits from large state industries, and the economy is controlled by a relatively small number of people belonging to the political and business elite. The government, businesses, and the biggest labor federation agreed to institute a minimum wage, which was implemented in January 2019. In October, finance minister Tito Mboweni proposed exempting small businesses from the law, but he encountered opposition from the COSATU and SACP, the ANC's coalition partners, later that month. High levels of unemployment persist.

South Africans predominantly from rural regions, as well as foreign migrants, are vulnerable to sex trafficking and forced labor. Organized criminal syndicates are responsible for the bulk of trafficking.

South Korea

Population: 51,800,000

Capital: Seoul

Freedom Status: Free

Electoral Democracy: Yes

Overview: South Korea's democratic system features regular rotations of power and robust political pluralism, with the largest parties representing conservative and liberal views. Personal freedoms are generally respected, though the country struggles with minority rights and social integration. Legal bans on pro-North Korean activity affects legitimate political expression. Members of the press can also come under undue scrutiny by the government as they report on, or commentate on, inter-Korean relations. South Korea is also affected by severe corruption, which has ensnared successive governments and executives from the country's largest companies in recent years.

KEY DEVELOPMENTS IN 2019

- Investigations into the corruption of high-ranking government officials, judges, and business executives continued through the year. President Moon Jae-in's justice minister, Cho Kuk, was indicted on charges including bribery, embezzlement, and document fraud in December, after he was forced from his post in October. Former president Park Genu-hye and Samsung vice-chairman Lee Jae-yong faced renewed trials over acts of corruption and collusion, after they were respectively convicted in 2018 and 2017. In May, former chief justice Yang Sung-tae was put on trial for manipulating high-profile cases to curry favor with the former president.

- The government renewed its campaign against “fake news,” using the country’s media regulator, police, and prosecutors to pressure journalists and commentators who criticize its policies. The country’s internet censor also gained new powers to more closely track South Koreans who visit secure web pages in February.
- South Korea returned two North Korean fishermen who requested resettlement after they were accused of killing 16 of their fellow crew before traveling south, despite fears that they would be tortured upon their return. They were the first defectors to be returned to North Korea since the Korean War ended in 1953.

POLITICAL RIGHTS: 33 / 40**A. ELECTORAL PROCESS: 11 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

The 1988 constitution vests executive power in a directly elected president, who is limited to a single five-year term. Executive elections in South Korea are largely free and fair. Moon Jae-in of the liberal Minjoo Party won a May 2017 snap presidential election following the impeachment of former president Park Geun-hye. President Moon took 41 percent of the vote, followed by Hong Jun-pyo of the conservative Liberty Korea Party (LKP) with 24 percent and Ahn Cheol-soo of the centrist People’s Party with 21 percent. About 77 percent of registered voters turned out for the election.

While voters were not unduly pressured by electoral authorities, a provincial governor did attempt to influence their choices through a social media manipulation campaign. Kim Kyueng-soo, the governor of South Kyöngsang Province, collaborated with blogger Kim Dong-won to manipulate the dissemination of 80,000 news articles, so that social media platforms would effectively portray then-candidate Moon more positively. Governor Kim was convicted and handed a two-year sentence, which he vowed to appeal, in January 2019. His coconspirator was given a three-year sentence that August.

In the June 2018 local elections, the Minjoo Party won 14 of 17 metropolitan mayoral and gubernatorial offices, with two of the others going to the LKP and one to an independent. Turnout for the local elections was 60.2 percent, marking the first time the voting rate had surpassed 60 percent for local elections since 1995.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral National Assembly is composed of 300 members serving four-year terms, with 253 elected in single-member constituencies and 47 through national party lists. The contests are typically free of major irregularities. In the 2016 elections, the Minjoo Party won 123 seats, while the Saenuri Party (which later became the LKP) won 122. The People’s Party took 38 seats, and minor parties and independents secured the remaining 17 seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Elections are managed by the National Election Commission, an independent nine-member body appointed for six-year terms. Three members are chosen by the president, three by the National Assembly, and three by the Supreme Court. While elections are generally considered free and fair, National Assembly constituencies have historically been affected by malapportionment, giving outsized voting power to thinly populated rural areas.

A revised map adopted for the 2016 elections mitigated the problem, in keeping with a 2014 Constitutional Court ruling.

In December 2019, the National Assembly took another step in addressing this issue by passing an election reform bill to change how the 47 seats filled through national party lists are distributed, allowing the legislature to better reflect the national vote and giving smaller parties a better chance of winning seats. The legislation, which will take effect in time for legislative elections due in April 2020, also lowered the minimum voting age from 19 to 18.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political pluralism is robust, with multiple parties competing for power, though party structures and coalitions are very fluid. In addition to the two main parties—the liberal Minjoo Party and conservative LKP—several smaller groups are represented in the National Assembly, as are a handful of unaffiliated members. Only once has the Constitutional Court legally dissolved a political party—the United Progressive Party in 2014—for violations of the National Security Law, which bans pro-North Korean activities.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been multiple transfers of power between rival conservative and liberal parties since the early 1990s, and the orderly election and inauguration of President Moon in 2017 reinforced this democratic pattern.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Family-controlled business empires known as *chaebol* dominate the country's economy and have amassed significant political influence, which has historically enabled them to protect their interests despite calls for reform. Corruption scandals involving bribery by the *chaebol* have affected almost all of South Korea's former presidents. President Moon came to power promising to reform these large firms, but the government's efforts have stalled. Instead, Moon has come to rely on the *chaebol* to bolster the country's domestic supply chains, as it grapples with the economic consequences of a trade war with Japan.

The National Intelligence Service (NIS) has been implicated in a series of scandals in recent years, including allegations that it sought to influence the 2012 presidential election and later conducted illegal surveillance targeting Park's opponents.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Although the country's few ethnic minority citizens enjoy full political rights under the law, they rarely win political representation. Residents who are not ethnic Koreans face extreme difficulties obtaining citizenship, which is based on parentage. North Korean defectors are eligible for citizenship.

Women enjoy legal equality but remain underrepresented in politics, holding 17 percent of the seats in the National Assembly and six seats in President Moon's cabinet. A group of women legislators attempted to address the political gender gap in with a reform bill introduced in February 2019 that would reserve half of its seats for women and would require political parties to include women in half of their electoral slate in future races.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials generally determine and implement state policy without undue interference from unelected entities and interests.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Despite government anticorruption efforts, bribery, influence peddling, and extortion persist in politics, business, and everyday life. The Kim Young-ran Act, or Improper Solicitation and Graft Act, establishes stiff punishments for those convicted of accepting bribes. The law, which took effect in 2016, applies to government officials as well as their spouses, journalists, and educators.

Former president Park was impeached in late 2016 after officials were caught coercing businesses into providing donations to Choi Soon-sil, the leader of a religious organization and a close friend of the president. Park was impeached and removed from office in 2017; in 2018, she was given two prison sentences for charges including bribery, revealing state secrets, abuse of power, violation of election laws, and illegal receipt of funds from a state agency. Samsung vice-chairman Lee Jae-yong was handed a five-year prison sentence in 2017 after he directed donations to Choi's group. Lee was released in 2018 after the Seoul High Court cut his sentence in half and suspended the remainder.

In August 2019, the Supreme Court set part of Park's conviction aside, ruling that the district court's interpretation of what constituted a bribe was too narrow and ordering a retrial. The ruling revolved around the gifting of three horses worth \$2.8 million from Samsung to Choi's daughter, which was not originally considered a bribe when Park was tried. The Supreme Court also ordered Lee to stand trial for his involvement; this trial was not in session by year's end.

Samsung was ensnared in another scandal in December 2019, when three executives were convicted of accounting fraud by inflating the value of one of the company's subsidiaries. The executives admitted their act, but denied accusations that the fraud was designed to benefit Lee Jae-yong in his quest to strengthen his grip on the chaebol.

Former president Lee Myung-bak, who once served as a head of a Hyundai subsidiary, was convicted of bribery and embezzlement in 2018. Lee was given a 15-year sentence, but was placed under house arrest in March 2019 due to chronic illness.

In response to pervasive government corruption, the National Assembly created the High-Ranking Officials' Corruption Investigation Agency through legislation passed in December 2019. The agency will focus on corruption allegations against public officials, legislators, prosecutors, judges, and the president; it will also have the power to unilaterally indict police officers, prosecutors, and judges. The Supreme Prosecutors' Office voiced its opposition days before its passage, saying the new agency would weaken its own abilities. The agency will begin its work in July 2020, though the government is expected to legislate to address prosecutors' concerns before then.

C3. Does the government operate with openness and transparency? 2 / 4

Investigations into former president Park and coconspirator Choi Soon-sil revealed a network of collusion between the two, which involved major businesses as well as the national pension fund. Despite President Moon's pledge to fight corruption and improve transparency in his administration, his government has been affected by scandal in 2019.

The daughter of Cho Kuk, President Moon's nominee for justice minister in August 2019, allegedly benefited from her position to gain an unearned academic citation and

receive a scholarship to attend a medical school when she did not qualify. Cho's wife, Chung Kyung-shim, found herself under investigation after she was accused of embezzlement and fabricating material to secure their daughter's medical school admission. While Cho was confirmed as justice minister in September, he was forced to step down in October, and his wife was arrested for her activities that same month. In late December, Cho was indicted on charges including bribery, embezzlement, and document fraud.

CIVIL LIBERTIES: 50 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

The news media are generally free and competitive, reporting aggressively on government policies and allegations of official and corporate wrongdoing. However, a defamation law authorizes sentences of up to seven years in prison, encouraging a certain degree of self-censorship, and journalists at major news outlets have faced political interference from managers and the government.

News coverage or commentary that is deemed to favor North Korea can be censored and lead to prosecution under the National Security Law, and access to North Korean media is banned. The government also exerts pressure on journalists covering inter-Korean relations outside of these strict laws. In March 2019, a spokesperson for the ruling Minjoo Party accused a Bloomberg journalist of authoring "traitorous content," after she wrote an article portraying President Moon as a "spokesperson" for North Korean leader Kim Jong-il the year before. That same month, the spokesperson used similar language to criticize *New York Times* writer Choe Sang-hun, after she authored similar content. The party retracted those statements after receiving fierce criticism from the Seoul Foreign Correspondents' Club.

The government has continued its fight against what it calls "fake news" in 2019. Prime Minister Lee Nak-yeon originally ordered police forces, prosecutors, and the Korea Communications Commission (KCC), a government media regulator, to investigate and punish those who spread it in mid-2018, saying practitioners were risking the country's national security. In practice, the government has reacted most strongly to public criticism of its policies; the prime minister's instructions came after he was derided by conservative commentators for attending the funeral of Vietnamese president Tran Dai Quang. The National Police Agency subsequently investigated 16 false stories that appeared on social media platforms, some of which originated from right wing outlets or users.

President Moon reiterated his commitment to this policy in August 2019, after receiving online criticism over the country's ongoing trade dispute with Japan and his policy towards North Korea. The KCC reiterated the same stance that month, saying that the need to halt fake news outweighed the risk of violating freedom of expression.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is guaranteed by the constitution and generally respected in practice. However, the military conscription system made no allowances for conscientious objection, and hundreds of men—nearly all of them Jehovah's Witnesses—were imprisoned each year for refusing military service. In 2018, the Constitutional Court ruled that the government must provide alternative forms of service. Later that year, the Supreme Court acquitted a man who refused military service due to his religious beliefs.

After those rulings, the justice ministry began offering parole to conscientious objectors; the 70th and final objector was paroled in March 2019. In December 2019, the National

Assembly passed legislation allowing conscientious objectors to perform alternative service at correctional facilities for 36 months.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is mostly unrestricted, though the National Security Law limits statements supporting the North Korean regime. The 2016 anticorruption law subjects teachers and administrators to the same tight restrictions as public officials. Certain portrayals of sensitive historical issues—such as imperial Japan’s wartime sexual enslavement of Korean women—can be subject to government censorship or prosecution under the country’s defamation laws.

In September 2019, Yonsei University professor Ryu Seok-chun portrayed comfort women as voluntary sex workers in a lecture, and was suspended after his remarks were reported by the press. Ryu also resigned his membership from the LKP after its ethics committee prepared to discipline him. In October, the sociology professor became the target of a police probe over his remarks.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is typically free and open, and the government generally respects citizens’ right to privacy. However, the government also maintains a robust surveillance apparatus.

A 2016 antiterrorism law granted the NIS expanded authority to monitor private communications, and the measure’s vague definition of “terrorism” raised concerns that it would enable the agency to track government critics, particularly online. The NIS, police, prosecutors, and investigative agencies can also access metadata without a warrant; this includes internet users’ national ID numbers, postal addresses, and telephone numbers.

The government also uses invasive information-gathering techniques when considering the requests of conscientious objectors; in early 2019, prosecutors announced they were examining the phone records of conscientious objectors to see if they had played “online shooting games,” which would have undermined their claims. It remains unclear how prosecutors gained access to those records.

The Korea Communications Standards Commission (KCSC), the government body that monitors online content, is another part of this apparatus; it evaluates online content found by its staff, along with material referred to it by other government agencies, and censors such content according to vaguely defined standards. The KCSC’s abilities were bolstered in February 2019, when it began employing Server Name Indication (SNI) filtering to closely monitor user access of secure web pages.

The National Security Law restricts speech that is considered pro-North Korean. However, the law was not strictly enforced amid the inter-Korean diplomatic process during 2018; concerns about potential constraints on free expression shifted to those who opposed or could complicate rapprochement with the North, including North Korean defectors and human rights activists.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The government generally respects freedom of assembly, which is protected under the constitution. However, several legal provisions conflict with this guarantee, sometimes creating tension between the police and protesters over the application of the law.

The year's largest demonstrations were held after the government nominated Cho Kuk, who had been suspected of corruption and embezzlement, as justice minister in August 2019. Massive rallies in favor of and against his appointment were regularly held; the LPK claimed that its largest rally against Cho had 3 million participants.

LGBT+ pride events are treated inconsistently by the government; while the Seoul pride parade was held without major disruption in June 2019, efforts to hold similar events in other cities were met with resistance. Activists in the city of Busan cancelled their Queer Culture Festival in 2019 after a local district office denied a necessary permit. One of its organizers accused the authorities of harassment, which they denied.

The northwestern city of Incheon held its second LGBT+ parade in August 2019, a year after the first event was disrupted by over 1,000 counterprotesters. The organizing group, Rainbow Mama Papa, reported that counterprotesters physically blocked participants from leaving the 2018 event, and damaged flags and banners carried by marchers. Police arrested eight counterprotesters, but did not charge them. In 2019, participants faced heckling and required a heavy police escort during the procession.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Human rights groups and other nongovernmental organizations (NGOs) are active and generally operate freely, though they face political pressure when criticizing the government or other powerful interests. Many South Korean NGOs rely on government grants, despite their independent agendas.

NGOs focusing on human rights in North Korea and on support for defectors have come under the most intense pressure under the Moon administration, as it embarked on an effort to improve relations with North Korea. In late 2018, the government slashed funding for the North Korea Human Rights Foundation (NKHRF), which was established by a human rights law enacted in 2016. Government funding of the NKHRF fell by 93 percent in President Moon's draft budget that year. The government also withdrew support for the North Korean Defector Comradery, which supports defectors with workforce training and education, that same year. The NKHRF remained largely inactive in 2019.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers have the right to form independent unions and engage in strikes and collective bargaining. The country's independent labor unions advocate for workers' interests in practice, organizing high-profile strikes and demonstrations that sometimes lead to arrests. However, labor unions have diminished in strength, as more South Koreans work on a temporary or part-time basis.

While South Korea joined the International Labor Organization (ILO) in 1991, it is not in full compliance with its eight conventions on workers' rights. The government enacted legislation allowing unemployed and dismissed workers, retired public officials, teachers, firefighters, and college educators to join trade unions in September 2019, in an effort to align to these conventions. The legislation also lengthened the validity of collective bargaining agreements from two years to three. Workplaces with fewer than 30 employees are not obligated to establish or operate collective agreements.

Major employers are nevertheless known to engage in antiunion activity; this behavior came to the forefront when over 24 current and former employees at Samsung Electronics were convicted for sabotaging unions in December 2019, including board chair Lee Sang-hoon and vice president Kang Kyung-hoon. The company threatened to cut the wages of

employees active in unions, and diverted business away from subcontractors considered friendly to unions.

F. RULE OF LAW: 12 / 16

F1. Is there an independent judiciary? 3 / 4

The chief justice and justices of the Supreme Court are appointed by the president with the consent of the National Assembly. The appointments are made based on recommendations from the chief justice, who is assisted by an expert advisory committee. The chief justice is also responsible for appointments to the lower courts, with the consent of the other Supreme Court justices. The president, the National Assembly, and the chief justice each nominate three members of the Constitutional Court. The judiciary is generally considered to be independent, but senior judges have also been ensnared in corruption scandals in recent years.

In June 2018, investigations began into the Supreme Court's National Court Administration (NCA), which manages the judicial branch's daily operations and administrative tasks. The NCA and Yang Sung-tae, who served as chief justice from 2011 to 2017, were accused of influencing trials and suits in favor of the Park administration, paying off judges through a slush fund that drew resources from lower courts, and other related crimes. Yang was arrested in January 2019, and was charged with 47 instances of manipulating high-profile cases to curry favor from the administration and major businesses. Yang was also accused of derailing cases brought by survivors of forced labor during World War II to protect President Park from diplomatic difficulty. His first hearing took place in May 2019, and he was placed under house arrest in July.

In March 2019, 10 former and current judges were indicted on charges of abuse of power, including Lee Min-geol, a former chief of planning at the NCA, Lee Kyu-jin, a former member of the Supreme Court's sentencing committee, and Yoo Hae-yong, a former chief judicial researcher at the Supreme Court. That same month, prosecutors informed the Supreme Court that it was investigating possible misconduct by 66 judges. The court referred 10 of them to a disciplinary committee in May, though five of them had already been indicted in March.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Judges render verdicts in all cases. While there is no trial by jury, an advisory jury system has been in place since 2008, and judges largely respect juries' decisions. Ordinary legal proceedings are generally considered fair, but the courts have sometimes been accused of denying due process and impartiality to defendants in National Security Law cases.

In November 2019, the South Korean government returned two North Korean fishermen who were suspected of murdering 16 fellow crewmen, claiming they did not receive protection under South Korean law because of their alleged acts. The government claimed the two fishermen had confessed, and no criminal trial was conducted.

Human Rights Watch (HRW) criticized the action, warning that South Korea's decision to surrender the fishermen violated international law because they would likely be tortured in North Korea. Defectors living in South Korea subsequently claimed that the fishermen received death sentences that December.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Reports of abuse by guards in South Korea's prisons are infrequent, and prison conditions generally meet international standards. Violent crime is relatively rare, but the country

is still technically at war with North Korea, resulting in a heavy military presence in some areas and the constant threat of renewed combat. Minor incidents of violence near the de facto border are not uncommon.

In late 2018, the two Koreas signed a military confidence-building agreement calling for measures to reduce the military buildup along the Demilitarized Zone (DMZ). Cooperation between the two Koreas faltered in 2019 after talks between North Korea and the United States failed to produce an accord that would halt the North's nuclear weapons program. Tensions on the peninsula remained high as North Korea maintained its schedule of ballistic missile tests.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

South Korea lacks a comprehensive antidiscrimination law. Members of the country's small population of ethnic minorities encounter legal and societal discrimination. Children of foreign-born residents suffer from systemic exclusion from the education and medical systems.

There are approximately 32,000 North Korean defectors living in South Korea. While the government aims to integrate this group into South Korean society, defectors can face months of detention and questioning upon their arrival. Some defectors have also reported abuse in custody and societal discrimination.

North Korean defectors are almost always granted citizenship, and do not need to apply for asylum using the same process as other applicants. By comparison, asylum seekers from other countries see their claims rejected on a regular basis. HRW reported that only 144 people were given refugee status out of the 16,173 who requested it in 2018; most applicants were rejected outright.

Women generally enjoy legal equality but face significant social and employment discrimination. South Korea has the highest gender pay gap among Organization for Economic Co-operation and Development (OECD) countries; men earned a median salary 34.1 percent larger than women as recently as 2018. In July 2019, the Fair Hiring Practice Act was amended to prohibit invasive hiring practices against female applicants, including inquiries regarding physical appearance, hometowns, and marital status.

Sexual harassment of women in the workplace is common, and the #MeToo movement against such abuses has continued to gain momentum in 2019. Former justice ministry official Ahn Tae-geun was convicted of abuse of power in January and sentenced to two years in prison, after he was originally accused of sexually harassing public prosecutor Seo Ji-hyeon in 2018. Former presidential candidate Ahn Hee-jung, who was acquitted of sexually assaulting a female aide in 2018, had his verdict overturned by the Seoul High Court in February 2019. The court sentenced him to three and a half years in prison.

Same-sex relations are not restricted amongst civilians, and existing human rights legislation bars discrimination based on sexual orientation. However, this legislation does not offer specific penalties for such discrimination, and transgender people are not explicitly protected. Conservative Christian groups have used their political influence to prevent legislators from adopting stronger laws. Soldiers who engage in same-sex activity are subject to a "disgraceful conduct" provision of the Military Criminal Act and face two-year prison terms, though the Constitutional Court was considering whether the law should stand at year's end.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Travel both within South Korea and abroad is unrestricted, except for travel to North Korea, which requires government approval. School is free for children between the ages of 6 and 15. Senior high schools have charged modest tuition fees, but legislation passed in October 2019 will abolish these fees for all students by 2021. Under this legislation, national and local governments will subsidize tuition fees, and some private schools will be exempt from these changes. Many families spend heavily on private academies to supplement public education. Individuals can change jobs freely, though the leading business conglomerates tend to focus their recruitment on graduates of specific universities.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

South Korea fully recognizes property rights and has a well-developed body of laws governing the establishment of commercial enterprises. However, the economy remains dominated by chaebols that have colluded with political figures to pursue their own interests.

The inter-Korean rapprochement process has led to pressure from President Moon on some of South Korea's chaebol, especially Samsung, to create investment plans for North Korea that can be offered as part of formal negotiations.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Women generally have equal rights in divorce and custody matters. Abortion was considered a crime punishable with imprisonment except in cases of rape, incest, threats to the mother's health, or designated disorders or diseases. However, the abortion ban was overturned by the Constitutional Court in April 2019, and the government must legislate to comply with the ruling by the end of 2020.

Domestic violence is common, despite laws in place to prevent such crimes. In October 2019, the justice ministry announced new legislation that would ban men who possess criminal records of domestic violence or sexual crimes against children from inviting foreign women to immigrate for the purposes of marriage. This legislation is scheduled to take effect in October 2020.

Same-sex marriage is not legal in South Korea, and same-sex couples do not receive the same government benefits, incentives, and legal rights as married opposite-sex partners. Gagoonet, a network of LGBT+ advocacy groups, filed a complaint at the National Human Rights Commission in November 2019 in an effort to secure these rights for LGBT+ partners.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Protections against exploitative working conditions are enforced by the authorities. Nevertheless, foreign migrant workers remain vulnerable to illegal debt bondage and forced labor, including forced prostitution. In August 2019, a coalition of migrant workers' groups and unions voiced opposition against a proposal by the Korea Federation of Small and Medium Enterprises, a government agency that proposed differing minimum wage standards for migrant workers.

Women in South Korea are vulnerable to recruitment by international marriage brokers and sex traffickers. In September 2019, five men were arrested for allegedly luring seven Brazilian women to the country; they had promised to shepherd the women into singing careers but instead forced them to engage in sex work. Although the government actively prosecutes human trafficking cases, those convicted often receive light punishments.

South Sudan

Population: 11,100,000

Capital: Juba

Freedom Status: Not Free

Electoral Democracy: No

Overview: South Sudan, which gained independence from Sudan in 2011, descended into civil war in 2013, when a rift between President Salva Kiir and the vice president he dismissed, Riek Machar, triggered fighting among their supporters and divided the country along ethnic lines. A peace agreement reached in 2018 further delayed overdue national elections, instituting an uneasy power-sharing arrangement among political elites who have presided over rampant corruption, economic collapse, and atrocities against civilians, journalists, and aid workers.

KEY DEVELOPMENTS IN 2019

- President Kiir and rebel leader Riek Machar delayed the implementation of their 2018 peace agreement twice, extending their deadline to 2020.
- Government forces launched an offensive in Central Equatoria State in an effort to neutralize armed groups that opposed the peace deal between January and April. In July, the UN Mission in South Sudan (UNMISS) reported that civilians suffered physical assaults, enslavement, rape, internal displacement, and the destruction of property during the fighting.

POLITICAL RIGHTS: -2 / 40

A. ELECTORAL PROCESS: 1 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Kiir was elected president of the semiautonomous region of Southern Sudan in 2010, and inherited the presidency when South Sudan gained independence in 2011. A revised version of Southern Sudan's 2005 interim constitution, adopted at independence, gives sweeping powers to the chief executive. The president cannot be impeached and has the authority to fire state governors and dissolve the parliament and state assemblies. Kiir used these powers to dismiss six governors in May 2019. A permanent constitution was due to be passed by 2015, but a draft remained unpublished at the end of 2019.

Elections due in 2015 were postponed as a result of the civil war. A peace agreement reached that year extended Kiir's mandate until April 2018. In July 2018, the parliament voted to further extend Kiir's term to 2021, along with the mandates of his vice presidents, state legislators, and governors. The Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS), signed that September, initiated an eight-month interim period after which a Revitalized Transitional Government of National Unity (RTGoNU) headed by Kiir would be formed and serve a three-year term. Riek Machar would be first vice president, alongside four additional vice presidents who would also hold cabinet portfolios. The new government would include representatives from five political factions, with most members from the wing of the Sudan People's Liberation Movement (SPLM) that remained loyal to Kiir.

The deadline for implementing these new arrangements passed in May 2019. In September, Kiir and Machar extended their deadline to mid-November. In October, Machar's faction of the SPLM announced that it would not join a unity government, claiming that the authorities failed in implementing the R-ARCSS. In November, both sides agreed to a 100-day delay, moving their deadline into 2020.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

South Sudan has not held elections for its bicameral National Legislature since 2010, and its original mandate expired in 2015; that year's peace agreement extended it to 2018. The R-ARCSS then extended the mandate until May 2022. The lower house, the Transitional National Legislative Assembly (TNLA), currently contains 400 seats and will contain 550 upon the formation of the transitional government; 332 will be affiliated with Kiir's government, compared to 128 from Machar's splinter faction of the SPLM, and the remainder from other groups. The upper house, the Council of States, was to be reformulated pending a review by a newly established body, the Independent Boundaries Commission (IBC). The IBC was tasked with deciding how many states South Sudan should have and where their borders should be, but it did not complete its work in 2019.

The R-ARCSS established a power-sharing formula for state and local government posts, with Kiir loyalists receiving a 55 percent share.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The R-ARCSS called for a new, impartial National Elections Commission (NEC) to be established by the end of the first year of the transition. It also mandated changes to the 2012 Electoral Act, to bring it in line with international standards. In September 2019, UNMISS reported that efforts to update the Electoral Act were complete.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The SPLM dominates the political landscape, and most competition takes place within the movement, which splintered at the outbreak of the civil war. Kiir's hostility toward dissent within the SPLM contributed to the conflict.

The R-ARCSS granted non-SPLM parties representation in the TNLA, but they lack the resources to operate effectively and the experience to formulate policy and set party platforms.

The agreement tasked a National Constitutional Amendment Committee with reviewing the Political Parties Act of 2012 to ensure that it meets international best practices. In September 2019, UNMISS reported that the committee's review was completed.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

If fully implemented, the R-ARCSS would eventually provide an opportunity for opposition groups to contest long-overdue elections. However, South Sudan's last elections, in 2010, featured violence and intimidation against opposition parties and SPLM members whose loyalty to Kiir was in doubt.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The civil war has stifled ordinary politics and created a climate of fear. South Sudan's military, the South Sudan People's Defence Forces (SSPDF), exercises an overbearing influence on political affairs and public life. The autonomous National Security Service (NSS) also maintains a strong hold over South Sudanese politics. The activities of other armed groups tied to partisan and ethnic factions have created an inhospitable climate for political participation by civilians.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Under Kiir's leadership, the SPLM has sidelined citizens who are not members of the Dinka ethnic group, of which he is a member. The exclusion of ethnic groups such as Machar's Nuer has gone beyond the denial of political opportunities to include violent attacks, sexual exploitation, and the destruction of property.

In an attempt to address the chronic underrepresentation of women in political leadership positions, the R-ARCSS established a 35 percent quota for women in the planned RTGoNU.

C. FUNCTIONING OF GOVERNMENT: 0 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

South Sudan's government and legislature, which lack electoral legitimacy, are unable to exercise control over the country's territory.

A clique of Dinka leaders surround Kiir and exert undue influence on decision-making. The UN Security Council has accused the group of deliberately sabotaging peacemaking efforts and stirring up ethnic hatred. In April 2019, a UN expert panel warned that the NSS was also resisting implementation of the security-related aspects of the peace agreement.

Although Sudan and Uganda helped to broker the 2018 peace deal, they have supported opposing sides in the civil war, with Khartoum at times backing Machar and Kampala defending Kiir. Observers raised concerns that the two neighboring powers would continue to wield undue influence following the accord.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is pervasive among political and military leaders. The state's resources, including its oil revenues, are concentrated among an elite associated with the president. Military commanders have gained enormous wealth through corrupt procurement deals. President Kiir has facilitated corruption by appointing officials who were previously accused of embezzlement.

A September 2019 report from The Sentry, a US-based NGO, noted that Winnie Kiir, the president's daughter, formed a mining venture with a Chinese investment group in 2016. That venture received exploration permits later that year, after residents in the covered territory were violently displaced by the military. In February 2019, the *Guardian*, a British newspaper, reported that funds earmarked for the implementation of South Sudan's peace deal were used to renovate the homes of first president Taban Deng Gai and another individual expected to serve as a vice president.

C3. Does the government operate with openness and transparency? 0 / 4

Under the interim constitution, citizens have the right to access public information and records held by state entities. These rights are not respected in practice by the government,

which is hostile to scrutiny and lacks functional capacity. This is notably true for revenue derived from the oil sector, which accounts for a majority of the government's revenue. The April 2019 report to the UN Security Council also noted the lack of transparency in security spending.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -4 / 0

Both sides in the civil war have committed atrocities against civilians from rival ethnic groups, but government-aligned forces have been responsible for the worst attacks. In July 2019, UNMISS reported that government forces in Central Equatoria State bragged of raping women and girls in areas aligned with opposition militias during their offensive, which took place between January and April, in order to alter the region's ethnic composition.

The UN and the African Union (AU) have documented numerous other incidents of murder, torture, rape, looting, displacement along ethnic lines, and forced starvation. Both organizations have accused Kiir's leadership of planning and coordinating such attacks. UN observers have noted the use of hate speech by senior officials, including Kiir himself.

CIVIL LIBERTIES: 4 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16****D1. Are there free and independent media? 0 / 4**

South Sudan's transitional constitution guarantees freedom of the press, but this right is not respected in practice. According to the Committee to Protect Journalists (CPJ), at least six members of the media have been killed in the course of their work since 2015. Defamation is prosecuted under criminal law, stifling free speech.

The government is particularly sensitive to coverage of events in neighboring Sudan and of the peace process. In late January 2019, Michael Christopher, editor in chief of the *Al-Watan* newspaper, temporarily fled the country after he was summoned by the South Sudan Media Authority to explain the newspaper's coverage of events in Sudan. In March, the authority suspended the newspaper's publication. In late July, the NSS detained Christopher and John Agok Awel, a radio journalist, who were separately traveling to Kenya; both were released without charge in August. In late October, the South Sudan Media Authority revoked the accreditation of a Canadian journalist who reported on the peace process for the Associated Press news agency, forcing her to leave the country.

In September 2019, the UN Commission on Human Rights in Sudan reported that the NSS seized printing presses in an effort to restrict critical coverage of the government.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The interim constitution guarantees religious freedom, but houses of worship—used as places of refuge for civilians—have been attacked by gunmen seeking members of rival ethnic groups. In 2018, government forces attacked a Christian college in Yei, killing at least 10 people. Churches were looted and damaged during government-led offensives in Central Equatoria in early 2019.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

There are no formal government restrictions on academic freedom. However, the education system was seriously disrupted by the civil war, with many schools closed or commandeered for military use. Some schools have reopened in recent years, but some teachers have not returned due to poor pay or delays in receiving their pay.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

The NSS has extensive, unchecked powers to conduct surveillance, monitor communications, and infiltrate nongovernmental organizations (NGOs). According to the UN, agents have used these powers to intimidate, detain, and murder journalists, opposition activists, civil society representatives, non-Dinka citizens, and members of faith-based organizations, forcing many to flee the country.

South Sudanese have also been subjected to enforced disappearances in recent years. The International Committee of the Red Cross (ICRC) recorded 451 disappearances in the first eight months of 2019. In April, a UN panel reported that two government critics who disappeared in Kenya in 2017 were forcibly repatriated to South Sudan and executed; in December, the US Treasury Department sanctioned five people it claimed were responsible for the deaths. In September 2019, the UN reported that members of the youth-led Red Card Movement (RCM) went into hiding to avoid capture by NSS personnel.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 1 / 4

The government restricts freedom of assembly, despite commitments made in the interim constitution. Planned protests by RCM members were cancelled in May 2019 after Kiir and other government officials warned of deadly consequences if they went forward. In the following weeks, NSS agents detained activists with purported links to the RCM.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

The government has adopted a hostile stance toward NGOs. A 2016 law requires NGOs to get written permission from the authorities to conduct activities and hold a bank account in South Sudan, and at least 80 percent of staff must be South Sudanese.

Kiir has accused UN agencies—without foundation—of siding with his rivals. Humanitarian operations have been consistently blocked, workers deliberately targeted, and food supplies looted and extorted at checkpoints. Since the war began, more than 100 aid workers have been killed. In October 2019, three UN staff members were killed when they were caught in the crossfire between government forces and the National Salvation Front (NAS), an armed organization that opposes the peace deal, in Yei River State. The government has also used fees and other bureaucratic barriers to complicate the acquisition of work permits for aid workers and prevent importation of supplies. UNMISS recorded 124 incidents between January and September 2019 where their forces were prevented by the government from assisting civilians.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

A 2018 labor law provides for the right to participate in trade unions, bargain collectively, and strike under certain conditions. However, the law has not been effectively implemented, and legal protections for workers are poorly enforced in practice. The country's limited union activity has historically been concentrated in the public sector.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

Judicial independence exists in theory but not in practice. A Supreme Court judge who resigned in 2017 complained of continual interference from the executive. There is a severe shortage of judges, partly due to poor pay and working conditions.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Unlawful arrests and detentions are routine in South Sudan, according to UN observers. Under the National Security Service Law, which took effect in 2015, the NSS has almost unlimited powers to detain and interrogate suspects. The NSS also extrajudicially operates detention facilities.

Authorities arbitrarily arrest individuals suspected of affiliating with armed organizations that oppose the peace deal, including the NAS.

Under the peace agreement, all political prisoners are to be released; some were in 2018, while others remain in custody. In June 2019, activist Peter Bjar Ajak and five other individuals were handed long sentences for orchestrating protests inside a detention center notorious for squalid conditions and prisoner mistreatment. Human Rights Watch (HRW) reported that the detainees were denied a fair trial, in part because they were not informed of the charges against them, and because they were not allowed to speak to lawyers.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Physical mistreatment and abuse are widespread within the criminal justice system. Detainees often face torture or sexual assault in custody. Authorities also conduct regular executions, including of people who were children when convicted. At least nine people were executed in 2019.

An estimated 400,000 people have died during the South Sudanese civil war according to a 2018 report by the London School of Tropical Hygiene and Medicine. While the conflict was less deadly in 2019, violence continued in parts of the country. Government forces raided at least 17 villages in Central Equatoria during their January-to-April offensive. According to UNMISS, civilians were murdered, homes torched, property looted, and schools and clinics ransacked. The government meanwhile failed to protect communities from similar attacks by antigovernment forces. Authorities are also unable to control rampant local conflict, intercommunal violence, and cattle raiding.

There is near-total impunity for perpetrators of wartime violence and sexual abuse. The 2015 and 2018 peace agreements mandated the establishment of an AU-led hybrid court to prosecute these offenses. In September 2019, the UN reported that the government had not signed the statute approving its creation.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

International monitors have documented repeated, deliberate attacks by government forces against members of non-Dinka ethnic groups, most of them civilians. The perpetrators have not been brought to justice. The UN Commission on Human Rights in South Sudan has concluded that these activities amount to a campaign of ethnic cleansing by the government.

The interim constitution includes guarantees on gender equality, but women are routinely exposed to discriminatory customary practices and gender-based violence. While

same-sex sexual conduct is not explicitly illegal in South Sudan, “carnal intercourse against the order of nature” is punishable by up to 10 years in prison. LGBT+ people face widespread discrimination and social stigma, including harassment and abuse by security forces.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 0 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

South Sudan’s interim constitution enshrines free movement and residence, as well as the right to an education. In reality, civil war, multiple local conflicts, and poor-to-nonexistent service delivery have made it impossible for many people to exercise these basic rights. Illegal roadblocks prevent the free movement of people and goods.

In its July 2019 report, UNMISS noted multiple instances where government forces forcibly removed civilians from their villages to areas under their control in Central Equatoria.

An estimated 1.8 million people were internally displaced as of September 2019, including over 180,000 who sought shelter in UNMISS bases. Approximately 2.5 million South Sudanese refugees live in neighboring countries.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 0 / 4

Disputes over land use and ownership are frequent causes of armed conflict in South Sudan, and the return of an estimated 600,000 refugees have exacerbated the problem. Property rights are weak and not respected in practice. Customary practices often deny women their legal rights to property and inheritance.

Legitimate enterprise is stymied by chronic levels of criminality fueled by a war economy that allows armed groups and influential politicians to prosper through corrupt business deals and activities, including the illicit extraction of natural resources like gold and timber.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

Rape and other forms of sexual violence have been used extensively as weapons of war against both men and women, without legal consequence for perpetrators. The UN’s April 2019 report noted multiple incidents of sexual violence committed by armed groups against civilians in the states of Central Equatoria and Unity.

Domestic violence is not addressed by the law. A 2017 study by International Rescue Committee (IRC) found that 65 percent of the women and girls surveyed had experienced physical or sexual violence, with 33 percent suffering sexual violence by a nonpartner.

Customary law puts women at a disadvantage in matters of divorce and child custody. Forced and early marriages are common, with about half of girls marrying by age 18, and spousal rape is not a crime.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

The collapse of the national economy has led to rampant inflation that puts the prices of essential goods out of reach for ordinary people.

Trafficking in persons for forced labor and sexual exploitation is widespread, with rural women and girls, the internally displaced, and migrants from neighboring countries among the most vulnerable to mistreatment. The use of child soldiers is also a serious problem. In September 2019, the UN warned that child recruitment was increasing, and that more girls were forced to provide labor, including sex work.

Spain

Population: 46,100,000

Capital: Madrid

Freedom Status: Free

Electoral Democracy: Yes

Overview: Spain's parliamentary system features competitive multiparty elections and peaceful transfers of power between rival parties. The rule of law prevails, and civil liberties are generally respected. Although political corruption remains a concern, high-ranking politicians and other powerful figures have been successfully prosecuted. Restrictive legislation adopted in recent years poses a threat to otherwise robust freedoms of expression and assembly. A persistent separatist movement in Catalonia represents the leading challenge to the country's constitutional system and territorial integrity.

KEY DEVELOPMENTS IN 2019

- Prime Minister Pedro Sánchez of the center-left Spanish Socialist Workers' Party (PSOE) called snap elections for April after the parliament rejected his minority government's budget bill in February. The PSOE led the voting but was unable to form a governing majority, prompting new elections in November. It then struck a coalition agreement with the left-wing party Unidas Podemos, bringing it closer to a majority, but a new government had yet to take office at year's end.
- The far-right party Vox won its first parliament seats in the April elections and more than doubled its representation in November, becoming the third-largest faction in the lower house.
- In October, nine Catalan separatist leaders were sentenced to prison terms of up to 13 years in connection with an illegal 2017 referendum on independence for Catalonia. International bodies faulted Spanish authorities for violating defendants' rights in certain aspects of the case.

POLITICAL RIGHTS: 38 / 40 (-1)

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Following legislative elections, the monarch selects a candidate for prime minister, generally the leader of the party or coalition with a majority in the lower house. The parliament then votes on the selected candidate.

Prime Minister Sánchez's minority government, which had taken power through a no-confidence vote in the parliament in 2018, failed to win passage for a budget bill in February 2019, and snap elections were scheduled for April. The ruling PSOE won a plurality of seats but could not secure the majority needed for a new government, triggering repeat elections in November. The PSOE again fell short of a majority, even after it reached a coalition agreement with Unidas Podemos; at year's end they were seeking additional support from Basque and Catalan nationalist lawmakers before submitting their proposed government for a vote in the parliament.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The lower house of Spain's bicameral parliament, the Congress of Deputies, is composed of 350 members elected in multimember constituencies for each of Spain's provinces, with the exception of the North African enclaves of Ceuta and Melilla, each of which has one single-member constituency. The Senate has 266 members, 208 of whom are elected directly, and 58 of whom are chosen by regional legislatures. Members of both chambers serve four-year terms.

Spain's legislative elections are generally considered free and fair. In the April 2019 parliamentary elections, the PSOE won 123 lower house seats, the conservative Popular Party (PP) placed a distant second with 66, the center-right Ciudadanos took 57, Unidas Podemos took 42, and the new far-right nationalist party Vox won 24, marking the first time since Spain's transition to democracy in 1975 that a far-right party had secured significant representation in the national legislature. Smaller parties, including Catalan and Basque nationalist groups, collected the remainder. In the Senate, the PSOE won a majority of seats.

After the divided lower house was unable to agree on a government, new elections were held in November. This time, the PSOE secured 120 seats, followed by the PP with 88, Vox with 52, Unidas Podemos with 35, and Ciudadanos with 10. Among several other parties, the Basque Nationalist Party (PNV) and the Republican Left of Catalonia–Sovereignists (ERC–Sobiranistes) won 7 and 13 seats, respectively. In the Senate, the PSOE took 92 seats and the PP won 84.

Local, regional, and European Parliament elections were held in May 2019. Vox continued to gain ground, entering local and regional legislatures in various parts of the country. At the municipal level, the PP and Ciudadanos struck a deal to govern Madrid with support from Vox, replacing a left-leaning coalition. The PSOE won a plurality of the seats at stake in the European Parliament voting.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Spain's constitution and electoral laws provide the legal framework for democratic elections, and they are generally implemented fairly.

The initiation and conduct of the October 2017 independence referendum in Catalonia featured a number of fundamental flaws. The exercise was prohibited by the courts on constitutional grounds, and the actions of both regional authorities and the central government contributed to a chaotic environment that did not allow for fair and transparent balloting. However, after the regional government was dissolved that month, elections were held in December, and a new separatist-led government was formed in May 2018, largely restoring normal electoral and constitutional conditions even if the underlying dispute remained unresolved.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Citizens are free to organize political parties, which are able to function without interference in practice. While the PP and the PSOE once dominated the political system, corruption scandals, persistent economic woes, and the dispute over Catalonia have aided the rise of new alternatives in recent years, including Unidas Podemos and Más País on the left and Ciudadanos and Vox on the right.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been multiple democratic transfers of power between rival parties since Spain returned to democracy in the late 1970s. The PSOE government that took office in 2018 ended more than six years of PP rule.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voting and political affairs in general are largely free from undue interference by unelected or external forces. However, disinformation and other such manipulation in elections is a growing concern. In May 2019, the Constitutional Court struck down provisions of a data protection law adopted in December 2018 that allowed political parties to collect personal data from websites and social media platforms in order to deliver customized political messaging.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Women and minority groups enjoy full political rights. Women are free to advocate for their political interests, and they are relatively well represented in practice, holding 43 and 38 percent of the seats in the Chamber of Deputies and the Senate, respectively.

Spain's system of regional autonomy grants significant powers of self-governance to the country's traditional national minorities, including Catalans and Basques.

Some of the Catalan officials and activists who were charged with offenses such as rebellion, sedition, and misuse of public funds as a result of the illegal 2017 referendum remained in pretrial detention for much of 2019. In October, nine of them received prison terms of up to 13 years for sedition, and three others received fines for the lesser charge of disobedience; none were convicted of rebellion, the most serious charge. Others facing charges, including former Catalan president Carles Puigdemont, remained outside the country. One of the nine, politician Oriol Junqueras, was elected to the European Parliament in May 2019 while in pretrial detention, but Spanish authorities denied him the right to go to Brussels and take his seat. In December, the Court of Justice of the European Union ruled that his parliamentary immunity had been violated as a result of the continued pretrial detention, though it was unclear at year's end whether he would be released given his October conviction and prison sentence. Separately, incumbent Catalan president Quim Torra was convicted in December of disobeying orders from the National Electoral Board to remove separatist symbols and banners from public buildings; a ruling on whether he would be forced from office was pending at year's end.

C. FUNCTIONING OF GOVERNMENT: 10 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4 (-1)

Elected officials are generally free to make and implement laws and policies without undue interference. However, the political system has failed to produce a stable governing majority in the parliament since 2015, resulting in frequent and inconclusive elections, a sharp decline in the passage of legislation, and an increased use of mechanisms like executive decrees to advance the government's agenda without the approval of lawmakers. The instability has also hampered the central government's capacity to address the separatist movement in Catalonia in an effective manner. These problems were especially acute in 2019, with Prime Minister Sánchez governing in a caretaker capacity from the dissolution

of the parliament in March through the end of the year, despite two rounds of elections in April and November.

Score Change: The score declined from 4 to 3 because lawmakers were unable to form a majority government despite two elections, leaving a caretaker government in place for most of the year.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Concerns about official corruption often center on party financing. Though most party expenses are funded by the state, a 2007 law allowed political parties to use commercial bank loans. In 2012, Spain strengthened rules on political financing by restricting access to loans, increasing transparency, and establishing an audit framework. In 2015, new legislation prohibited banks from forgiving debt owed by political parties.

Although the courts have a solid record of investigating and prosecuting corruption cases, the system is often overburdened, and cases move slowly. Among other high-profile proceedings during 2019, two former presidents of the region of Madrid were accused of involvement in the illegal financing of the PP. In November, two former regional presidents from the PSOE were convicted of abuse of power for misusing €680 million (\$750 million) in government funds designated for unemployed workers over the course of a decade.

C3. Does the government operate with openness and transparency? 4 / 4

Legal safeguards to ensure government transparency include asset-disclosure rules for public officials and laws governing conflicts of interest. The Transparency Act, which took effect in 2014, is meant to facilitate public access to government records, though freedom of information activists have reported onerous procedures and called for improvements to the law, as well as mechanisms to access more judicial and parliamentary documents.

In an important ruling for freedom of information, the Transparency Council in September 2019 required the government to release a list of approximately 30,000 properties registered to the Roman Catholic Church, though the government submitted an appeal in November. In another case in December, the Supreme Court ruled that the Court of Auditors had violated the right to information by refusing to provide a list of temporary public workers and ordered the list to be released.

CIVIL LIBERTIES: 54 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Spain has a free press that covers a wide range of perspectives and actively investigates high-level corruption. However, consolidation of private ownership and political interference at public outlets pose threats to media independence. In 2019, the renewal of the board of directors of the public broadcaster through a competitive process was stalled by the year's parliamentary elections, and it remained incomplete at year's end. Separately, the leaders of the regional public broadcaster in Catalonia were charged with disobedience in April for using the outlet as a platform to promote the illegal 2017 independence referendum.

Several journalists have faced aggression from protesters and the police while reporting on Catalonia. For example, one journalist from *El País* was temporarily detained by police in October 2019, and other journalists were assaulted by independence supporters during protests that month.

The Council of Europe and media freedom organizations have raised concerns about the protection of confidential sources following incidents in 2018 and 2019 in which the

police and courts seized materials and phone records from media organizations covering corruption cases.

A controversial public safety law that took effect in 2015, nicknamed the “gag law” by its critics, established large fines for offenses including spreading images that could endanger police officers or protected facilities. Journalists have faced penalties in practice for alleged violations of the law while reporting on police actions.

A new law on intellectual property took effect in March 2019. It drew objections from media organizations, consumer groups, and intellectual property experts, who noted that it allowed a government commission to close websites without a judge’s approval under certain circumstances.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is guaranteed in the constitution and respected in practice. As the country’s dominant religion, Roman Catholicism enjoys benefits not afforded to others, such as financing through the tax system. However, the religious organizations of Jews, Muslims, and Protestants also have certain privileges through agreements with the state, including tax exemptions and permission to station chaplains in hospitals and other institutions. Other groups that choose to register can obtain a legal identity and the right to own or rent property. The penal code contains a provision to punish blasphemy, but prosecutions are rare in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government does not restrict academic freedom in law or in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion remains open and vibrant, but more aggressive enforcement of laws banning the glorification of terrorism has begun to threaten free speech, with dozens of people—including social media users and several performers—found guilty in recent years for what often amounts to satire, artistic expression, or political commentary. In 2017, the Supreme Court ruled that a person could violate the law even if there was no intention to “glorify” a terrorist group or “humiliate” its victims.

Individuals have also been prosecuted for insulting the monarchy and other state institutions. In 2018, a famous humorist was charged with “outrage to the flag,” and a satirical magazine was charged with insulting the authorities. Although both cases were dismissed in 2019, they added to concerns about a possible chilling effect on expression by ordinary people.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 3 / 4

The constitution provides for freedom of assembly, and the authorities typically respect this right. However, the public safety act that took effect in 2015 imposed a number of restrictions, including fines of up to €600,000 (\$680,000) for participating in unauthorized protests near key buildings or infrastructure. Participants in protests on a variety of local concerns have faced smaller but still substantial fines under the law in practice.

Two of the Catalan independence leaders convicted of sedition in October 2019, Jordi Cuixart and Jordi Sánchez, were prosecuted for leading protests aimed at preventing police

from halting the banned 2017 referendum. None of the 12 defendants in the case were convicted of rebellion, the most serious charge; a UN special rapporteur had warned in 2018 that “charges of rebellion for acts that do not involve violence or incitement to violence may interfere with rights of public protest.” Human rights groups similarly argued that the 2019 prison sentences for sedition were excessive and set a harmful example regarding freedom of assembly. After the sentences were announced, protests erupted in different cities across Catalonia, in some cases drawing an aggressive police response and resulting in physical altercations.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Domestic and international nongovernmental organizations operate without significant government restrictions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

With the exception of members of the military and national police, workers are free to organize in unions of their choice, engage in collective bargaining, and mount legal strikes.

F. RULE OF LAW: 14 / 16 (-1)

F1. Is there an independent judiciary? 4 / 4

The constitution provides for an independent judiciary, and the courts operate autonomously in practice. However, the Council of Europe has criticized the fact that under current law, the 12 judges who sit on the 20-member General Council of the Judiciary—which oversees the courts and ensures their independence—are not directly elected by their peers, but appointed through a three-fifths vote in the parliament, as with the other eight members who are not judges.

F2. Does due process prevail in civil and criminal matters? 3 / 4 (-1)

The authorities generally observe legal safeguards against arbitrary arrest and detention, though judges can authorize special restrictions on communication and delayed arraignment for detainees held in connection with acts of terrorism. Defendants typically enjoy full due process rights during trial. However, two high-profile cases related to Basque and Catalan nationalism in 2019 featured flaws that drew criticism from international organizations.

In October 2019, the Supreme Court confirmed significant prison sentences for a group of eight young people in the Basque region who were originally convicted of crimes against the authorities with an ideological motive. They had been involved in a 2016 bar fight with two off-duty police officers. Most of the defendants were held in pretrial detention and initially accused of terrorism offenses. While the Supreme Court lowered the prison terms from between two and 13 years to between 18 months and nine and a half years, Amnesty International had criticized the entire process, citing a lack of impartiality and the use of exaggerated charges.

The prosecution of the 12 Catalan separatist leaders that ended in convictions for sedition and disobedience in October 2019 was also criticized for due process violations. In May, the UN Working Group on Arbitrary Detention stated in a report that the pretrial detention of three of the defendants was arbitrary and unjustified and that it breached their right to a presumption of innocence. The December judgment by the Court of Justice of the EU, finding that defendant Oriol Junqueras should have been released following his election to a seat in the European Parliament, similarly focused on improper detention. Human rights

groups had also noted flaws in the trial proceedings and objected to the use of ill-defined charges like sedition for some of the acts in question, arguing that they disproportionately punished peaceful civil disobedience.

Score Change: The score declined from 4 to 3 because of due process violations in some prominent cases, particularly the prosecution of Catalan separatist leaders.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The population faces no major threats to physical security. The potential for terrorist attacks by radical Islamist groups remains a concern, though Basque Fatherland and Freedom (ETA), a separatist group that carried out terrorist attacks for decades, announced in 2018 that it had formally dissolved, having ended its armed activity several years earlier.

Prison conditions generally meet international standards, but short-term internment centers for irregular migrants suffer from overcrowding and other problems.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women, racial minorities, and LGBT+ people enjoy legal protections against discrimination and other mistreatment, though a degree of societal bias persists. Women continue to face inequities in employment and compensation, while some minority groups—including Roma—remain economically marginalized and are allegedly subject to police profiling.

Spain is a major point of entry to Europe for irregular migrants and refugees, though the number of arrivals declined in 2019. Some 26,000 people crossed the Mediterranean to reach Spain during the year, less than half the 2018 number. Thousands of migrants and refugees also congregate at the land border between Morocco and the Spanish enclaves of Ceuta and Melilla. In 2017, the European Court of Human Rights found that Spain's practice of summarily expelling those who manage to cross the border fence is unlawful under the European Convention on Human Rights. Such expulsions were authorized by the public safety act that took effect in 2015, and they continued to occur during 2019.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no significant restrictions on individuals' freedom to travel within the country or abroad, or to change their place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The legal framework supports property rights, and there are no major restrictions on private business activity.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Personal social freedoms are generally respected. Same-sex marriage has been legal in Spain since 2005, and same-sex couples may adopt children.

There are legal protections against domestic abuse and rape, including spousal rape; while both remain problems in practice, the government and civil society groups work

actively to combat them. In 2018, five men were acquitted of rape and convicted on a lesser charge of sexual abuse in a high-profile 2016 case in Pamplona, but in June 2019 the Supreme Court found the men guilty of rape and sentenced them to 15 years in prison. The case fueled calls to change the law so that specific evidence of physical violence or intimidation accompanying a sexual assault would not be needed to secure a rape conviction.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Residents generally have access to economic opportunity and protection from exploitative working conditions. Despite strong antitrafficking efforts by law enforcement agencies, however, migrant workers remain vulnerable to debt bondage, forced labor, and sexual exploitation.

The level of income inequality in Spain is among the worst in the European Union. The unemployment rate is still high for the region, though it has been on the wane, falling to approximately 14 percent toward the end of 2019.

Sri Lanka

Population: 21,900,000

Capital: Colombo

Freedom Status: Partly Free

Electoral Democracy: Yes

Overview: Sri Lanka experienced improvements in political rights and civil liberties after the 2015 election of President Maithripala Sirisena, which ended the more repressive rule of Mahinda Rajapaksa. However, the Sirisena administration was slow to implement transitional justice mechanisms needed to address the aftermath of a 26-year civil war between government forces and ethnic Tamil rebels, who were defeated in 2009. The election of Rajapaksa's brother Gotabaya as president in November 2019 raised concerns that democratic governance and human rights conditions would again deteriorate.

KEY DEVELOPMENTS IN 2019

- In March, the UN Human Rights Council granted Sri Lanka a second two-year extension to fulfill the transitional justice commitments it made through Resolution 30/1 of 2015.
- In April, on Easter Sunday, Sri Lankan suicide bombers claiming affiliation with the Islamic State (IS) militant group attacked three Christian churches and three hotels, killing 269 people. Hundreds of properties were attacked and at least one person was killed in subsequent anti-Muslim riots.
- In September, the United Nations banned nonessential Sri Lankan troops from participating in peacekeeping operations in response to the appointment of General Shavendra Silva, who is alleged to have committed war crimes during the country's civil war, as commander of the Sri Lankan army.
- Former defense secretary Gotabaya Rajapaksa of the Sri Lanka People's Front (SLPP) was elected president in November. After taking office, he appointed his brother, former president Mahinda Rajapaksa, to serve as prime minister.

POLITICAL RIGHTS: 23 / 40 (-1)**A. ELECTORAL PROCESS: 9 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4**

Under the constitution as amended in 2015, the president is directly elected for up to two five-year terms and must consult the prime minister on ministerial appointments. The prime minister and cabinet must maintain the confidence of Parliament.

In the November 2019 presidential election, Gotabaya Rajapaksa of the SLPP defeated his main opponent, Housing Minister Sajith Premadasa of the United National Party (UNP), 52 percent to 42 percent. Sirisena, the unpopular incumbent, decided not to seek a second term. Although international observers deemed the election competitive and largely peaceful, there were reports of violence and intimidation, primarily directed at Muslim voters.

Following the election, Prime Minister Ranil Wickremesinghe of the UNP resigned, and the new president appointed his brother, former president Mahinda Rajapaksa, as the new head of government.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The 225-member unicameral Parliament is elected for five-year terms through a mixed proportional representation system. In the 2015 parliamentary elections, Wickremesinghe's UNP led a coalition, the National Front for Good Governance, to victory with 106 seats. The United People's Freedom Alliance (UPFA), led by Sirisena's Sri Lanka Freedom Party (SLFP), took 95 seats, and the Tamil National Alliance (TNA), the largest party representing the ethnic minority, won 16 seats. Three smaller groups divided the remainder. While dozens of violent incidents, including murder, were reported prior to the elections, the polling itself was considered credible.

Provincial council elections have been repeatedly postponed due to disputes over the delimitation of voting districts; the last rounds were held in 2012–14, meaning the councils' five-year terms expired in 2017–19.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Election Commission of Sri Lanka, which administers and oversees all elections in the country, has built a reputation for independence in recent years. One of its members played a key role in blocking Sirisena's illegal attempt to dissolve Parliament during the 2018 constitutional crisis, in which the president sought to install Mahinda Rajapaksa as prime minister without support from Parliament and was eventually overruled by the courts.

The government has been unable to complete the process for provincial council constituency delimitation under a 2017 electoral law. In September 2019, the Supreme Court ruled that the president could not unilaterally order elections under the old rules or use a new map that had not received approval from a delimitations review committee chaired by the prime minister.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4**

A range of political parties are able to operate freely and participate in elections. The success of the SLPP, founded in 2016 and led by Mahinda Rajapaksa, in the 2018 local

council elections demonstrated that new parties can form and compete without significant interference. However, political debates between parties sometimes involve an element of violence and intimidation, as seen during the 2018 constitutional crisis.

A total of 35 candidates competed in the 2019 presidential election, though the SLPP and UNP dominated the contest, receiving a disproportionate amount of media coverage. Election observers noted that the lack of campaign finance regulations contributed to such inequities.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Opposition groupings are generally free to carry out peaceful political activities and are able to win power through elections. Most recently, the opposition SLPP won control of 231 out of 340 local councils in the 2018 elections and captured the presidency in 2019, leading to a peaceful transfer of executive power from the SLFP president and the UNP prime minister. However, opposition figures and supporters sometimes face harassment or violence.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The military often inserts itself into political affairs. Members of the military openly backed then president Mahinda Rajapaksa ahead of the 2015 election, and the armed forces recognized his abortive appointment as prime minister in 2018 despite protests that the move was unconstitutional. Former and current military officials supported the candidacy of Gotabaya Rajapaksa in the 2019 presidential election, and many military personnel, including those accused of committing war crimes during the civil war, received prominent positions in the new government.

Vote buying and political bribery are also a concern. Monitors said the government offered gifts and handouts to voters ahead of the 2015 presidential election, and Mahinda Rajapaksa's efforts to win lawmakers' support during the 2018 constitutional crisis reportedly included bribery, with dueling allegations that bribes were either offered or demanded.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

A number of parties explicitly represent the interests of ethnic and religious minority groups, including several Tamil parties and the Sri Lankan Muslim Congress, the country's largest Muslim party. Systemic discrimination, including via language laws and naturalization procedures, negatively affects Tamils' political participation. The interests of women are not well represented in Sri Lankan politics, and women hold less than 6 percent of the seats in Parliament. In the 2019 presidential election period, there were incidents of violence and intimidation against women and religious minorities as well as hate speech against Muslims in the wake of the Easter bombings.

C. FUNCTIONING OF GOVERNMENT: 5 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

President Sirisena's effort in 2018 to remove Prime Minister Wickremesinghe and replace him with Rajapaksa, and his related attempt to dissolve Parliament and hold snap

elections, were widely considered unconstitutional executive infringements on parliamentary authority. The crisis left Sri Lanka without a fully functioning government for almost two months as the two claimants to the premiership sought to assert their legitimacy. Although Parliament and the courts ultimately restored Wickremesinghe that year, the Rajapaksa brothers' capture of the presidency and premiership in November 2019 renewed concerns about the integrity of constitutional checks and balances.

C2. Are safeguards against official corruption strong and effective? 1 / 4 (-1)

The Sirisena administration's efforts to fight corruption, including arrests and indictments, led to few convictions. Corruption remains a problem in the judiciary, public procurement, and customs.

A 2018 law created special courts to deal specifically with corruption. The change was meant to accelerate cases that have been delayed for years, many of them from Mahinda Rajapaksa's administration. While Gotabaya Rajapaksa was indicted in an anticorruption court in 2018 for allegedly misusing public funds to build a memorial to his parents, the charges against him were dropped after he became president in November 2019.

Within a week after the election, leading personnel in the Criminal Investigation Department responsible for cases against the Rajapaksa family were demoted, transferred, and banned from traveling abroad. A key investigator fled to Switzerland, and an employee of the Swiss embassy was then abducted by unidentified men and forced to hand over information about individuals seeking asylum in that country.

Score Change: The score declined from 2 to 1 due to the new administration's aggressive efforts to halt and dismantle criminal investigations of the president and his family.

C3. Does the government operate with openness and transparency? 2 / 4

Individuals have used the 2017 Right to Information Act to access government records, but transparency is lacking in procurement and contracting decisions, including for large contracts with Chinese companies. Notably, the government did not publish the details of a controversial 2017 lease agreement that authorized a Chinese company to run the new Hambantota seaport for 99 years. The auditor general in recent years has also noted major discrepancies in the government's assessments of public debt.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -1 / 0

Following the end of the civil war in 2009, the military presence in the Tamil-populated areas of the north and east increased. The Mahinda Rajapaksa administration encouraged settlement by ethnic Sinhalese civilians by providing land certificates, housing, and other infrastructure, with the aim of diluting local Tamil majorities in these areas. While such policies ended after Sirisena took office in 2015, and some land was released from military control, displacement of Tamil civilians remains a concern. The government under President Sirisena claimed that the military had evacuated most of the occupied lands, though some Tamil politicians argued that the figures were inflated. The election of Gotabaya Rajapaksa as president in 2019 reportedly stoked fears among Tamils that the new administration would halt the release of occupied lands and resume promotion of Sinhalese settlement in the northeast.

CIVIL LIBERTIES: 33 / 60 (+1)**D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16****D1. Are there free and independent media? 2 / 4**

Freedom of the press is guaranteed in the constitution, and respect for this right has improved since 2015. However, among other ongoing challenges to press freedom, certain media outlets display political bias, and senior government officials and lawmakers sometimes threaten journalists.

Impunity for past crimes against journalists is a problem, and the Rajapaksas' anticipated return to power reportedly led to self-censorship even before the 2019 presidential election. Shortly after the new administration took office, police raided the offices of the media outlet Newshub.lk and searched its computers without a valid warrant, apparently looking for references to Gotabaya Rajapaksa. Other journalists were interrogated by police during the same period.

Social media platforms were blocked for several days after the Easter bombings, impairing news coverage and the free flow of information.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The constitution gives special status to Buddhism, while religious minorities face discrimination and sometimes deadly violence. In the April 2019 terrorist bombings, suicide attackers linked to IS attacked three Christian churches along with three hotels, killing 269 people. Anti-Muslim riots about three weeks later featured attacks on nearly 500 homes and businesses and at least one death. Emergency regulations that were in place through August banned face coverings, effectively targeting Muslim women who wear facial veils, and Muslim women subsequently faced pressure to continue exposing their faces.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom is generally respected, but there are occasional reports of politicization at universities and a lack of tolerance for dissenting views among both professors and students, particularly for academics who study issues related to the Tamil minority.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

The civil war remains a sensitive topic. State officials' harassment of civil society activists working on human rights issues in the north and east has deterred open discussion of such subjects among private citizens. The Rajapaksas' expected return to power also reportedly impeded free expression beginning in late 2018, and allegations of threats and harassment aimed at perceived opponents of the new administration rose after the 2019 election.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12 (+1)**E1. Is there freedom of assembly? 3 / 4 (+1)**

Although authorities sometimes restrict freedom of assembly, demonstrations occur regularly, and conditions have generally improved since 2015. In March 2019, for example, police used force against a student union protesting antiterrorism legislation outside Parliament, but other demonstrations on topics like security laws and impunity for forced disappearances have been allowed to proceed despite reports of surveillance. Events related to the presidential election campaign were largely unimpeded, and Tamils held assemblies

to commemorate civil war casualties, including after the election, with participants defying official restrictions or intimidation in some cases.

Score Change: The score improved from 2 to 3 due to a gradual expansion in freedom of assembly in recent years.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Nongovernmental organizations (NGOs) are generally free to operate without interference, but some NGOs and activists—particularly those in the north and east that focus on sensitive topics such as military impunity—have been subjected to denial of registration, surveillance, harassment, and assaults.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Trade unions in general are legally allowed to organize and engage in collective bargaining. Except for civil servants, most workers can strike, though the 1989 Essential Services Act allows the president to declare any strike illegal.

While most of the mainly Tamil workers on tea plantations are unionized, employers routinely violate their rights. Harassment of labor activists and official intolerance of union activities, particularly in export processing zones, is regularly reported. Larger unions are often affiliated with political parties.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 3 / 4

Political interference with and intimidation of the judiciary abated somewhat under the Sirisena administration, and the courts asserted their independence during the 2018 constitutional crisis. In September 2019, the Supreme Court ruled the president could not unilaterally approve provincial council district boundaries in order to hold overdue elections. Despite such displays of autonomy from the highest courts, corruption and politicization remain problems in the lower courts.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process rights are undermined by the Prevention of Terrorism Act (PTA), under which suspects can be detained for up to 18 months without charge. The law has been used to hold perceived enemies of the government, particularly Tamils, and many detained under the PTA's provisions have been kept in custody for longer than the law allows. Following the April 2019 terrorist attacks, the government enacted emergency regulations that further empowered the security forces and reduced protections against arbitrary detention; the regulations remained in effect through August. The bombings' aftermath also featured more biased applications of the PTA. While hundreds of Muslim suspects were arrested under the antiterrorism legislation, Sinhalese anti-Muslim rioters were charged under standard civilian statutes that allowed bail.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Police and security forces are known to engage in abusive practices, including extrajudicial executions, forced disappearances, custodial rape, and torture, all of which disproportionately affect Tamils. Due to backlogs and a lack of resources, independent commissions have been slow to investigate allegations of police and military misconduct. Separately,

the April 2019 bombings and subsequent rioting underscored the threats posed to physical security by terrorism and communal violence.

Of the numerous transitional justice mechanisms outlined in a 2015 UN resolution that Sri Lankan authorities assented to in order to address human rights violations in the aftermath of the civil war, the government created an Office of Missing Persons in 2017 and an Office of Reparations in 2018, but a truth commission and a war crimes court had not yet been created as of 2019. The UN Human Rights Council in March agreed to give Sri Lanka a second two-year extension to fulfill its commitments under the original resolution. However, several military officers suspected of human rights violations during the conflict were promoted or appointed to senior positions in 2019, both before and after the change in government. After one such officer, General Shavendra Silva, was named as commander of the Sri Lankan army in August, the United Nations in September banned nonessential Sri Lankan troops from participating in peacekeeping operations.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Tamils report systematic discrimination in areas including government employment, university education, and access to justice. Ethnic and religious minorities are vulnerable to violence and mistreatment by security forces and Sinhalese Buddhist extremists.

LGBT+ people face societal discrimination, occasional instances of violence, and some official harassment. A rarely enforced article of the penal code prescribes up to 10 years in prison for same-sex sexual activity. Women suffer from sexual harassment and employment discrimination, as well as discriminatory legal provisions.

The government does not grant asylum or refugee status under its own laws, nor does it provide services or work permits to asylum seekers and refugees; such individuals rely instead on aid from NGOs, informal employment, and third-country resettlement by the Office of the UN High Commissioner for Refugees.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Freedom of movement generally improved during Sirisena's presidency, with some reductions in security checkpoints, restricted military areas, and military occupation of public and private land. However, progress has reportedly stalled in recent years, and the emergency regulations put in place after the 2019 Easter bombings included curfews and other temporary restrictions on movement.

Women with children less than five years old are not allowed to travel abroad for work. Access to educational institutions is impeded by corruption, with bribes often required to obtain primary school admission.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The Sirisena administration claimed that most of the lands occupied by the military during and after the civil war had been returned as of 2019, but ongoing occupations and other forms of land grabbing remained serious problems, especially for Tamils in the north-east. Corruption sometimes hinders the effective enforcement of property rights in general. Some women face gender-based disadvantages regarding inheritance under the customary laws of their ethnic or religious group, and Muslims reportedly encounter discrimination with respect to property transactions.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Although women have equal rights under civil and criminal law, matters related to the family—including marriage, divorce, and child custody—are adjudicated under the customary laws of each ethnic or religious group, and the application of these laws sometimes entails discrimination against women. Rape of women and children and domestic violence remain serious problems, and perpetrators often act with impunity.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Migrant workers recruited in Sri Lanka are often exposed to exploitative labor conditions abroad. Although the government has increased penalties for employing minors, many children continue to work as household servants and face abuse from employers. Women and children in certain communities are vulnerable to forced sex work. The government has made some attempts to address human trafficking, but prosecutions and measures to identify and protect victims remain inadequate, and complicity among public officials is a serious problem, according to the US State Department.

St. Kitts and Nevis

Population: 50,000

Capital: Basseterre

Freedom Status: Free

Electoral Democracy: Yes

Overview: St. Kitts and Nevis has a history of competitive and credible elections, and civil liberties are generally upheld. There are some concerns about government corruption and transparency, particularly regarding the Citizenship by Investment program. Authorities in recent years have seen some success in addressing a high rate of violent crime. LGBT+ people face discrimination and are politically marginalized

KEY DEVELOPMENTS IN 2019

- In February, opposition leader Denzil Douglas was vindicated in a legal case in which the government had attempted to remove him from Parliament. The High Court ruled that the attempt, based on allegations of improper use of a diplomatic passport issued by Dominica, had no standing.
- The year saw a significant reduction in homicides and nonfatal shootings. To address the problem, the government had, among other initiatives, launched the “Peace Initiative,” in which members of criminal groups were offered avenues to pursue legal activities.

POLITICAL RIGHTS: 36 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister, usually the leader of the largest party in the parliament, is head of government. Prime ministers are normally appointed after legislative elections by the

governor general, who represents the British monarch as the largely ceremonial head of state.

After the 2015 elections, Timothy Harris of Team Unity—an umbrella organization of the People’s Action Movement (PAM) and the People’s Labour Party (PLP) in St. Kitts, and the Concerned Citizens Movement (CCM) in Nevis—was appointed prime minister.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

There are 14 seats in the unicameral National Assembly—8 for representatives from St. Kitts, 3 for those from Nevis, and 3 for senators appointed by the governor general (2 on the advice of the prime minister and 1 on the advice of the opposition leader); all serve five-year terms.

Team Unity won the 2015 parliamentary elections, taking 7 of the 11 directly elected seats and unseating the Labour Party (SKNLP), which had been in government for two decades. The vote took place peacefully and was considered credible, but a number of shortcomings were observed. Opposition candidates and others criticized a lack of campaign-finance legislation, and a monitoring mission from the Organization of American States (OAS) noted that the difference between state resources and SKNLP financing was not always clear. Some observers also noted that the government enjoyed disproportionate access to state-owned media for campaign purposes.

Nevis has its own local legislature, with five elected and three appointed members. Elections in 2017 resulted in a win for the incumbent CCM, which took four elected seats, leaving the Nevis Reformation Party with 1.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws are generally fair and usually implemented impartially by the Electoral Commission. However, the lead-up to the 2015 elections featured an eleventh-hour dispute over district delineations and concerns about the Electoral Commission’s independence. The SKNLP government introduced new electoral boundaries just a month before the polls. The new map was ultimately thrown out four days before the elections by the Privy Council in London, the highest court of appeal for St. Kitts and Nevis, after the opposition challenged the changes. Separately, OAS observers expressed concern that an election calendar with key dates was not shared publicly. A delay in reporting the results of the polls also prompted questions about the independence of the Electoral Commission. In 2017, the former supervisor of elections was arrested and charged with misconduct in connection with the delayed transmission of the 2015 results. His case remained unresolved in 2019. Other problems plagued the Electoral Commission also stretched into 2019, with the opposition SKNLP accusing it of conspiring with the government to manipulate election-registration procedures.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

There are no major constraints on the right to organize in different political parties and to form new parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition candidates are able to campaign without restrictions or interference, and there are realistic opportunities for opposition parties to increase their support or gain power through elections. In 2015, the Team Unity coalition unseated the SKNLP, which had been in government since 1995.

In February 2019, opposition leader Denzil Douglas was vindicated in a legal case in which the government had attempted to remove him from parliament. The High Court ruled that the attempt, based on allegations of improper use of a Dominica diplomatic passport, had no standing.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Candidates and voters are generally able to make political choices without undue interference. However, in 2015 the OAS raised concerns about the lack of transparency of party and campaign financing, which could enable improper forms of political influence.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

All citizens are formally entitled to equal political rights and electoral opportunities. While women play an active role in political parties and as grassroots organizers, only one woman won a seat in the National Assembly in 2015. The only woman member of the Nevis Island Assembly was appointed. The LGBT+ community is marginalized, affecting LGBT+ people's ability to engage fully in political processes.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The elected prime minister, cabinet, and national legislative representatives are able to freely determine the policies of the government.

C2. Are safeguards against official corruption strong and effective? 3 / 4

St. Kitts and Nevis's anticorruption laws are for the most part implemented effectively. However, while the Integrity in Public Life Act, which established a code of conduct for public officials and financial disclosure guidelines, was adopted in 2013, its implementation rules were not issued until July 2018.

In recent years, concerns, including from the US State Department, have been raised about the country's Citizenship by Investment and Residence by Investment Programs. To address some of these concerns, the St. Kitts government introduced several reforms, including expanded background checks and enacting stricter escrow-account rules. However, concerns remain. In May 2019, two members of the European Parliament sought to have the country's visa-free program with the European Union rescinded because of allegedly "questionable" individuals gaining passports under its Citizenship by Investment program. Among them, they said, were several people implicated in high-level financial scandals in other countries.

C3. Does the government operate with openness and transparency? 3 / 4

The government generally operates with transparency, though it long lacked a freedom of information law. The Freedom of Information Act was finally passed in May 2018, but it has yet to be implemented due to inadequate resourcing. Further, the law offers exemptions protecting information related to national security, court proceedings, trade secrets, intellectual property rights, and international relations.

CIVIL LIBERTIES: 53 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16****D1. Are there free and independent media? 3 / 4**

Freedom of expression is constitutionally guaranteed, and the government generally respects press freedom in practice. However, the state owns the sole local television station, and the opposition faces some restrictions on access to it, particularly around elections. Defamation is a criminal offense that can potentially carry a prison sentence. Some journalists reportedly self-censor in order to avoid pressure from government officials.

In May 2019, journalists were reportedly barred from court proceedings against a businessman, Alkivaides “Alki” David, who was accused of illegally importing thousands of marijuana seeds and plants.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally protected and generally respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The government generally respects academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant constraints on individuals’ ability to express their personal views regarding political or other sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12**E1. Is there freedom of assembly? 4 / 4**

Freedom of assembly is constitutionally guaranteed and generally respected in practice. Demonstrations on various topics routinely proceed without incident.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) generally operate without restrictions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

While workers may legally form unions, employers are not bound to recognize them. A union can engage in collective bargaining only if more than 50 percent of the company’s employees are members. Antiunion discrimination is prohibited, and the right to strike, while not protected by law, is generally respected in practice.

F. RULE OF LAW: 13 / 16**F1. Is there an independent judiciary? 4 / 4**

The judiciary is largely independent. The highest court is the Eastern Caribbean Supreme Court, but under certain circumstances there is a right of appeal to the Trinidad-based Caribbean Court of Justice and the Privy Council in London.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Defendants are guaranteed a range of due process rights, which are mostly respected in practice; legal provisions for a fair trial are generally observed. Arbitrary arrests are

prohibited, and security forces generally operate professionally. However, extended pretrial detention is a problem, with some detainees remaining in custody for more than two years before facing trial or having their cases dismissed.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While the country is free of war and other such threats to physical security, the government in recent years has struggled to contain a high rate of violent crime, which is linked primarily to criminal groups fighting for territory and control of the domestic drug trade. In 2018, a total of 23 homicides were recorded—which, in a country of some 50,000 people, left St. Kitts and Nevis with one of the world’s highest homicide rates on a per-capita basis. In an effort to address the problem, the St. Kitts and Nevis Defence Force was given police powers for a period of six months in August of that year, and troops from the Barbados-based Regional Security System were deployed to the country in October. The government meanwhile instituted a “Peace Initiative,” whereby members of criminal groups were encouraged to move out of crime and into legal activities. In mid-December 2019, the government said that homicides had fallen by 48 percent over the past 12 months, with crime more generally down by 27 percent.

Prison conditions remain overcrowded.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The law protects individuals against discrimination on various grounds, including race, sex, and religion, and these provisions are generally upheld. However, sexual orientation and gender identity are not similarly protected, and societal discrimination against LGBT+ people is pervasive. Under colonial-era laws, same-sex sexual conduct between men is illegal and punishable with imprisonment of up to 10 years. No law specifically prohibits workplace sexual harassment.

Rastafarians can face barriers to employment and other disadvantages as a consequence of their beliefs.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no significant restrictions on freedom of movement in St. Kitts and Nevis, and individuals are able to freely change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 3 / 4

The legal framework generally supports property rights and private business activity, though there have been complaints about timely compensation for land confiscated through eminent domain laws.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

There are few restrictions on individual freedoms pertaining to personal status issues, though same-sex marriage is not recognized. While domestic violence is criminalized, it remains a widespread problem in practice, and spousal rape is not specifically prohibited by law.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The law provides safeguards against exploitative working conditions, though lack of resources reportedly affects enforcement.

St. Lucia

Population: 200,000

Capital: Castries

Freedom Status: Free

Electoral Democracy: Yes

Overview: St. Lucia is a parliamentary democracy that holds competitive elections and has long experienced peaceful transfers of power between rival parties. Persistent challenges include government corruption and inadequate transparency, police brutality and a perception of impunity for such abuses, and discrimination against LGBT+ people.

KEY DEVELOPMENTS IN 2019

- In January, the government defeated a motion of no confidence brought by the leader of the parliamentary opposition, St. Lucia Labour Party (SLP) leader Philip Pierre. The motion was voted down along party lines, 11 to 6. The debate came at a time of significant political tensions linked to an economic slowdown in 2018.
- In March, St. Lucia's Ministry of Education, Innovation, Gender Relations, and Sustainable Development announced that corporal punishment in schools would be suspended starting in May, and would be abolished by May of the following year.

POLITICAL RIGHTS: 38 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister, usually the leader of the majority party in Parliament, is appointed as head of government by the governor general, who represents the British monarch as the largely ceremonial head of state. Allen Chastanet of the United Workers Party (UWP) was chosen as prime minister following the 2016 legislative elections, which were considered free and fair.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral Parliament consists of the 17-seat House of Assembly, whose members are directly elected to five-year terms, and the 11-seat Senate, whose members are appointed. The prime minister chooses 6 Senate members, the opposition leader selects 3, and 2 are chosen in consultation with civic and religious organizations.

The most recent elections to the House of Assembly took place in 2016. The polls were considered competitive and credible, and stakeholders accepted the results. The UWP secured 11 seats, defeating the governing Saint Lucia Labour Party (SLP), which took 6.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws are generally fair and implemented impartially by the Electoral Commission. However, differences in the sizes of constituencies have resulted in unequal voting power among citizens. While the largest constituency (Gros Islet) has more than 20,000 registered voters, the smallest (Dennery South) has only 5,000.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties may organize and operate freely. A number of small parties function, though the UWP and SLP have dominated politics since the 1960s, aided in part by the “first-past-the-post” electoral system. Campaigns are financed entirely through private funds, which can also disadvantage new and small parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has a long record of democratic transfers of power, with the UWP and SLP regularly alternating in government.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Voters and candidates are generally free to make political choices without undue influence. However, there are few legal controls on the source of funds or on spending by candidates and parties, raising concerns about the potential for improper influence by unaccountable foreign and domestic interests.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

All citizens are formally entitled to equal political rights and electoral opportunities. Women are underrepresented in politics; there were seven female candidates out of a total of 39 in the 2016 elections, and two won seats in the House of Assembly. Three members of the Senate are women. However, women have a more significant presence as electoral officials and within party structures.

The LGBT+ community is marginalized, affecting the ability of LGBT+ people to engage fully in political processes.

C. FUNCTIONING OF GOVERNMENT: 11 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The elected prime minister, cabinet, and Parliament are able to determine the policies of the government without improper interference from unelected entities.

In January 2019, the government defeated a motion of no confidence brought by the leader of the parliamentary opposition, St. Lucia Labour Party (SLP) leader Philip Pierre. The motion was voted down along party lines, 11 to 6.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Several state institutions are responsible for combating corruption, including the parliamentary commissioner, the auditor general, and the Public Service Commission, but their effectiveness is limited somewhat by a lack of resources.

A number of senior officials have faced corruption allegations in recent years. In 2018, the media aired new details about long-standing allegations against Prime Minister Chastanet and Guy Joseph—the current minister for economic development, housing, urban renewal, transport, and civil aviation—in which they were accused of reaching a corrupt agreement with a US businessman involving an airport redevelopment project during the last, 2007–11 UWP government. In 2019, further allegations of corruption were made against the government by the opposition SLP, but none were proven.

In October 2018, an Organisation for Economic Co-operation and Development (OECD) report warned that the country's Citizenship by Investment (CBI) program and other such programs, which offer citizenship and residency rights to foreigners in exchange for large sums of money, carry the potential for misuse.

C3. Does the government operate with openness and transparency? 4 / 4

The government generally operates with openness and transparency. Access to information is legally guaranteed, and government officials are required by law to declare their financial assets annually to the Integrity Commission. However, the commission lacks the enforcement powers necessary to ensure full compliance. In 2019, opposition leader Philip Pierre expressed concerns about government contracts for the redevelopment of the Hewanorra International Airport being awarded without adequate parliamentary scrutiny.

CIVIL LIBERTIES: 54 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

The constitution guarantees freedom of expression and communication, and press freedom is largely upheld in practice. A number of private and independent news outlets carry content on a broad spectrum of issues.

Criminal libel laws remain on the books, with convictions potentially drawing heavy fines and a jail sentence of up to five years, though civil suits are more common. In 2017, Pierre, of the opposition SLP, was awarded EC\$40,000 (US\$14,800) in damages in libel cases filed against journalist Guy Ellis, the Mayers Printing Company, and the Mirror Publishing Company in connection with a 2011 letter to the editor published in the *Mirror* that described Pierre as corrupt.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is protected under the constitution and other laws, and these safeguards are largely upheld in practice. However, Rastafarians face some disadvantages as a result of their beliefs, and Muslims have reported occasional harassment.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant restrictions on individuals' ability to express their personal views on political or other sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The government generally respects the constitutionally protected right to free assembly.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights-and governance-related work? 4 / 4

Independent nongovernmental organizations (NGOs) are free to form and operate.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Most workers have the right under the law to form and join independent unions, go on strike, and bargain collectively. Antiunion discrimination is prohibited.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 4 / 4

The judicial system is independent and includes a high court under the Eastern Caribbean Supreme Court. Judges are appointed through an impartial Judicial and Legal Services Commission and cannot be dismissed arbitrarily. St. Lucia announced in 2014 that it would adopt the Caribbean Court of Justice (CCJ) as its final court of appeal, replacing the London-based Privy Council. However, its accession to the CCJ had not yet been finalized at the end of 2019.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Detainees and defendants are guaranteed a range of legal rights, which are mostly respected in practice. However, police corruption is a concern, and court backlogs contribute to lengthy pretrial detention. Defendants charged with serious crimes may spend several years awaiting trial behind bars.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

While the population is mostly free from pervasive threats to physical security, violent crime rates remain relatively high on a per capita basis.

Police brutality has been seen as a significant problem in St. Lucia in recent years, and there is a widespread perception that members of the Royal Saint Lucia Police Force (RSLPF) enjoy impunity for abusive behavior. In 2013, the United States cut aid to the RSLPF due to credible allegations of gross human rights violations related to 12 extrajudicial killings that took place in 2010 and 2011. The government responded by inviting an international investigation of the killings. Although the investigation was completed in 2014 and members of the RSLPF were seen as culpable, no legal action was taken by prosecutors. As a consequence, St. Lucia remains excluded from security assistance from the United States under the so-called Leahy law, which prohibits such assistance for countries where security forces have been found to engage in serious human rights abuses. In response to the 2014 investigation, the government did define a “use of force” policy for the RSLPF, and members received mandatory human rights training. However, the US continues to insist that the sanctions will not be lifted until those found guilty of the killings are brought to justice.

In March 2019, St. Lucia’s Ministry of Education, Innovation, Gender Relations and Sustainable Development announced that corporal punishment in schools would be suspended starting in May, and would be abolished by May of the following year.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

While discrimination on the basis of race, sex, religion, and other such grounds is generally prohibited, the law does not provide full protection to LGBT+ people. The labor code prohibits dismissal of employees based on sexual orientation. However, same-sex relations can draw up to 10 years in prison, and LGBT+ people are subject to significant societal prejudice.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

There are no serious impediments to freedom of movement in St. Lucia, and individuals are generally free to change their place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 4 / 4

The legal and regulatory framework is supportive of property rights and private business activity. The government has actively encouraged both domestic and foreign investors to do business in the country. St. Lucia performs well in World Bank assessments of business conditions in comparison with its neighbors.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The law largely guarantees individual rights with respect to personal status issues like marriage and divorce, but the civil code distinguishes between “legitimate” and “illegitimate” children, which can lead to discrimination against unmarried women and their children in civil and family law cases. Domestic and gender-based violence are serious concerns and often go unreported. The law only criminalizes spousal rape when a couple is separated or when a court has issued a protection order.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Safety rules and other protections against worker exploitation are typically upheld.

The government has made some efforts to combat human trafficking, but investigations and prosecutions are rare. The country’s national action plan against human trafficking has not been fully implemented because of inadequate resources. In addition to local youth, immigrants from Caribbean countries and from South Asia are vulnerable to sex trafficking and forced labor.

St. Vincent and the Grenadines

Population: 100,000

Capital: Kingstown

Freedom Status: Free

Electoral Democracy: Yes

Overview: St. Vincent and the Grenadines is a parliamentary democracy that holds regular elections and has seen numerous transfers of power between parties. While civil liberties

are generally upheld, journalists face the possibility of criminal defamation charges, and same-sex relations remain illegal. Violent crime is a growing concern.

KEY DEVELOPMENTS IN 2019

- In July 2019, two gay Vincentian men filed a legal challenge to laws criminalizing same-sex relations. The government said it would oppose the challenge.
- There were 24 reported homicides in 2019, a decline from higher rates seen over the past decade.
- In June, St. Vincent and the Grenadines became the smallest country ever to be elected to the UN Security Council. It was the culmination of a decade-long campaign, which had received overwhelming support from UN members.

POLITICAL RIGHTS: 36 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister, usually the leader of the majority party in the parliament, is appointed by the governor general, who represents the British monarch as the largely ceremonial head of state. Ralph Gonsalves retained his position as prime minister following the victory of his incumbent Unity Labour Party (ULP) in the 2015 legislative elections, which were considered generally free and fair.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The constitution provides for the direct election of 15 representatives to the unicameral House of Assembly. In addition, the governor general appoints six senators to the chamber: four selected on the advice of the prime minister and two on the advice of the opposition leader. All serve five-year terms.

The 2015 legislative elections resulted in a narrow victory by the social democratic ULP, which took eight seats in the House of Assembly; the opposition New Democratic Party (NDP) won the remaining seven elected seats. International and domestic observers deemed the polls generally competitive and credible. However, the Organization of American States (OAS) observer mission expressed concerns about partiality of the presiding officer at the final vote count in the constituency of Central Leeward. According to the OAS report, the returning officer there continually refused requests for information or access from representatives of the NDP, while responding to requests from representatives of the ULP.

The NDP mounted several mass protests alleging electoral irregularities and initiated two legal complaints regarding the conduct of polling in Central Leeward and North Windward. In July 2017, the High Court ruled that the petitions should be allowed to proceed. Both complaints were dismissed in March 2019. The NDP appealed, and the appeal was due to be heard in February 2020.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws are generally fair and impartially implemented. Efforts to update voter lists were initiated in 2013, and ahead of the 2015 elections the legislature passed, with bipartisan support, an amendment to the election law that removed almost 24,000 names from the lists. The 2015 OAS election monitoring mission welcomed the change, but said that authorities should implement continuous updating and verification processes; this has

not yet been done. The mission also called for better standardization of voting procedures across polling sites.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties can organize freely. While there are a number of smaller political parties in the country, since 1998 only the ULP and NDP have won seats in the parliament. The first-past-the-post electoral system has contributed to this pattern, but there are also concerns that unregulated private campaign financing puts smaller parties at a disadvantage. The limited state funding that is available goes only to parties represented in the previous parliament.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has experienced multiple peaceful transfers of power between rival parties after elections, including two since it gained full independence in 1979. The ULP has been in government since 2001, but it has had only a narrow majority over the opposition NDP since 2010.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

The political choices of candidates and voters are generally free from interference by extrapolitical forces. However, the OAS raised concerns in 2015 about the lack of transparency regarding party and campaign financing, which could enable undue influence by private actors.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

All citizens are formally entitled to full political rights and electoral opportunities, but women remain significantly underrepresented in the legislature and in politics generally. No women were elected to the House of Assembly in 2015; three were appointed. In its report on the 2015 elections, the OAS noted that there was a “pervasive reluctance” on the part of potential women candidates to take part in harsh political campaigns.

LGBT+ people are marginalized, and this affects their ability to engage fully in political processes.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The elected prime minister, cabinet, and House of Assembly members are able to determine the policies of the government without improper interference from unelected entities.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption-related offenses by public officials are prohibited by law, and the independent judiciary and media provide additional checks on graft. However, there is no specialized national anticorruption agency, and claims of petty corruption continue to be reported.

C3. Does the government operate with openness and transparency? 3 / 4

The government generally operates with openness and transparency. Nevertheless, freedom of information legislation that was passed in 2003 has yet to be implemented, and there is no active legislation requiring government officials to disclose assets, income, or gifts.

CIVIL LIBERTIES: 55 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

The constitution guarantees the freedoms of expression and communication, and these rights are usually upheld in practice. The state owns the main local broadcaster, but a number of private newspapers are available, and news consumers also have access to foreign media and online outlets.

Journalists remain subject to criminal and civil defamation laws, and the 2016 Cyber-crime Act broadened the definition and scope of defamation to include online publications; violation of its often vaguely worded provisions can carry a fine of as much as EC\$500,000 (US\$185,000) and up to seven years' imprisonment.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is constitutionally protected and respected in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally upheld.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant restrictions on individuals' ability to express their personal views on political or other sensitive topics. However, in 2018 a magistrate granted a request by prosecutors to remand a woman to the Mental Health Rehabilitation Center for two for psychiatric evaluation after she pleaded not guilty to a charge of abusive language. Her remarks had been directed at the wife of a senior government minister.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is constitutionally protected and generally upheld in practice. There were reports of police using excessive force to disperse peaceful protests during the 2015 election period, but no similar such events have taken place in recent years.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights—and governance-related work? 4 / 4

Nongovernmental organizations operate freely. However, reported security threats including a physical attack on a volunteer apparently prompted the US Peace Corps to withdraw 23 people from the country in August 2018. Responding to allegations that a police-affiliated "Black Squad," supposedly tasked with intimidating government opponents, was responsible for the pressure on the Peace Corps, Prime Minister Gonsalves denied that such a group existed.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The constitution protects the right to form or join trade unions and other such associations. Unions are permitted to strike and engage in collective bargaining. The law prohibits antiunion discrimination and dismissal for engaging in union activities. The right to collective bargaining is generally upheld, though public-sector unions have recently criticized the government for failing to respect the bargaining process.

F. RULE OF LAW: 14 / 16**F1. Is there an independent judiciary? 4 / 4**

The judiciary generally operates independently. Judges are appointed through an impartial Judicial and Legal Services Commission and cannot be dismissed arbitrarily. The country is subject to the Eastern Caribbean Supreme Court and recognizes the original jurisdiction of the Caribbean Court of Justice, but the Privy Council in London remains the final court of appeal.

Legal experts criticized the early 2019 remand of a woman to a psychiatric facility after she pleaded not guilty to verbally abusing a senior minister's wife as judicial impropriety.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Detainees and defendants are guaranteed a range of legal rights, which are mostly respected in practice. However, there is a significant case backlog, which leads to prolonged pretrial detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

The population is free from war and other acute threats to physical security. There were 24 reported homicides in 2019, a significant decline from higher rates seen over the past decade.

Prison conditions have improved since a new correctional facility was opened in 2012, but the old prison in Kingstown is still in use and features substandard conditions. Further, there is a shortage of prison officers.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution prohibits discrimination based on race, sex, religion, and other such categories, but sexual orientation and gender identity are not similarly protected. Same-sex sexual conduct is illegal and carries penalties of up to 10 years in prison. While the law is rarely enforced, societal discrimination against LGBT+ people persists. In July 2019, two gay Vincentian men filed a legal challenge to the law; the government said it would oppose the challenge, and received the backing of a number of Christian churches.

Women reportedly face sexual harassment in the workplace, which is not specifically addressed by law.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

There are no significant restrictions on freedom of movement, and individuals are able to change their place of residence, employment, and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 4 / 4

Individuals are free to own property and to establish and operate businesses. The government has actively encouraged both domestic and foreign investors to do business in the country, though the World Bank has reported some regulatory difficulties with respect to registering property, obtaining credit, and resolving insolvency.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individual rights with respect to personal status matters like marriage and divorce are generally protected by law, though same-sex marriage is not recognized. The Domestic Violence Act of 2015, which went into effect in 2016 and provides for protective orders, offers some tools and resources to victims of domestic violence. However, such violence remains a serious and widespread problem, as does sexual assault.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The law provides safety and other basic protections against labor exploitation, and these are typically upheld, though there are some reports of inadequate enforcement. The Prevention of Trafficking in Persons Act of 2011 criminalizes forced labor and sex trafficking, and the government has increased its efforts to investigate violations and improve prevention and victim protection, but it has yet to secure any trafficking convictions, the US State Department reported in 2019.

Sudan

Capital: Khartoum

Population: 42,800,000

Freedom Status: Not Free

Electoral Democracy: No

Overview: The military leaders and civilian protesters who ousted the repressive regime of Omar al-Bashir and his National Congress Party (NCP) in 2019 are uneasy partners in a transitional government that—if successful—will be replaced by an elected government in 2022. Civic space is slowly opening to individuals and opposition parties, but security personnel associated with the abuses of old regime remain influential, and their commitment to political freedoms and civil liberties is unclear.

KEY DEVELOPMENTS IN 2019

- President Omar al-Bashir, who came to power in a coup d'état in 1989, was overthrown by the military in April, after a protest movement beginning in December 2018 placed growing pressure on the government. The military initially attempted to rule without the input of civilian protesters, who originally demonstrated against rising commodity prices and pervasive economic hardship before calling for al-Bashir's resignation as the year opened.

- Security forces killed 127 protesters in the capital of Khartoum in June, sparking a backlash that forced the short-lived junta to include civilian leaders in a new transitional government as part of a power-sharing agreement reached in August.
- Al-Bashir was arrested by the military junta and charged with corruption by the succeeding transitional government in August. The former president was convicted in December and was sentenced to two years in a correctional facility. As the year came to a close, prosecutors also questioned him over his role in the 1989 coup that brought him to power. The transitional government remained undecided on whether to surrender al-Bashir to the International Criminal Court (ICC), which had charged him with crimes against humanity, war crimes, and genocide over his government's efforts to quell a rebellion in Darfur in 2009 and 2010.
- The transitional government made progress in resolving conflicts in the border regions of Darfur, Blue Nile, and South Kordofan, which have collectively displaced nearly two million Sudanese. By December, the government had secured peace deals with 10 rebel groups, and committed to a roadmap to end the conflict in Darfur.

POLITICAL RIGHTS: 2 / 40 (-1)

A. ELECTORAL PROCESS: 0 / 12 (-2)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4 (-1)

President al-Bashir came to power in a coup d'état in 1989, and relied on his military and other supporters, and elections that did not meet democratic standards to maintain control. He was last reelected in 2015 with nearly 95 percent of the vote in a contest boycotted by opposition groups and marred by low turnout. al-Bashir was himself ousted in a coup d'état in April 2019 after sit-in protests were held near his compound and army headquarters in the capital city of Khartoum. These protests began in December 2018 when al-Bashir introduced austerity measures, cutting bread distribution and curtailing fuel subsidies, but protesters quickly called for the president's resignation as the movement grew.

The military first attempted to rule without civilian support, culminating in a violent crackdown of a Khartoum protest in early June that killed 127 people. The military officers who deposed President al-Bashir then held negotiations with the Forces of Freedom and Change (FFC), the opposition alliance that protested for al-Bashir's removal. After fraught negotiations, the two sides signed a power-sharing deal in August that established an interim government with a three-year mandate.

Those talks led to the creation of an 11-member Transitional Sovereign Council (TSC), which replaced the Transitional Military Council (TMC) responsible for the June massacre in Khartoum. The TMC's leader, General Abdel Fattah al-Burhan, was named the TSC's chair for a 21-month term, after which a civilian will lead the council for 18 months. The deal also allowed the military to name five of its members, while the FFC named five. The eleventh member, a civilian, was named by acclamation by both sides.

That same month, civilian members of the TSC nominated prominent economist Abdalla Hamdok to serve as prime minister. Hamdok presides over a cabinet of 20 technocratic ministers, who wield day-to-day executive power under the transitional agreement. The military, however, has maintained control of the defense and interior ministries under the power-sharing deal. The prime minister chose most of his ministers from a list of nominees provided by the FFC. These power-sharing talks also yielded an interim constitution which superseded the 2005 constitution as well as all provincial charters.

State-level government remained in flux throughout 2019. Military state governors appointed by President al-Bashir remained in their posts, though the military expressed a desire to recall them during their ongoing talks within the TSC. Ongoing peace talks with rebel groups operating in border regions and with South Sudan also took precedence, and the governors' replacements have not been named by year's end.

Score Change: The score declined from 1 to 0 because President al-Bashir was removed from office in a military coup, whose leaders still serve in the transitional government that has not held new elections in 2019.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4 (-1)

Sudan's revolution swept away the old bicameral National Legislature, whose members were last elected in 2015 in polls that did not uphold democratic standards and were largely boycotted by the opposition. Al-Bashir's political party, the National Congress Party (NCP), held 323 of the lower house's 426 seats before it was dissolved. The party itself was disbanded on orders of the TSC in November 2019.

Parties to the August 2019 talks instead created a Transitional Legislative Council (TLC) with 300 members, with the FFC selecting two-thirds of its members and other political parties choosing the rest in lieu of an election. The TLC's members, who remained unselected by year's end, are expected to hold office until elections are held in 2022.

Score Change: The score declined from 1 to 0 because the elected legislature was dissolved as part of the military coup, and plans for an interim legislative council were postponed.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The National Election Commission (NEC) was loyal to former President al-Bashir, and was headed by an NCP official. The NEC was replaced by a new Elections Commission by the TSC, and the interim constitution empowered the TSC to appoint its members. The new body will be responsible for organizing national elections in 2022, when the transitional period is to end. No members of the commission were named by year's end.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Under the al-Bashir regime, political parties faced harassment, intimidation, and bureaucratic hurdles when trying to participate in party politics. The TSC targeted high-ranking NCP members, which previously benefited from these circumstances, with arrest, including the acting party leader and a former vice president. Other prominent members were placed under house arrest. In November 2019, the TSC disbanded the NCP altogether, establishing a committee to seize its assets.

While the transitional government has worked to disband the NCP, a competitive multiparty system has not been instituted in 2019, and some political groups have found themselves outside the transitional system. In April, members of the Popular Congress Party (PCP), whose Islamist founder was a prominent supporter of al-Bashir's 1989 coup, were attacked by protesters as they held a meeting in Khartoum in late April 2019. The PCP

reported that at least 64 people were wounded during the incident, which was condemned by the TMC. The party subsequently decided not participate in talks to form a transitional government.

The Sudanese Communist Party (SCP), which played a significant role in the protest movement, refused to sign the power-sharing deal, objecting to the military's presence on the TSC. In November 2019, the RSF filed a complaint against Communist Party leader Siddig Yousef over his criticism of the paramilitary group's involvement in the June massacre in Khartoum.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4 (+1)

Under al-Bashir, opposition parties were hindered from gaining power through harassment, intimidation, and the arrests of their leaders. A small number of opposition politicians participated in a unity government formed in 2017, but al-Bashir dissolved it in 2019 in favor of an NCP-dominated government.

However, opposition groups saw early success during the protest movement that displaced al-Bashir, and have maintained influence as the transitional government took shape in August 2019. The interim constitution has also enshrined the right to form political parties, though they will not be able to contest an election until 2022, when the transitional period is scheduled to end.

Score Change: The score improved from 0 to 1 because the new power-sharing government included opposition nominees and representatives, and the transition process raised the possibility of future transfers of power through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Sudan's military has dominated the country's political system along with al-Bashir and the NCP, and attempted to rule without civilian involvement after ousting al-Bashir in April 2019. The TMC, which briefly held power between April and August, resorted to violence in an effort to maintain control, killing 127 people participating in a protest in Khartoum in June. The subsequent backlash forced the TMC to negotiate with civilian opposition groups, and allowed civilians to help form the TSC.

Military and security organizations that used force to oppose the protests have found themselves preserved within the TSC, however. The RSF, which was known for cracking down on prodemocracy protests during the al-Bashir era, was considered the primary force behind the government's violent response to the rebellion in Darfur in the 2010s, which prompted allegations of war crimes and genocide against al-Bashir.

The RSF also spearheaded the government's violent response against Khartoum protesters in June 2019. Despite this, the RSF was formalized and placed under army control when the interim constitution was formalized in August. Its feared leader, Lieutenant General Mohamed Hamdan Dagalo, served as the deputy leader of the defunct TMC and was subsequently named to the TSC that month.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The interim constitution commits Sudan to a plural, decentralized political system in which citizens are free to exercise their rights without discrimination on the grounds of political opinion or regional association.

Women have long been subject to restrictive laws on dress that were repealed by the transitional government in November 2019. Women have played an influential role in the protests that helped topple al-Bashir, as well as the transitional government that subsequently repealed those laws. Two women were named to the TSC in August 2019, though the vast majority of the council remains male. One woman, Raja Nichola Abdulmessih, is a member of the Coptic Christian minority.

Prime Minister Hamdok's technocratic cabinet also included four women, including Sudan's first-ever female foreign minister. In October, Nemat Abdallah Khair became the country's first woman to be named chief justice.

Despite this process, women involved in the protest movement criticized the TSC for its early failure to ensure equal representation in government. Protesters called for the TLC to maintain a 50 percent quota for women, but the interim constitution enshrined a 40 percent quota instead. Women also remained underrepresented in the TSC's commissions; the Women's Union of Sudan called for the TSC to address this imbalance in a September 2019 memorandum.

LGBT+ Sudanese remain at risk of lashings, imprisonment, and the death penalty for engaging in same-sex relations, which were outlawed in 1991. Almost no LGBT+ groups exist in Sudanese civil society to address their concerns.

C. FUNCTIONING OF GOVERNMENT: 0 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4 (-1)

While the transitional government includes civilians and representatives of opposition groups, it remains unelected; an elected legislature will not take office until 2022. Security forces also play a pivotal role in the TSC, which remains chaired by a military officer, and the defense and interior ministers are selected by the TSC's military members. These security forces are subject to reform based on provisions enshrined in the interim constitution, but civilian opposition leaders have described progress in that effort as hard-fought.

The July 2019 decision to restructure the feared National Intelligence and Security Service (NISS)—which harassed, detained, and tortured perceived opponents of al-Bashir's regime—was nevertheless considered a welcome early development. The NISS was replaced by the General Intelligence Service (GIS), which will focus on counterterrorism and anticorruption efforts.

Outside powers played a major role in shaping Sudan's political direction in 2019. Gulf countries including Saudi Arabia and the United Arab Emirates (UAE) tried to influence the transition in favor of the TMC by providing loans and diplomatic support to the junta, after it seized power in April 2019.

Score Change: The score declined from 1 to 0 because the transitional leadership lacked any electoral mandate and was formally headed by a military commander.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption was a defining feature of the al-Bashir era, with an alliance of political, military, and business figures engaging in bribery and graft to consolidate power. The transitional government, which is responsible for setting up an anticorruption and public funds recovery commission, began efforts to track down and recover national assets stolen by members of al-Bashir's government in 2019. To date, its main target has been al-Bashir himself, who was charged with corruption in August; the former president was also charged with receiving illegally-transferred foreign currency from Saudi Arabia's crown prince,

Mohammed bin Salman. He was found guilty in December 2019, and was sentenced to two years in a reform institution.

However, members of the al-Bashir government who engaged in bribery during his rule have escaped scrutiny in 2019, with some maintaining positions in the transitional government. These include senior security officials who sold the services of their troops to foreign powers for use in the ongoing civil war in Yemen. Lieutenant General Dagalo's ascent to high office was aided by a personal fortune gained through violently-acquired gold mining and smuggling.

C3. Does the government operate with openness and transparency? 0 / 4

President al-Bashir's government was considered opaque before its overthrow, running large off-budget accounts and reserving up to 80 percent of the formal budget to security institutions. In his early engagements with foreign creditors, Prime Minister Hamdok pledged greater transparency, robust budget management, and an overhaul of the civil service.

The interim constitution requires members of the TSC, the Cabinet, governors, and members of the Transitional Legislative Council to file financial disclosures.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -2 / 0 (+1)

Former president al-Bashir faces outstanding arrest warrants from the International Criminal Court (ICC) on charges of war crimes, crimes against humanity, and genocide in Darfur, where an insurgency by a black Muslim minority began in 2003. By the end of 2019, the transitional government was undecided on whether to hand al-Bashir over to the ICC over his ethnically-charged campaign.

Ceasefires in Darfur, South Kordofan and Blue Nile States, which were agreed in October 2019, have led to a reduction in violence after years of fighting in these border regions. The ceasefire in South Kordofan, which borders South Sudan, was first signed in 2018, and was extended in an agreement with the TMC before its dissolution. Prime Minister Hamdok also visited North Darfur in November 2019 to interact with people displaced by the conflict there. Despite this progress, the Office of the UN High Commissioner for Refugees (UNHCR) reported that 1.9 million Sudanese were still internally displaced by these conflicts in an August 2019 report.

Score Change: The score improved from -3 to -2 because cease-fires in Darfur, Blue Nile and South Kordofan, which held intermittently in recent years, were extended throughout 2019 amid renewed peace talks, easing pressure on local populations.

CIVIL LIBERTIES: 10 / 60 (+6)

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16 (+3)

D1. Are there free and independent media? 1 / 4 (+1)

The interim constitution agreed in August 2019 guarantees freedom of the press, but Sudan's government has historically been hostile to journalists. When protests began in December 2018, national newspapers were repeatedly closed, and journalists were detained without charge. In February 2019, the NISS interrogated Shamael al-Nur, a journalist at the *Al-Tayyar* newspaper, after antigovernment material was posted on its Facebook page. The TMC was similarly repressive during its short time in power, closing the Sudan bureau of Al-Jazeera in May 2019; it was reopened in August. The TMC also detained Sadiq

al-Rizaigi, president of the Sudanese Journalists' Union (SJU) and editor in chief of the newspaper *Al-Sayha*, for five days in July 2019; the TMC gave no reason for his arrest.

The TSC has refrained from the most aggressive tactics used by the al-Bashir government, though journalists have criticized its activities. The SJU and the International Federation of Journalists (IFJ) condemned the government's decision to close trade union organizations associated with the old regime, including the SJU, in December 2019.

The RSF has remained active in its targeting of journalists since the rise of the transitional government. In November 2019, it filed a complaint against Hanadi el-Siddig, editor in chief of the newspaper *Akhbar El-Watan*, over her newspaper column. El-Siddig was subsequently charged with violating the Information Crimes Act.

Score Change: The score improved from 0 to 1 because the transitional government began to lift some of the previous government's most severe restrictions on reporting in the latter part of the year.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4 (+1)

Sudan is 97 percent Muslim, with a small Christian minority. Under al-Bashir, Christians were persecuted and churches were shuttered, often under the pretext that they lacked appropriate permits. Sudanese repression of Christian groups accelerated after the conflict in Darfur escalated, and NGOs that supported this minority were forced out of the country.

The TSC's interim constitution, by contrast, has enshrined freedom of worship, and notably did not identify Islam as the country's preferred religion. The TSC also agreed to issue clear guidelines for those seeking planning permission for new churches, and overruled a Khartoum State regulation forcing Christian schools to hold classes on Sundays. Christians also welcomed the appointment of a Coptic Christian judge to one of the TSC's civilian seats.

Score Change: The score improved from 0 to 1 because the government took minor steps to improve conditions for the Christian minority in early 2019, and Christian groups played a visible role in the year's democracy movement, reportedly holding services at protest events.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Al-Bashir's government regularly interfered in Sudanese education, opposing students who participated in the protest movement that led to his eventual overthrow. Two university students were killed in River Nile State in December 2018, as the protests accelerated. By February 2019, the Sudanese government shuttered all universities in the country, as the movement gained further momentum. As the protest movement set its sights on the military junta that briefly ruled Sudan after al-Bashir's ouster, the RSF maintained a violent campaign against students, killing four protesters in the University of Khartoum when it assaulted the campus in early June 2019. The Scholars at Risk Network documented 10 incidents where campuses, students, and educators were targeted in the first half of 2019.

Since the TSC's creation, university students have maintained pressure, demanding the dismantling of student groups loyal to al-Bashir, the withdrawal of police forces on campuses, and the departure of administrators tied to the former government. In response, the TSC moved to disband NCP groups in higher education, ahead of the reopening of campuses in October 2019. The prime minister also dismissed 28 university chancellors and 35 vice chancellors, many of whom were affiliated with the NCP.

Despite this, campuses remained sites of conflict as the year progressed. Students loyal to the NCP attacked a group of students supporting the transitional government at Alzaiem Alazhari University in late October 2019, injuring at least 27 people. In late November, over 200 students from the University of Dongola resigned from the student body, accusing the administration of racism when responding to complaints over the quality of lecturers. Administrators had allegedly singled out four of their group for their Darfuri origin, accusing them of inciting their fellow students.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4 (+1)

The NISS reportedly monitored private communications without oversight or authorization during the al-Bashir era, and the government often used defamation laws to prosecute social media users who criticized it. After the al-Bashir government fell in April 2019, the TMC that temporarily replaced it resorted to shutting internet access entirely. Access was unavailable for much of June 2019, beginning with the RSF's massacre of protesters in Khartoum early that month. The blackout also coincided with the #BlueForSudan Twitter campaign calling for the formation of a civilian government.

The interim constitution issued by the new government affirms the right to privacy, including citizens' right to engage in private correspondence without interference. The new government has begun to dismantle the surveillance state that was synonymous with the former regime, notably by restructuring the NISS in July 2019.

Score Change: The score improved from 1 to 2 because self-censorship among ordinary citizens ebbed during the protest movement and after the power-sharing agreement, and the transitional leadership moved to reorganize the NISS and reduce its internal security role.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12 (+2)

E1. Is there freedom of assembly? 0 / 4

The security forces repeatedly used deadly force against protesters during the movement to oust al-Bashir, denying their freedom to assemble. When the RSF attacked a protest outside of military headquarters in Khartoum in June 2019, it resorted to burning down the demonstrators' camp and dumping the bodies of some of its 127 victims into the River Nile. Doctors were subsequently attacked in hospitals as they tended to the injured. The RSF violently attacked another assembly in El-Obeid in July, the state capital of North Kordofan, while power-sharing talks were taking place; six people were killed, including four high school students.

Even after the TSC affirmed the right to assemble in its interim constitution, security forces have sometimes denied this right in practice. In September 2019, students encountered live ammunition and tear gas when they protested food shortages in the city of Nyala, the state capital of Southern Darfur. More than 20 people were wounded.

In other instances, demonstrations took place with minimal obstruction from the authorities. Thousands of people gathered outside the presidential palace in Khartoum in September 2019, demanding the appointment of judicial officials and the prosecution of security officers accused of killing protesters earlier in the year. Security forces used tear gas to disperse the crowd, but refrained from engaging in the more violent tactics seen earlier in 2019. October protests held in Khartoum, North Darfur, and Northern State took place peacefully.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4 (+1)

Under al-Bashir, international and domestic nongovernmental organizations (NGOs), faced serious hurdles or were banned from operating altogether. Upon taking office, the new government signaled a loosening of restrictions on civil society. In September 2019, the Office of the UN High Commission on Human Rights (OHCHR) signed an agreement with the foreign minister to open offices in Sudan.

That same month, the TSC announced as part of an agreement with armed opposition forces that will allow NGOs expelled by al-Bashir to resume humanitarian operations in conflict-affected areas. By December, the World Food Program (WFP) was delivering assistance to parts of Blue Nile State, to which it had been denied access since 2011.

Score Change: The score improved from 1 to 2 because the transitional government took steps to facilitate international NGOs' access to the country, including to conflict areas.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4 (+1)

Independent trade unions were largely absent during the al-Bashir era; his government banned them after taking power in 1989, and instead coopted the Sudan Workers' Trade Unions Federation (SWTUF). Professional organizations unsuccessfully attempted to form confederations in 2012 and 2014, but the Sudanese Professionals Association (SPA) was founded in late 2016. The SPA, an umbrella organization for unrecognized unions and workers' syndicates, decided to back the fledgling protest movement, calling for al-Bashir to step down in January 2019 and engaging in a civil disobedience movement against the short-lived military junta that June. The SPA has since played a role the transitional government, with one of its members being named to the TSC.

The interim constitution also affirmed the right for workers to form and join trade unions to protect their interests when it was published in August 2019. The transitional government also established a committee tasked with dissolving institutions linked to the NCP. This included the SWTUF, which was dissolved in December 2019 along with the Sudan Journalists Union (SJU). The International Trade Union Confederation's African arm criticized the decision, however, saying it violated their members' right to assemble.

Score Change: The score improved from 0 to 1 because independent professionals' unions played a leading role in the protest movement and the formation of the transitional government.

F. RULE OF LAW: 1 / 16 (+1)

F1. Is there an independent judiciary? 1 / 4 (+1)

The interim constitution envisages comprehensive legal reform, including the establishment of an independent judiciary, to replace the politically-influenced judiciary of the al-Bashir era. The first senior appointments were announced in October 2019, following large protests calling for an acceleration of judicial reform. The new chief justice, who was appointed that month, is the first woman to hold the position in Sudan's history.

A separate system of military courts will try cases involving members of the armed forces and security services.

Score Change: The score improved from 0 to 1 because a new chief justice was appointed with the support of civilian officials and protesters, clearing the way for further reforms of the judiciary.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Hundreds of antigovernment protesters were detained in the months leading to al-Bashir's removal, including members of political parties, the SPA, journalists, and students. The majority were either held without charge or sentenced by emergency courts, and were released when the al-Bashir government fell. The short-lived TMC also engaged in arbitrary arrests; detainees included three leaders of the Sudan People's Liberation Movement–North (SPLM-N), who were deported to South Sudan after meeting Ethiopian prime minister Abiy Ahmed during his effort to mediate the ongoing crisis. Most of these detainees were released by the end of June.

The interim constitution called for the establishment of a new public prosecutor's office when it was published in August 2019. Taj al-Ser Ali al-Hebr was appointed to the role in October, with one of his first cases being the prosecution of former president al-Bashir. Al-Hebr's office also prosecuted 27 members of the security forces for their detention and killing of a schoolteacher in February 2019, winning death sentences against them in late December.

Though the interim constitution enshrines the right to due process, it also contains a provision allowing the government to claim emergency powers to suspend parts of the document. This took place in October, when the transitional government extended a nationwide state of emergency imposed by al-Bashir in February. The FFC said the measure was needed because of ongoing insecurity, and the need to complete the prosecution of former regime members.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Torture and abuse of prisoners was rampant under al-Bashir, and intensified as antigovernment protests gathered momentum, according to UN human rights monitors. Civilians were frequently victims of deadly violence during the final months of al-Bashir's rule and the TMC's short time in power. In July 2019, the Central Committee of Sudanese Doctors reported that 246 people had been killed and more than 1,300 wounded since the start of the protest movement in December 2018, most of them killed by the security forces.

To date, almost none of the perpetrators of these attacks have been held to account, though eight RSF members were arrested in August 2019 for their involvement in the June massacre in Khartoum. In September, Prime Minister Hamdok announced the creation of an independent committee to investigate the incident. Human Rights Watch (HRW) was critical of the committee, noting that a defense ministry official was named to the committee by the prime minister. Members of the protest movement called for an international probe, but were rebuffed by the military members of the TSC. The committee was due to release its initial findings at the end of 2019. It remains unclear whether other serious human rights abuses committed before and during the transition will be properly investigated.

The transitional government's constitution permits the use of the death penalty, which has already been imposed at least once when 27 security officers were given death sentences for their involvement in torturing and killing a protestor in a December 2019 trial. Sudanese criminal law is based on Sharia (Islamic law) and allows punishments including flogging and cross-amputation (removal of the right hand and left foot).

People in Sudan have also suffered from the effects of insurgencies for several years, with the UNHCR counting nearly 1.9 million internally displaced persons in Sudan in August 2019. The transitional government committed itself to a six-month timetable to reach peace agreements with armed groups operating in Darfur, South Kordofan State, and Blue Nile State when it promulgated its interim constitution in August 2019. In September, the transitional government signed a declaration establishing a roadmap for negotiations. That

declaration included commitments to release political prisoners of war and rescind death sentences imposed on the armed groups' leaders. Talks between the government and representatives of five groups began in October.

In late December 2019, the government reached a deal with nine rebel groups that included a roadmap to end the conflict in Darfur, address the destruction of property during the conflict, and facilitate the return of Sudanese displaced by the fighting. Another rebel group came to terms with the transitional government separately earlier that month.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Successive governments in Sudan neglected populations living in the periphery of the country, sparking uprisings that were met with indiscriminate force. As antigovernment protests gathered pace during the first half of 2019, demonstrators in these regions—particularly Darfur—faced deadly reprisals from security forces.

The transitional government's interim constitution commits the government to uphold the human rights of Sudan's citizens without discrimination and ensure equal treatment the law. The charter also calls for accountability for war crimes, crimes against humanity, and other serious violations of human rights. The document ultimately envisages the establishment of a Commission for Transitional Justice to try cases, but this commission was not established by the end of 2019.

Same-sex relations remain illegal in Sudan, though this prohibition has been inconsistently enforced. Official and societal discrimination against LGBT+ Sudanese remains widespread.

Refugees and asylum seekers residing in Sudan have also been subject to poor treatment, despite legislation passed in 2014 that was meant to strengthen the rights of asylum seekers. The UNHCR surveyed refugees from the Central African Republic (CAR), Eritrea, and South Sudan living in nine states in Sudan throughout 2018, before publishing the results in July 2019; participants reported pervasive insecurity, restrictions on freedom of movement, and poor access to public services.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 1 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

The transitional government affirmed freedom of movement and the right to travel—including overseas—for all citizens in its interim constitution. However, the TSC has maintained the al-Bashir government's state of emergency, imposing curfews and restricting movement in South Kordofan State in October 2019. Neighborhood committees in the state alleged that security forces arbitrarily arrested individuals during the state of emergency.

The TSC also used emergency powers in the city of Port Sudan in September 2019 following clashes between tribal groups that left at least 16 people dead. The groups quickly reached a settlement, after Lieutenant General Dagalo threatened to expel both tribes from the country in a speech.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Weak land rights have been a chronic driver of conflict in Sudan. In a succession of opaque deals, the al-Bashir regime leased large parcels of arable land to foreign countries for export crop production. In some cases, local populations were forced from their land or had their water supplies depleted.

The interim constitution guarantees the right to own property and protects citizens from having their property acquired by the state without compensation. The new government has stated its intention to address these grievances, and had to make good on its word as early as September 2019, when it negotiated a settlement between tribal groups in Port Sudan. However, neighborhood committees in South Kordofan State warned that security forces were seizing property while enforcing the state of emergency there.

Women are denied equal inheritance rights due to the use of Sharia law, and have relatively weak property rights compared to men due to traditional and religious statute.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Women have long been subject to strict “public order” and morality laws which restricted their ability to interact with men outside their immediate families. Sudan’s criminal code allowed for women to be lashed for violating these laws. One women’s organization catalogued more than 45,000 uses of the law in 2016 alone. In November 2019, the TSC repealed the Public Order Act, though related criminal code statutes remained in force at the end of the year.

Sharia law denies women equal rights in marriage and divorce. Women convicted of adultery can face the death penalty.

Violence against women remains a major problem. The Central Committee of Sudanese Doctors documented 70 rapes committed during the RSF’s attacks on protesters in Khartoum in June 2019. Neither female genital mutilation nor child marriage are outlawed.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Bleak economic conditions, unemployment, and the high prices of basic goods were among the root causes of the revolution that helped topple al-Bashir’s government. Prime Minister Hamdok’s government voiced a commitment to reversing these issues, though the economy remained weak through 2019. The International Monetary Fund (IMF) held consultations with the transitional government in late 2019, and warned that high inflation, a persistent deficit, and low growth would remain without significant reform.

The transitional government took early steps towards clamping down on harmful environmental practices in the gold mining sector. In October 2019, it announced a ban on the use of cyanide and mercury in gold extraction, following protests in mining areas in South Kordofan that resulted in a heavy-handed response from the RSF. Though the transitional government has included the fight against exploitation as an early agenda item, security personnel who hold positions in the government have profited from illicit economic activities, including smuggling.

Migrants, refugees, and asylum seekers who travel to and through Sudan remain vulnerable to criminal networks engaged in human trafficking and smuggling.

Suriname

Population: 600,000

Capital: Paramaribo

Freedom Status: Free

Electoral Democracy: Yes

Overview: Suriname is a constitutional democracy that holds generally free and fair elections. However, corruption and clientelism are pervasive problems in society and in the government, undermining the rule of law. Women, indigenous peoples, and the Maroon population are politically underrepresented.

KEY DEVELOPMENTS IN 2019

- In November, President Dési Bouterse was convicted for the extrajudicial executions of 15 opponents of the then military government in 1982, receiving a sentence of 20 years in prison. With an appeal pending, he was not immediately arrested, and in December he stated that he would seek reelection in 2020.
- The parliament in March approved legislation that barred political parties from forming electoral alliances. The reform also raised the maximum age of the chair of the Independent Electoral Bureau (OKB) from 65 to 70, allowing the incumbent chair—a Bouterse ally—to retain her position.

POLITICAL RIGHTS: 32 / 40 (-2)

A. ELECTORAL PROCESS: 11 / 12 (-1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is chief of state and head of government, and is elected to five-year terms by a two-thirds majority of the 51-seat National Assembly. If no such majority can be reached, a United People's Assembly—consisting of lawmakers from the national, regional, and local levels—convenes to choose the president by a simple majority. The president is not subject to term limits. In 2015, the freely elected National Assembly reelected President Dési Bouterse in accordance with the law.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 1987 constitution provides for a unicameral, 51-seat National Assembly. Representatives are elected for five-year terms via proportional representation. The last legislative elections in 2015 were considered competitive and credible. Bouterse's National Democratic Party (NDP) took 26 seats, the V7 opposition coalition took 18, and smaller groupings took the remainder.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4 (-1)

Electoral laws generally meet international standards of fairness. However, the president appoints the members of the election commission, the OKB, and has the power to fire them, raising concerns about impartiality. In March 2019, the National Assembly approved electoral reforms that had been proposed by the Bouterse government in late 2018. The legislation prohibited electoral alliances among political parties and raised the maximum age of the OKB chairperson from 65 to 70 years. The latter provision would allow incumbent OKB chair, Jennifer van Dijk-Silos, to remain in office; appointed in 2015, she was a former minister of justice and police in the Bouterse government and a confidante of the president. Opposition members abstained during the vote on the electoral reform law, arguing that such changes required a two-thirds majority.

Score Change: The score declined from 4 to 3 due to the adoption of changes to the electoral framework that appeared to favor the ruling party, including a ban on electoral alliances and an increase in the maximum age for the chair of the electoral commission.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Suriname's many political parties, which often reflect the country's ethnic cleavages, generally form and operate freely. However, fierce political competition occasionally includes acts of violence or intimidation.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has experienced multiple transfers of power between rival parties, and the opposition has a realistic opportunity to increase its support or enter government through elections. However, the ban on electoral alliances enacted in 2019 threatened the competitiveness of fragmented opposition groups ahead of the 2020 elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People's political choices are generally not subject to undue coercion. However, opposition parties have raised concerns about campaign financing—which is unregulated and lacks transparency—and the resulting influence that special interest groups can have on parties and candidates. Incumbent political forces have also been accused of attempting to buy votes by distributing food to citizens.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Parties are often formed along ethnic lines, meaning most ethnic groups have political representation. However, the interests of indigenous communities are often overlooked. Women have historically played a limited role in politics, but have experienced gains in recent years; in 2015, 13 out of the 51 representatives elected to the National Assembly were women, compared with six women elected in 2010. The interests of Maroons, the descendants of escaped slaves, are poorly represented in politics, though there are Maroon officeholders at various levels of government.

C. FUNCTIONING OF GOVERNMENT: 7 / 12 (-1)**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4 (-1)**

The country's freely elected representatives are able to determine laws and government policies without undue interference. However, in recent years the legislature has failed to serve as a meaningful check on executive power. The government has used its narrow parliamentary majority to avoid accountability for politically advantageous actions that appeared to exceed its legitimate authority. For example, the president fired the central bank governor in February 2019 after he resisted facilitating increased government spending ahead of the 2020 elections, and after opposition members accused the finance minister of violating a legal cap on government borrowing in October, the governing majority passed legislation to remove penalties for such violations.

Score Change: The score declined from 4 to 3 because the legislature has failed to serve as a meaningful check on the executive branch in recent years.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Government corruption is pervasive. In 2017, the National Assembly adopted a new anticorruption law, updating past laws that were severely outdated. However, the legislation had yet to be implemented as of 2019, and the anticorruption commission it called for had not been established. Numerous high-profile corruption cases involving malfeasance at government agencies or state-owned companies have stalled in the courts or at the investigative stage.

C3. Does the government operate with openness and transparency? 2 / 4

The government often does not operate with transparency. Officials are not required to disclose information about their finances in practice, despite disclosure provisions in the 2017 anticorruption law. Suriname does not have laws to facilitate access to public information, and access is limited in practice.

CIVIL LIBERTIES: 43 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

The constitution guarantees press freedom, and the media sector is fairly diverse. The press frequently publishes stories that are critical of the government, though some journalists engage in self-censorship in response to pressure and intimidation from authorities. Government officials use state media to verbally attack journalists whose work they find objectionable.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution guarantees freedom of religion, which is typically upheld in practice.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Freedom of expression is enshrined in the constitution, and there are no formal constraints on the expression of personal views among the general public. However, Suriname's increasingly rancorous political atmosphere and government officials' verbal intimidation of perceived critics may deter open discussion of sensitive topics by ordinary citizens.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution guarantees freedom of assembly, which is generally respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations (NGOs) function freely in Suriname.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers are free to join independent trade unions, which are actively involved in politics. Civil servants lack the legal right to strike. There have been isolated reports of private-sector employers denying collective bargaining rights to unions.

F. RULE OF LAW: 8 / 16**F1. Is there an independent judiciary? 2 / 4**

The judiciary enjoys some autonomy, but it is undermined by corruption and the courts' financial dependence on executive agencies.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Obstacles to due process include a lack of capacity and resources that contributes to corruption and trial delays. The public prosecutor's office often pursues cases selectively, and low wages for police encourage bribery and extortion. Payments are sometimes made to obtain favorable outcomes in criminal and civil proceedings. There is a backlog of cases involving non-Dutch speakers, as interpreters who have gone unpaid have refused to work additional cases. Pretrial detention, even for minor crimes, is common and can sometimes last for years.

President Bouterse has accepted "political responsibility" for his involvement in the abduction and extrajudicial killing of 15 political opponents during his time as a military ruler in 1982, but he long sought to disrupt legal proceedings against him. When his efforts to prevent a murder trial failed, Bouterse fired the justice minister and in 2017 replaced her with a close ally. After the public prosecutor that year demanded a 20-year prison sentence against Bouterse, the government adopted a resolution warning the prosecutor to be "careful," and asking him to voluntarily resign. Bouterse later withdrew the resolution in the face of public outrage, and the trial resumed in late 2018. In November 2019, the president was found guilty and sentenced to 20 years in prison, though he was not immediately arrested, and an appeal was pending at year's end. Six other former military officers were also convicted, with three sentenced to 15-year terms and three to 10-year terms.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The population is generally free from major threats to physical security. The use of excessive force by law enforcement officials is prohibited, but some cases of police abuse have been reported. In March 2019, a prisoner died after he was abused by guards following an escape attempt. In July, an unauthorized miner was killed by police during skirmishes at a gold mine.

Temporary detention facilities are characterized by unhygienic conditions, understaffing, and overcrowding. Suriname lies on a major drug-trafficking route, giving rise to some trafficking-related violence. Violent crimes such as burglary and armed robbery are common, and police resources are insufficient to address the problem.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution prohibits discrimination based on race or ethnicity. Nevertheless, the Maroon and indigenous people in the hinterland face inequality in areas such as education and employment.

Same-sex sexual relations are legal, though the age of consent differs from that applied to opposite-sex couples. Despite legal protections adopted in 2015, members of the LGBT+ community face societal discrimination, harassment, and abuse by police.

The constitution bars gender discrimination, but in practice, women experience disadvantages in access to employment and education.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The government generally upholds constitutional freedoms of internal movement and residence, though the lack of protections for indigenous and Maroon lands leave those communities vulnerable to displacement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Although Suriname's constitution guarantees property rights, they are sometimes inadequately protected. Corruption can hinder private business activity, especially regarding land policy, government contracts, and licensing. Indigenous and other minority groups remain exposed to illegal land expropriation, including by logging and mining operations. Women face inequality related to inheritance and property due to discriminatory local customs.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Individuals are generally free of undue constraints on personal status decisions such as marriage and divorce. However, domestic violence remains a serious problem, and laws that criminalize it are not well enforced. In October 2019, the former partner of 37-year-old Monaliza Maynard was sentenced to 25 years in prison for her 2018 murder, the brutality of which had shocked the country and brought the issue of domestic violence to public attention.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Despite government efforts to combat it, trafficking in persons remains a serious problem. Women and migrant workers are especially at risk of sexual exploitation and forced labor in various industries. Construction and mining work often do not receive adequate attention from labor inspectors. The deteriorating economy in Venezuela has increased the vulnerability of Venezuelan women to sex trafficking in Suriname. Corruption has facilitated the criminal activities of traffickers.

Sweden

Population: 10,300,000

Capital: Stockholm

Freedom Status: Free

Electoral Democracy: Yes

Overview: Sweden is a parliamentary monarchy with free and fair elections and a strong multiparty system. Civil liberties and political rights are legally guaranteed and respected in practice, and the rule of law prevails.

KEY DEVELOPMENTS IN 2019

- In January, after over four months without a functioning government, the Swedish Social Democrats (SAP) managed to form a functioning government with the

Green Party, the Centre Party, and the Liberals, with Stefan Löfven of SAP continuing as Prime Minister.

- Over the course of one week in June, multiple bombs went off in the city of Malmö, damaging over 250 apartment blocks, and injuring 25 people.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The prime minister is the head of government and is appointed by the speaker of the freely elected parliament, or Riksdag, and confirmed by the body as a whole. Prime Minister Stefan Löfven of the SAP was appointed in January 2019 following parliamentary elections in 2018. King Carl XVI Gustaf, crowned in 1973, is the ceremonial head of state.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral Riksdag is comprised of 349 members who are elected every four years by proportional representation. A party must receive at least 4 percent of the vote nationwide or 12 percent in an electoral district to win a seat. Swedish elections are broadly free and fair.

In the September 2018 parliamentary elections, neither main bloc won a majority, with the center-left bloc winning 144 seats and the center-right bloc winning 143 seats. The populist, anti-immigrant party, Sweden Democrats, won 62 seats, up from 49 previously. However, the party's gains fell short of the expectations of many analysts. Parties in both the center-right and center-left blocs refused to form a coalition government with the Sweden Democrats (SD). In January 2019, after over four months without a government, Stefan Löfven, leader of the SAP, formed a government together with the Green Party, the Centre Party, and the Liberals.

A report published in November 2018 by election monitors from the Organization for Security and Co-operation in Europe (OSCE) stated that although the integrity of the elections was not in doubt, the secrecy of the vote was sometimes compromised.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections are regulated by the Swedish Election Authority, which effectively upholds its mandates.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Political parties may form and operate without restriction.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Sweden has a strong multiparty system with a robust opposition. Eight political parties secured representation in the Riksdag in 2018, with the SAP, the Moderates, and the Sweden Democrats holding the most seats.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from domination by actors that are not democratically accountable.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

The country's principal religious, ethnic, and immigrant groups are represented in the parliament, as are many women. There are 161 women (out of 349 members) in parliament, however, some parties maintain more gender parity than others. Since 1993, the indigenous Sami community has elected its own legislature, which has significant powers over community education and culture, and serves as an advisory body to the government. There are, however, calls for greater political autonomy of the Sami parliament, which have been echoed by the United Nations (UN) Special Rapporteur on the rights of indigenous peoples.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Sweden's freely elected representatives develop and implement policy. The strong performance by the far-right Sweden Democrats in the 2018 parliamentary elections, and the refusal of both the center-right bloc and center-left bloc to work with the party, contributed to the failure to form a functioning government for over four months after the general election in 2018. The SAP managed to form a functioning government with the Green Party, Centre Party, and Liberals in January 2019 after a vote in parliament. Three parties abstained from the vote, however.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Corruption is relatively low in Sweden. Anticorruption mechanisms are generally effective. The country's lively free press also works to expose corrupt officials. However, Sweden has faced some criticism for insufficient enforcement of foreign bribery laws.

C3. Does the government operate with openness and transparency? 4 / 4

The country has one of the most robust freedom of information statutes in the world, and state authorities generally respect the right of both citizens and noncitizens to access public information.

CIVIL LIBERTIES: 60 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Sweden's media are independent. Most newspapers and periodicals are privately owned, and the government subsidizes daily newspapers regardless of their political affiliation. Public broadcasters air weekly radio and television programs in several minority languages.

Threats and intimidation of journalists have increased in recent years, particularly against those who report on organized crime, religion, extremist groups, or other sensitive topics.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is constitutionally guaranteed and generally respected. State authorities document religious hate crimes, investigate and prosecute cases, and provide adequate resources for victims. The police force includes a permanent unit trained to handle hate crimes.

Members of the Sweden Democrats and other parties have proposed legislation to prohibit the Muslim call to prayer (*adhan*), the wearing of the hijab (headscarf) by students and teachers, the importing of kosher and halal meat, and the nonmedical circumcision of boys.

Despite the authorities' capacity to document and pursue legal action for such events, hate crimes and violence against Jews and Muslims are often unreported. A 2018 survey from Uppsala University found that 52 percent of Muslim congregations had received death threats and 45 percent had reported at least one attack against their properties in 2017. In the summer and fall of 2018, Jewish-owned houses were set on fire on two occasions in Lund. Reported hate crime statistics from 2018 show an overall increase in events from 2017, especially those in relation to islamophobia and antisemitism.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is open and vibrant.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is generally respected in law and in practice. However, violence has occasionally erupted between far-right demonstrators and counterprotesters.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations of all kinds function freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The rights to strike and organize in labor unions are guaranteed. Trade union federations, which represent approximately 70 percent of the workforce, are strong and well organized.

F. RULE OF LAW: 16 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The rule of law prevails in civil and criminal matters. Defendants are presumed innocent until proven guilty, and the state must provide legal counsel to people accused of criminal offenses.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Following a 2017 attack in which a man drove a truck through central Stockholm and into a department store, killing 5 people and wounding 10 others, the government introduced new antiterrorism measures. The law focused on tighter security in public places, greater information sharing between government agencies, and tighter controls on individuals deemed to pose a security threat.

There has been an increase of deadly shootings, arson attacks, and use of hand grenades in many Swedish cities in recent years, mainly in the poorest neighborhoods with large immigrant populations. Over the course of one week in June 2019, multiple bombs went off in the city of Malmö, damaging over 250 apartment blocks, and injuring 25 people. Authorities have failed to stem the violence with relatively few cases being prosecuted and little information on who is involved in the attacks and why.

Conditions in prisons and temporary detention facilities are adequate, but concerns have been raised about excessive use of long detention periods. Changes to the law regarding detention have been proposed in the parliament. Swedish courts have jurisdiction to try suspects for genocide committed abroad.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 4 / 4

The Swedish state works to ensure equal protection and rights for all members of the population. An equality ombudsman oversees efforts to prevent discrimination on the basis of gender, ethnicity, disability, and sexual orientation. However, the United Nations has called for the ombudsman's powers to be strengthened and has noted problems with discrimination by police and correctional personnel.

In 2017, in the wake of growing right-wing sentiment and increasing immigration from abroad, the Swedish government voted to place limits on parental leave benefits for immigrants. In 2016, the parliament passed a law that tightened restrictions on asylum seekers, which included limiting family reunification.

The 2018 *Report on International Religious Freedom* noted that while Sweden has antidiscrimination legislation, antisemitism and anti-Muslim sentiment remain persistent problems. In recent years, multiple reports of members of the Sweden Democrats and other parties making antisemitic and anti-Muslim remarks have emerged: their remarks included denials of the Holocaust, antisemitic conspiracy theories, and extreme anti-Muslim rhetoric, sometimes calling for violence. Jewish and Muslim community leaders in Sweden have claimed that the far-right is an indirect but real threat to their communities.

In February 2019, a member of the Swedish Academy (the body which selects the Nobel Prize in Literature) resigned in relation to a sexual assault scandal that emerged in 2018.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 16 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is legally guaranteed and generally respected in practice. However, asylum seekers may be assigned to a place of residence, and at times may be forced to change locations. Sweden continues to maintain checkpoints on its external borders that were instituted during the 2015 refugee crisis.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The government respects the rights of individuals to own property and establish private businesses. A 2011 Supreme Court ruling granted Sami reindeer herders common-law rights to disputed lands.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Same-sex couples are legally allowed to marry and adopt; lesbian couples have the same rights to artificial insemination and in vitro fertilization as heterosexual couples. The Lutheran Church allows same-sex marriage ceremonies.

The United Nations has criticized Sweden for not doing enough to prevent domestic violence against women and children. Despite the country's reputation in the eyes of many as a model for gender equality, Sweden suffers from persistently high levels of rape and sexual assault. To address the issue, the parliament passed a groundbreaking law in May 2018 which legally recognizes that sex without consent amounts to rape. The law distinguishes Sweden from most other European countries, which continue to legally define rape in terms of force, threats, and coercion.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 4 / 4

People in Sweden generally enjoy equality of opportunity. Women earn the equivalent of 88 percent of men's wages, or 95.5 percent when differences in age, sector, and experience are taken into account. However, unemployment is higher among immigrants than it is among people who were born in Sweden.

Sweden is a destination and, to a lesser extent, a transit point for women and children trafficked for the purpose of sexual exploitation, but the Swedish government is proactive in combatting the problem. The government has established antitrafficking working groups and action plans on the municipal level. Nevertheless, the United Nations (UN) has pointed out that Sweden lacks robust methods to prevent individuals, especially unaccompanied immigrant children, from falling victim to human trafficking. According to the US State Department's 2019 *Trafficking in Persons Report*, Sweden meets the minimum standards for prevention of trafficking however the authorities are not proactive enough in identifying trafficking victims, notably among asylum seekers and unaccompanied children.

Switzerland

Population: 8,600,000

Capital: Bern

Freedom Status: Free

Electoral Democracy: Yes

Overview: The political system of Switzerland is characterized by decentralization and direct democracy. The multilingual state is typically governed by a broad coalition that includes members from the four largest political parties represented in the parliament. The 26 cantons that make up the Swiss Confederation have considerable decision-making power, and the public is often asked to weigh in on policy matters through referendums. Civil liberties are generally respected in the country, though laws and policies adopted in recent years have reflected a growing wariness of immigration and minority groups of foreign origin, which sometimes face societal discrimination.

KEY DEVELOPMENTS IN 2019

- Parliamentary elections in October presented a minor shake-up of Swiss politics: The right-wing populist Swiss People's Party (SVP) maintained their plurality but lost a sizeable portion of their power. The Green Party (GPS) and Green Liberal Party (GLP) recorded the strongest gains of Swiss electoral history since 1919, becoming competitive opposition parties.
- Switzerland was added to the blacklist of the International Labour Organization (ILO) of countries not offering enough protection to unionized employees in May.
- Also in May, the Federal Intelligence Service (FIS) was called out for leading investigations against several left-wing political activists and members of left-wing parties in the cities of Basel and Bern, despite not having legal grounds to do so.
- In October, Switzerland was removed from the European Union's (EU) "gray list" of countries not cooperating in the fight against tax evasion.

POLITICAL RIGHTS: 39 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Executive power is exercised by the seven-member Federal Council (cabinet), with each member elected by the bicameral Federal Assembly to four-year terms. The Federal Council represents a consensus-based coalition among all of the large parties in the Federal Assembly. The presidency is largely ceremonial and rotates annually among the Federal Council's members. In December 2019, Simonetta Sommaruga of the Social Democratic Party (SP) was elected president for 2020 by the Federal Assembly.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The constitution provides for a Federal Assembly with two directly elected chambers: the 46-member Council of States, in which each canton has two members and each half-canton has one, and the 200-member National Council, whose seats are apportioned among the cantons based on population. All lawmakers serve four-year terms. Switzerland's electoral process is vibrant and pluralistic, garnering high levels of confidence from the public.

Elections were held in October 2019 and presented a minor shake-up in Swiss politics. In the National Council, the right-wing SVP remained the strongest party but lost considerable power, taking 53 seats, down from 65. SP won 39 seats (losing 4); the Free Democratic Party of Switzerland (FDP) took 28 seats (losing 4); and the Christian Democratic People's Party (CVP) took 25 seats (losing 2). The biggest winners of the election were the GPS, which won 28 seats, a 17-seat increase, and the GLP, which won 16 seats, a 9-seat increase. In the Council of States, the CVP won 13 seats, the FDP secured 12, the SP took 9, the SVP grabbed 6, and the GPS won 5, representing further gains for the Greens and losses for the Social Democrats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Switzerland's electoral process is robust and well implemented. Electoral laws are fair, and the Election Commission of Switzerland, which administers elections, is considered impartial. The government frequently relies on referendums to decide contentious policy issues.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Political parties are free to form and operate, and a wide range of parties are active at the federal and regional levels. The political system is stable, but it remains open to new groups.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

While most parties govern together by common agreement in the country's consensus-based political system, they compete vigorously in elections and can gain or lose influence depending on their performance at the polls. The government also relies on referendums to decide contentious policy issues. The Federal Council currently comprises two members each from the SVP, the SP, and the FDP, and one member from the CVP. After the 2019 election, the Green Party petitioned parliament to change the composition of the Federal Council to accommodate their electoral success: the Greens now hold more seats than CVP, and the same number of seats as FDP, both of which are on the council. The Greens lost the parliamentary vote for the seat, but will likely renew their bid should they repeat their strong performance in the next election.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from domination by democratically unaccountable entities. However, Switzerland has been criticized for failing to address the lack of transparency in party financing. Civil society leaders contend that the opaque campaign finance system allows wealthy interests to influence the platforms of the major political parties.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Restrictive citizenship laws and procedures tend to exclude many immigrants, as well as their children, from political participation. About a quarter of the population is made up of up noncitizens, though more than a third of these are citizens of neighboring countries. Noncitizens do not have the right to vote in federal elections but do in some cantonal polls.

Women participate robustly in Swiss politics, both as voters and candidates for office. The 2019 elections saw a record number of women elected to the National Council, where they now make up 42 percent of all parliamentarians.

C. FUNCTIONING OF GOVERNMENT: 12 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

Switzerland's freely elected officials are able to determine and effectively implement national and local policy through a decentralized system of government.

The 26 cantons have significant control over economic and social policy, with the federal government's powers largely limited to foreign affairs and some economic matters. Referendums, which are used extensively, are mandatory for any amendments to the federal constitution, the joining of international organizations, and major changes to federal laws.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Safeguards against corruption are generally effective. The trial against Pierre Maudet, former head of the Geneva cantonal government who had accepted benefits from the crown prince of Abu Dhabi in 2015, continued in 2019 even though Maudet still holds his seat as a state counsellor of Geneva. Four employees of the State Secretariat for Economic Affairs were indicted for procurement fraud in October 2019.

A law to improve whistleblower protection was rejected in June 2019 by the National Council but is currently under review in the Council of States. The reform came as a response to criticism by the Organisation for Economic Co-operation and Development (OECD), which called out Switzerland for failing to fully implement the recommendations of the OECD Anti-Bribery Convention.

In October, the EU removed Switzerland from the “gray list” of countries with questionable tax policies and support for tax avoidance, after Switzerland had abolished tax policies that were not in line with international standards earlier in 2019.

C3. Does the government operate with openness and transparency? 4 / 4

The government is generally transparent in its operations. In recent years, an increasing number of cantonal governments have passed transparency laws that make government data more accessible to citizens. Federal politicians were still debating an increase in lobbying transparency at the end of 2019. A transparency referendum at the federal level was submitted in 2019 and is likely to be voted on by the people in 2020 or 2021. In September 2019 the Council of Europe’s Group of States against Corruption (GRECO) announced it would halt its noncompliance procedure against Switzerland: the upcoming transparency referendum and an anticorruption initiative put forward by the Federal Council address GRECO’s concerns.

CIVIL LIBERTIES: 57 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 4 / 4

Freedom of the press is generally respected in practice. Switzerland has an open media environment, though the state-owned, editorially independent Swiss Broadcasting Corporation (SRG/SSR) dominates the broadcast market. Consolidation of newspaper ownership in the hands of large media conglomerates has forced the closure of some smaller newspapers in recent years.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is guaranteed by the constitution, and the penal code prohibits discrimination against any religion. However, Muslims face legal and de facto discrimination. The construction of new minarets and mosques is prohibited as the result of a 2009 referendum. In 2018, St. Gallen became the second canton to pass its own burqa ban, after Ticino in 2016. A debate surrounding proposals for a federal ban on burqas continued in 2019 and is likely to be put to a vote in coming years.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is largely respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are generally able to express their personal views on political issues without fear of retribution, though the law punishes public incitement to racial hatred or discrimination as well as denial of crimes against humanity.

The Federal Intelligence Service (FIS) was granted wider surveillance powers in 2017, allowing it to monitor internet usage, bug private property, and tap the phone lines of suspected terrorists. An additional law that came into effect in March 2018 requires mobile phone and internet service providers to retain user data for six months to facilitate the work of law enforcement agencies. This includes data on which websites users visited. Both laws were being challenged at the Swiss Federal Court and the European Court of Human Rights (ECHR) at the end of 2019. According to a survey published by the University of Zurich in October 2019, more than half of Swiss internet users are practicing self-censorship due to fears of surveillance.

In May 2019 journalists uncovered the story that the FIS had surveilled several left-wing political activists and members of left-wing parties in the cities of Basel and Bern, despite not having legal grounds to do so. The FIS has denied any wrongdoing.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12**E1. Is there freedom of assembly? 4 / 4**

Freedom of assembly is guaranteed by the constitution and is generally respected. A women's strike and protest in June 2019 was one of the largest demonstrations in recent history.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Nongovernmental organizations are free to operate without undue restrictions.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers are generally free to form trade unions and other professional organizations. The right to engage in collective bargaining and strikes is respected. However, in 2019 the International Labour Organization (ILO) added Switzerland to its blacklist of countries with weak job protection for unionized employees. While it is improper to dismiss an employee because of union membership or activity, the penalty for such behavior is seen as too low.

Approximately 500,000 participants all over Switzerland demanded equal treatment and pay for women on June 14, 2019. Across the country, women walked out of their workplaces at 3:42 p.m. to symbolize when, upon accounting for the gender pay gap, they were no longer being paid.

F. RULE OF LAW: 15 / 16**F1. Is there an independent judiciary? 4 / 4**

While the judiciary is largely independent in practice, judges are affiliated with political parties and are selected based on a system of proportional party, linguistic, and regional representation in the Federal Assembly. The civil society group Justice Initiative (JI) continued their campaign to alter the appointment process of federal judges. The Initiative hopes to depoliticize the appointment procedure, with candidates chosen by lot and reviewed by an independent, apolitical panel.

Switzerland continues to negotiate a framework agreement with the EU, a contentious topic in the country, which is not an EU member state. Among other things, the agreement would clarify the jurisdiction of the European Court of Justice (CJEU) in Switzerland and the applicability of EU law.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Authorities generally observe legal safeguards against arbitrary arrest and detention. The constitution's due process clause guarantees fair trial proceedings.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Switzerland is free from war and other major threats to physical security. Occasional instances of excessive force by police have been documented, but such abuses are relatively rare. Conditions in prisons and detention centers generally meet international standards, and the Swiss government permits visits by independent observers.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Although the law prohibits discrimination on the basis of race, gender, or religion, anti-immigrant attitudes have grown in recent years. A 2016 immigration law passed included measures meant to curb mass migration from the EU and required employers give preference to Swiss citizens in hiring practices. Despite the government's negotiations with the EU on the matter, the SVP proposed a referendum in 2017 calling for an end to free movement between Switzerland and the EU, likely to be put to a vote in 2020.

Switzerland generally respects the rights of refugees. In March 2019 the government introduced more efficient asylum procedures, leading to faster handling of asylum requests. Consequently, more asylum seekers have passed through Switzerland voluntarily and swiftly.

The rights of cultural, religious, and linguistic minorities are legally protected, but minority groups—especially Romany communities and people of African and Central European descent—face societal discrimination. The Roma continue to seek official recognition as a minority in Switzerland. A report by the Federal Commission Against Racism in April 2018 noted a strong increase in racial discrimination over the past 10 years.

While women generally enjoy equal rights, the gender pay gap and discrimination in the workplace persist. The rights of LGBT+ people are generally respected. In December 2018, the parliament passed an amendment to the antidiscrimination law that extended its protections to cover sexual orientation. A similar amendment on gender identity was ultimately rejected.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Freedom of movement is respected, and there are no undue limitations on the ability to change one's place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The rights to own property and operate private businesses remain unrestricted.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Personal social freedoms are protected for most people. In a 2005 referendum, voters approved same-sex civil unions. Recognized since 2007, these unions grant many of the legal benefits of marriage. Limited adoption rights for same-sex civil partners came into effect in January 2018. The legalization of same-sex marriage and full adoption rights for same-sex couples were under consideration by parliament during 2019.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Although the government complies with international standards for combating human trafficking, according to the 2019 edition of the US State Department's *Trafficking in Persons Report*, Switzerland remains a destination country for victims. Labor regulations are generally enforced, but there is no national minimum wage, and migrant workers are more vulnerable to exploitative labor practices and dangerous working conditions.

Syria

Population: 17,100,000

Capital: Damascus

Freedom Status: Not Free

Electoral Democracy: No

Overview: Political rights and civil liberties in Syria are severely compromised by one of the world's most repressive regimes and by other belligerent forces in an ongoing civil war. The regime prohibits genuine political opposition and harshly suppresses freedoms of speech and assembly. Corruption, enforced disappearances, military trials, and torture are rampant in government-controlled areas. Residents of contested regions or territory held by nonstate actors are subject to additional abuses, including intense and indiscriminate combat, sieges and interruptions of humanitarian aid, and mass displacement.

KEY DEVELOPMENTS IN 2019

- The Islamic State (IS) militant group was pushed out of its territory in Syria in March after Kurdish forces overran its last stronghold. IS fighters have since used guerrilla tactics to attack security forces and local civilian leaders throughout the year.
- In April, the government launched an offensive into Idlib Governorate to defeat rebel forces there, killing hundreds of people and displacing at least 440,000. An August cease-fire offered a respite before the government launched a new offensive in December, which forced 200,000 to flee by the end of the year.
- The Turkish government launched an offensive into northern Syria in October, targeting armed Kurdish fighters in the region and pledging to create a "buffer zone" that could house as many as one million Syrian refugees currently living in Turkey.
- POLITICAL RIGHTS: -3 / 40
- A. ELECTORAL PROCESS: 0 / 12
- A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

- President Bashar al-Assad was elected for a third seven-year term in 2014 with what the government claimed was 88.7 percent of the vote. The balloting was conducted only in government-controlled areas amid war and severe repression. Major democratic states denounced the election as illegitimate.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The most recent elections for the 250-seat People's Council were held in 2016, but only in government-controlled territory. Several opposition groups that were traditionally tolerated by the authorities boycotted the polls, and state workers reportedly faced pressure to vote. Members of the military were permitted to participate in the elections for the first time. The ruling Baath Party and its declared allies took 200 of the 250 seats; the remainder went to nominal independents.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

There is no transparency or accountability surrounding the official electoral process. The executive authorities, acting through the military-security apparatus, effectively grant or withhold permission to participate in elections in government-held areas. Although some provisional local councils outside government-controlled areas have organized rudimentary elections since 2011, ongoing attacks by progovernment forces and Islamist militants have largely made such processes untenable. Kurdish-held areas in the north have a provisional constitution that allows local elections, but the Democratic Union Party (PYD) exercises ultimate control.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

A 2011 decree allowed new political parties to register but also imposed significant obstacles to party formation and prohibited parties based on religion, regional affiliation, and other criteria. In practice, all legal political groups and independents are either part of, allied with, or heavily vetted by the regime.

The local councils active in areas outside of government control are often sponsored or appointed by prominent families or armed groups. In Kurdish areas, decentralized governance theoretically allows for political competition. In practice, politics are dominated by the most powerful group, the PYD, which frequently detains political opponents.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The Baath Party has governed Syria without interruption since the 1960s, led by Assad or his late father for nearly all of that time. The 2011 decree and 2012 constitutional reforms formally relaxed rules regarding the participation of non-Baathist parties. In practice, the government maintains a powerful intelligence and security apparatus to monitor and punish opposition movements that could emerge as serious challengers to Assad's rule.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

In its territory, the regime's security and intelligence forces, militias, and business allies prevent the autonomy of voters and politicians. Foreign actors including Russia, Iran, and

the Lebanese Shiite militia Hezbollah also exert heavy influence over politics in regime-held areas due to their involvement in the war and material support for the government. In other areas, civilian politics are often subordinated to Turkish-backed armed groups.

The PYD politically dominated both Arabs and Kurds in Kurdish regions, amid a US military presence there. The United States' October 2019 withdrawal, and the subsequent invasion of Turkish forces, has since given Turkey an opportunity to exert more influence instead.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Although the regime is often described as Alawite, and as a protector of other religious minorities, the government is not an authentic vehicle for minorities' political interests. Political access is a function not primarily of sect, but of proximity and loyalty to Assad and his associates. The political elite is not exclusively Alawite and includes members of the majority Sunni sect, which also makes up most of the rebel movement. The Sunni majority has borne the brunt of state repression as a result. Alawites, Christians, and Druze outside Assad's inner circle are also politically disenfranchised.

The opposition's dwindling territory is divided among moderate, Islamist, and radical jihadist rebels, with varying implications for ethnic and religious minorities. The Kurdish PYD nominally ensures representation for Arabs, but it has been accused of mistreating non-Kurdish residents, particularly those suspected of IS sympathies. The PYD has since allowed the government to assume control of its territories in return for their support against invading Turkish forces in late 2019, putting residents at risk of government-led repression instead.

Women have equal formal political rights, holding 12.4 percent of the legislature's seats as well as some senior positions in the government. However, they are typically excluded from political decision-making and have little ability to organize independently amid state and militia repression. All leadership positions in Kurdish areas are reportedly shared between a man and a woman, though they have limited autonomy outside PYD-led structures.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

De facto authority in government-controlled Syria lies with the president—who is not freely elected—and his political, security, and business allies rather than in formal institutions such as the cabinet and parliament. Foreign powers like Iran and Russia also wield considerable influence over state policy, and both opposition forces and Kurdish-led fighters have held large swaths of territory with the help of countries including Turkey and the United States, respectively. Turkey's October 2019 offensive into Kurdish territory and its subsequent efforts form a "buffer zone" in the area have given it an opportunity to expand its influence over Syrian policy.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Members and allies of the regime are said to own or control much of the Syrian economy. The civil war has created new opportunities for corruption among the government, loyalist armed forces, and the private sector. The regime has regularly distributed patronage in the form of public resources, and implemented policies to benefit favored industries and companies. Government contracts and trade deals have also been awarded to foreign allies like Russia and Iran. Even basic state services and humanitarian aid are reportedly extended or withheld based on recipients' demonstrated political loyalty to the Assad regime.

Individuals in government-held territory have increasingly exposed corruption among local officials, along with the regime's business allies and security services, in 2019. The regime harassed and detained those who did so, and punished perceived opposition sympathizers more harshly than Alawites.

Corruption is also widespread in opposition-held areas. Some rebel commanders have been accused of looting, extortion, and theft. Local administrators and activists complain that little of the international aid reportedly given to opposition representatives abroad seems to reach them, raising suspicions of graft.

C3. Does the government operate with openness and transparency? 0 / 4

The government has long operated with minimal transparency and public accountability, and conditions have worsened during the civil war amid the rise of militias that are nominally loyal to the regime but often free to exploit the population in areas they control. Officials have broad discretion to withhold government information, and they are not obliged to disclose their assets. Independent civil society groups and media outlets are harshly suppressed, and cannot influence or shed light on state policies.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -3 / 0

The Syrian government, Kurdish forces, and Islamist and jihadist groups have all sought to alter the ethnic composition of their territories, forcing civilians of all backgrounds to seek safety among their respective religious or ethnic groups and contributing to the demographic shifts wrought by the civil war.

Sunni Arab civilians bear the brunt of attacks by the Alawite-led government and loyalist militias. In 2018, the regime forcibly transferred thousands of largely-Sunni civilians from captured opposition areas to Idlib Governorate after bombing and besieging them. The Syrian government targeted Idlib again when it launched an offensive against rebel forces there in April 2019. As many as 440,000 were internally displaced, some for a second time, and were pushed towards the border with Turkey before an August cease-fire was announced. That cease-fire broke in December, when Syrian forces launched a second offensive that forced 200,000 to flee by year's end.

Turkey forcibly moved thousands of Syrian refugees to the border in September 2019, and announced that it would return at least one million more, many of them Arab, into Kurdish territory that same month. In October, Turkey launched a military offensive into the area, aiming to create a buffer zone where it would send these refugees. A previous Turkish-led offensive in Afrin in 2018 was reportedly followed by the seizure and destruction of Kurdish civilian property.

Sunni Islamist and jihadist groups often persecute religious minorities and Muslims they deem impious. Kurdish militias have been accused of displacing Arab and Turkmen communities in the context of their fight against the IS.

CIVIL LIBERTIES: 3 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

The constitution nominally guarantees freedom of speech and the press, but in practice freedom of expression is heavily restricted in government-held areas, and journalists or ordinary citizens who criticize the state face censorship, detention, torture, and death in

custody. All media must obtain permission to operate from the Interior Ministry. Private media in government areas are generally owned by figures associated with the regime. Media freedom varies in territory held by other groups, but local outlets are typically under heavy pressure to support the dominant militant faction in the area. Journalists face physical danger throughout Syria, especially from regime forces and extremist groups. Seven were killed in 2019 according to the Committee to Protect Journalists (CPJ), bringing the death toll to 134 since the war began in 2011.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

While the constitution mandates that the president be a Muslim, there is no state religion, and the regime has generally allowed different confessional groups to practice their faiths as long as their religious activities are not politically subversive. The government monitors mosques and controls the appointment of Muslim religious leaders. The growing dominance of extremist groups in opposition-held areas of western Syria has threatened freedom of worship for local residents and displaced people.

The IS, which persecuted religious activity that did not confirm to its version of Sunni Islam, was militarily defeated in Syria in March 2019. However, the militant group has since worked to recruit and intimidate the residents of the Al-Hol camp in the northeast; 70,000 people, including the children and former spouses of IS fighters, are held there by Kurdish forces.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Academic freedom is heavily restricted. University professors in government-held areas have been dismissed or imprisoned for expressing dissent, and some have been killed for supporting regime opponents. Combatants on all sides of the war have regularly attacked or commandeered schools. Groups including the PYD—and prior to its military defeats, the IS—have set up education systems in their territories, but they are infused with political indoctrination.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The government engages in heavy surveillance of private and online discussion and harshly punishes dissent in areas it controls. However, the government has employed its surveillance tools inconsistently in 2019, after facing deepening criticism from traditionally loyal segments of the population. The environment is somewhat more open in areas where neither the government nor an extremist group has a dominant presence, though the PYD and some opposition factions have allegedly suppressed freedom of speech.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is severely restricted across Syria. Opposition protests in government-held areas are usually met with gunfire, mass arrests, and torture of those detained. Jihadist groups, the PYD, and some rebel factions have also used force to quash civilian dissent and demonstrations.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

The regime generally denies registration to nongovernmental organizations with reformist or human rights missions, and regularly conducts raids and searches to detain civic and political activists. A variety of new grassroots civil society networks emerged in many parts of Syria following the 2011 uprising, monitoring human rights abuses by all sides and attempting to provide humanitarian and other services in opposition areas. However, such activists face violence, intimidation, and detention by armed groups, and must operate secretly in many cases.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Professional syndicates in state-held areas are controlled by the Baath Party, and all labor unions must belong to the General Federation of Trade Unions (GFTU), a nominally independent grouping that the government uses to control union activity. The war's economic and political pressures have made functioning labor relations virtually impossible across the country.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The constitution forbids government interference in the civil judiciary, but judges and prosecutors are essentially required to belong to the Baath Party and are in practice beholden to the political leadership.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Military officers can try civilians in both conventional military courts and field courts, which lack due process guarantees. While civilians may appeal military court decisions with the military chamber of the Court of Cassation, military judges are neither independent nor impartial, as they are subordinate to the military command. Extremist groups have set up religious courts in their territories, imposing harsh punishments for perceived offenses by civilians under their interpretation of religious law. The general breakdown of state authority and the proliferation of militias in much of the country has led to arbitrary detentions, summary justice, and extrajudicial penalties by all sides in the civil war.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

More than 500,000 people have been killed in the civil war since 2011, according to prevailing estimates. Both the regime and insurgent groups frequently engage in extreme violence against civilians, including indiscriminate bombardment, extrajudicial killings, and torture of detainees, with the government being the greatest abuser. Regime forces have detained and tortured tens of thousands of people since the uprising began, and many have died in custody, though detention conditions that amount to enforced disappearance mean the fate of most detainees is unknown.

Among other violations, the regime has been accused of repeatedly using chemical weapons on civilian targets. A suspected chemical weapons attack killed more than 40 people in the opposition-held Damascus suburb of Douma in 2018, and the United States subsequently accused the government of using the same tactic in May 2019, during its offensive into Idlib Governorate. That overall offensive killed hundreds of people and displaced several hundred thousand more in 2019.

Although the IS lost control of its Syrian territory in March 2019, the group has since resorted to guerrilla tactics to attack security forces and local civilian leaders throughout the year.

Turkish military operations in northern Syria have displaced tens of thousands of people since they began in October 2019, and pose a serious threat to civilians still living in the area .

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Women are subject to legal and societal inequities, including gender-based disadvantages in social benefits and a severe gender gap in labor force participation. Official mechanisms meant to safeguard women's rights are reportedly not functional, and the general deterioration of law and order has left women exposed to a range of abuses, particularly at the hands of extremist groups that impose their own interpretations of religious law.

The Kurdish minority has faced decades of state discrimination, including restrictions on the Kurdish language and persecution of Kurdish activists, though conditions have improved dramatically in areas controlled by Kurdish militias since 2011.

Syrian law discriminates against LGBT+ people. According to the 1949 penal code, "unnatural sexual intercourse" is punishable with up to three years in prison. Individuals suspected of same-sex relations are at risk of execution in areas held by extremist groups.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 0 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Ongoing combat and the proliferation of regime and militia checkpoints have severely restricted freedom of movement. More than 6 million people remained internally displaced at the end of 2019. Another 5 million have sought refuge abroad. Although some Syrians began returning to their home areas when fighting subsided in 2018, government offensives in Eastern Ghouta, Daraa, and Quneitra and the Turkish-led campaign in Afrin resulted in the displacement of hundreds of thousands of people. The government's offensives in Idlib displaced hundreds of thousands more during 2019.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 0 / 4

Property rights have been routinely disregarded throughout the civil war. Businesses are frequently required to bribe officials to operate and complete bureaucratic procedures. Access to markets dominated by regime members or allies is restricted. Militias also extort businesses and confiscate private property to varying degrees.

In 2018, the government enacted Law No. 10, which allows the state to designate areas for reconstruction and redevelopment by decree. Individuals would then be required to meet a number of criteria to prove ownership of affected property or risk losing it without compensation. The context of the war, including mass displacement and widespread lack of proper documentation, and the already-poor quality of official recordkeeping in Syria make it likely that property rights will be violated under the law.

Personal status laws based on Sharia (Islamic law) discriminate against women on inheritance matters, and societal practices further discourage land ownership by women.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 0 / 4

Perpetrators of "honor crimes" can receive reduced sentences under the penal code, and rapists can avoid punishment by marrying their victims. Women cannot pass citizenship on to their children. Personal status laws for Muslims put women at a disadvantage regarding

marriage, divorce, and child custody. Church law governs personal status issues for Christians, in some cases barring divorce. Early and forced marriages are a problem, with displaced families in particular marrying off young daughters as a perceived safeguard against endemic sexual violence or due to economic pressure. Personal social freedoms for women are uneven in areas outside government control, ranging from onerous codes of dress and behavior in extremist-held areas to formal equality under the PYD in Kurdish areas.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Many armed groups engage in forced conscription or the use of child soldiers. Displaced people are especially vulnerable to labor exploitation and human trafficking, and there is little equality of opportunity even in relatively stable government-controlled areas, as access to employment and investment is often dependent on personal, political, or communal affiliations.

Taiwan

Population: 23,600,000

Capital: Taipei

Freedom Status: Free

Electoral Democracy: Yes

Overview: Taiwan's vibrant and competitive democratic system has allowed three peaceful transfers of power between rival parties since 2000, and protections for civil liberties are generally robust. Ongoing concerns include foreign migrant workers' vulnerability to exploitation and Chinese efforts to influence policymaking, the media, and Taiwan's democratic infrastructure.

KEY DEVELOPMENTS IN 2019

- A law enacted in May allowed same-sex partners to be married, making Taiwan the first country in Asia to authorize such marriages.
- In December, ahead of national elections scheduled for January 2020, the legislature passed a new Anti-Infiltration Act that imposes criminal penalties for illegal foreign involvement in lobbying, electoral campaigns, or election-related disinformation in Taiwan.

POLITICAL RIGHTS: 37 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, who is directly elected for up to two four-year terms, appoints the premier with the consent of the legislature. The Executive Yuan, or cabinet, is made up of ministers appointed by the president on the recommendation of the premier. In practice, the president holds most executive authority.

President Tsai Ing-wen of the Democratic Progressive Party (DPP) was elected in 2016 with 56 percent of the vote, defeating two opponents. Direct elections for the president, held since 1996, have generally been considered credible.

The 2018 local elections, in which thousands of offices were contested, including county magistrate and mayoral posts, were shaken up by evidence of Chinese interference in the form of anti-DPP social media propaganda and financial support for opposition Kuomintang (KMT) candidates. It was unclear whether Beijing's efforts affected the electoral outcome.

At the end of 2019, Taiwan was preparing for national elections in January 2020. The presidential race would pit President Tsai against Kaohsiung mayor Han Kuo-yu of the KMT and Soong Chu-yu of the People First Party.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral Legislative Yuan has 113 members elected to four-year terms; 73 are directly elected in single-member constituencies, 34 are elected by proportional representation, and 6 are elected by indigenous voters in two multiseat constituencies. In the last legislative elections in 2016, the DPP won 68 seats, leaving the KMT with 35, the New Power Party with 5, the People First Party with 3, and the Non-Partisan Solidarity Union and an independent candidate with 1 seat each. The elections were considered free and fair by international observers.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Elections in Taiwan are administered by the Central Election Commission (CEC). The law mandates that no political party may hold more than one-third of the seats on the CEC.

The 2018 version of the Referendum Act lowered thresholds to permit citizen-initiated ballot measures and decreased the voting age for referendums from 20 to 18 years.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The multiparty political system features vigorous competition between the two major parties, the DPP and KMT. Smaller parties are also able to function without interference and have played a significant role in both presidential and legislative contests. In August 2019, Taipei mayor Ko Wen-je formed the Taiwan People's Party.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been regular democratic transfers of power between rival parties in recent years, and parties in opposition at the national level often control key municipal governments.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Major business owners with interests in China remain an influential force in Taiwanese politics, largely through their close relationship with the KMT and support for its China-friendly policies. The KMT, which governed Taiwan as an authoritarian, one-party state for decades until democratic reforms took hold in the 1980s and 90s, has typically

enjoyed a considerable financial advantage over rivals like the DPP, which has traditionally favored greater independence from China. However, the KMT's advantage has been whittled away in recent years by DPP government investigations into allegations that the KMT improperly acquired public assets during its rule, which has led to many of its accounts being frozen.

Chinese interference in Taiwan's elections, largely through disinformation campaigns and influence over certain media outlets, remains a serious concern. In December 2019, the legislature passed a new Anti-Infiltration Act that will prohibit foreign powers from funding or directing lobbying efforts, election campaigns, or election-related disinformation in Taiwan. Violations can draw penalties of up to five years in prison. The KMT opposed the measure, warning that it could be used in a politicized manner and violate fundamental rights.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Taiwan's constitution grants all citizens the right to vote. This guarantee applies regardless of gender, ethnicity, religion, sexual orientation, or gender identity. The 2016 elections increased women's overall political representation, with female candidates winning the presidency and a record 38 percent of seats in the Legislative Yuan.

Six seats in the Legislative Yuan are reserved for indigenous candidates elected by indigenous voters. An additional two indigenous candidates won seats in 2016 through normal party-list voting. Members of Taiwan's 16 indigenous groups make up roughly 2 percent of the population.

C. FUNCTIONING OF GOVERNMENT: 10 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

Elected officials in Taiwan are free to set and implement policy without undue interference from foreign or other unelected actors, though consideration of China plays a significant role in Taiwanese policymaking.

Escalating Chinese pressure continues to threaten Taiwan's sovereignty. Five countries severed diplomatic relations with Taiwan in 2018 and 2019, largely as a result of financial incentives offered by the Chinese government. At the end of 2019, Taiwan had diplomatic recognition from just 15 countries, including the Holy See.

In April 2019, in a bid to curtail Chinese influence in the economy, the legislature increased the maximum fines for illegal Chinese investments in Taiwan from NT\$600,000 (US\$19,400) to NT\$25 million (\$810,000).

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption is significantly less pervasive than in the past, but it remains a problem. Political and business interests are closely intertwined, leading to malfeasance in government procurement. The current DPP-led government has moved to reduce these practices, including through amendments to the Government Procurement Act that were adopted by lawmakers in April 2019.

According to a July 2019 report from the Ministry of Justice, the government prosecuted 568 people for corruption in 2018. Corruption cases proceeded against former officials from both major parties during 2019. In July, former president Ma Ying-jeou was found not guilty in a case in which he was accused of leaking secrets and directing a prosecutor to

reveal confidential information. In October, former KMT lawmaker and media tycoon Gary Wang was sentenced to two years and two months in prison for bribing a prison official while serving an earlier sentence for embezzlement; several prison officials received sentences of up to 16 years as part of a broader bribery scandal involving wealthy and powerful inmates, including organized crime figures.

C3. Does the government operate with openness and transparency? 3 / 4

The 2005 Freedom of Government Information Law enables public access to information held by government agencies, including financial audit reports and documents about administrative guidance. Civil society groups are typically able to comment on and influence pending policies and legislation.

Although the government generally operates with openness, policies and regulations related to business are sometimes changed without properly informing the public or the business community.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The news media reflect a diversity of views and report aggressively on government policies, though many outlets display strong party affiliation in their coverage. Beijing continues to exert influence on Taiwanese media. Key media owners have significant business interests in China or rely on advertising by Chinese companies, leaving them vulnerable to pressure and prone to self-censorship on topics considered sensitive by Beijing. The National Communications Commission (NCC) fined a number of television news channels during 2019 for airing false reports. In January, the NCC proposed legislation meant to strengthen safeguards against media monopolies, and the cabinet has proposed draft measures that would make it a criminal offense to create and disseminate “fake news.”

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Taiwanese of all faiths can worship freely. Religious organizations that choose to register with the government receive tax-exempt status.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Educators in Taiwan can generally write and lecture without interference, and past practices—including prosecutions—aimed at restricting academics’ political activism have been rare in recent years.

In December 2019, a political science professor was reportedly summoned for questioning over an online video in which he accused the DPP of pursuing ideologically driven museum policies; the museum under discussion said the claims were false.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is open and free, and there were no reports of the government illegally monitoring online communication in 2019. The government does not restrict internet access.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The 1988 Assembly and Parade Act enables authorities to prosecute protesters who fail to obtain a permit or follow orders to disperse, but freedom of assembly is largely respected in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

All civic organizations must register with the government, though registration is freely granted. Nongovernmental organizations typically operate without harassment. In December 2019 the legislature approved a new law creating a national human rights committee.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Trade unions are independent, and most workers enjoy freedom of association, though the government strictly regulates the right to strike. Among other barriers, teachers, workers in the defense industry, and government employees are prohibited from striking.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

Taiwan's judiciary is independent. Court rulings are generally free from political or other undue interference.

F2. Does due process prevail in civil and criminal matters? 4 / 4

Constitutional protections for due process and defendants' rights are generally upheld, and police largely respect safeguards against arbitrary detention. Although prosecutors and other law enforcement officials have at times engaged in abusive practices, particularly in prominent and politically charged cases, such violations have been less common in recent years.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Both criminal violence and excessive use of force by police are rare in Taiwan, and attorneys are allowed to monitor interrogations to prevent torture.

After a four-year death penalty moratorium, the government resumed executions in 2010. Condemned inmates, after being sedated, are shot from behind at close range. Family members of inmates awaiting the death penalty are typically not informed about scheduled execution dates. Nearly all death sentences are imposed for murder.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution provides for the equality of all citizens before the law, although indigenous people continue to face social and economic discrimination, leading to high unemployment, lower wages, and barriers to education and social services. The 2017 Indigenous Languages Development Act designated the languages spoken by 16 officially recognized indigenous groups as national languages of Taiwan, and authorized their formal use in legislative and legal affairs.

The constitution guarantees women equal rights, though women continue to face discrimination in employment and compensation. Taiwanese law prohibits discrimination in

employment based on sexual orientation, and violence against LGBT+ people is adequately addressed by police.

Taiwanese law does not allow for asylum or refugee status, although developments in Hong Kong have put pressure on the government to accept claims by Hong Kong residents, who are legally entitled to assistance if their safety and liberty are under immediate threat. In many cases Hong Kong protesters seeking refuge in Taiwan have entered under temporary visas and are unable to work legally.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 14 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Taiwan's residents enjoy freedom of movement, and Taiwanese authorities have gradually eased restrictions on travel between Taiwan and China in recent years.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Although property rights are generally respected, urban renewal and industrial projects have been criticized for unfairly displacing residents. Housing advocates have called for legal amendments to clarify residency rights, including protections against forced eviction, and the establishment of an appeals system to review alleged violations. Indigenous groups argue that recent government efforts to return some of their ancestral lands are inadequate.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

A law enacted in May 2019 allows same-sex partners to be married, delivering on a campaign promise of President Tsai and making Taiwan the first country in Asia to authorize such marriages. The Constitutional Court had ruled in 2017 that the same-sex marriage ban in Taiwan's civil code was unconstitutional.

Citizenship laws discriminate against people from mainland China, as spouses from mainland China married to Taiwanese nationals must wait six years before becoming eligible for citizenship, whereas spouses of other nationalities are only required to wait four years.

Rape and domestic violence remain serious problems. Although the law permits authorities to investigate complaints without victims pressing charges, cultural norms inhibit many women from reporting these crimes to the police. Recent reforms have improved protections for accusers and encouraged reporting of rape and sexual assault, which appears to have increased prosecution and conviction rates.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Over 600,000 foreign migrants work in Taiwan, with many employed as domestic workers and fishermen who are not covered by the Labor Standards Act, excluding them from minimum wage, overtime, and paid leave protections. Foreign migrant workers are consequently at substantial risk of exploitation, as indicated by widespread accounts of unpaid wages, poor working conditions, physical and sexual abuse, and extortion and fraud by recruitment and brokerage agencies. To address the problem, the legislature passed amendments to the Employment Services Act in 2018, requiring employment agencies to swiftly report abuses against migrant workers or face severe fines.

Legislation to impose stricter worker protections on fishing companies took effect in 2017. However, labor advocates report poor implementation, citing ongoing mistreatment and abuse of foreign fishermen on Taiwanese vessels.

Tajikistan

Population: 9,200,000

Capital: Dushanbe

Freedom Status: Not Free

Electoral Democracy: No

Overview: The authoritarian regime of President Emomali Rahmon, who has ruled since 1992, severely restricts political rights and civil liberties. The political opposition has been devastated by a sustained campaign of repression in recent years, and the government exerts tight control over religious expression and activity. Wealth and authority are increasingly concentrated in the hands of the president and his family.

KEY DEVELOPMENTS IN 2019

- In February, Tajik security service agents kidnapped Europe-based opposition activist Sharofiddin Gadoev while he was in Moscow, holding him for two weeks in Tajikistan before pressure from international organizations prompted his release.
- In May, a deadly prison riot which authorities linked to the Islamic State (IS) left 3 guards and 29 inmates dead, including three prominent opposition members.

POLITICAL RIGHTS: 0 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is chief of state and is elected for up to two seven-year terms under current rules, but constitutional amendments ratified in 2016 removed presidential term limits specifically for Rahmon, who holds the official status of “leader of the nation.” In the last presidential election in 2013, Rahmon won a fourth term with 83.6 percent of the vote, defeating five little-known challengers who did not represent genuine opposition parties; the opposition’s favored candidate was disqualified. Observers from the Organization for Security and Co-operation in Europe (OSCE) found that the election lacked “genuine choice and meaningful pluralism” and featured biased media and voting irregularities.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The bicameral Supreme Assembly is composed of an upper house, the National Assembly, and a lower house, the Assembly of Representatives. The National Assembly comprises 25 members chosen by local assemblies and 8 appointed by the president; former presidents are also entitled to a seat in the chamber. The 63-member Assembly of Representatives is elected by popular vote through a mixed system of 41 single-member constituencies and 22 proportional-representation seats. Members of each body serve five-year terms.

Ahead of the 2015 elections, the government carried out an extensive campaign of repression against the opposition through state media and the persecution of many candidates, particularly those of the Islamic Renaissance Party of Tajikistan (IRPT), leading to the disenfranchisement of the country’s most significant opposition force. The ruling People’s Democratic Party (PDP) won 51 of the 63 lower-house seats, and four small, mostly pro-government parties divided the remainder. According to OSCE monitors, the elections were marred by serious violations and failed to meet democratic standards.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The Central Commission for Elections and Referendums is subservient to the government and enforces electoral laws in an inconsistent and nontransparent manner. Shortly before the 2015 parliamentary elections, the IRPT representative on the commission was arrested. Despite reforms prior to those elections, constituencies still vary considerably in population, undermining equal suffrage.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The government consistently marginalizes independent or opposition parties, which have become completely excluded from the political process. In the second half of 2015, the Justice Ministry revoked the IRPT's legal registration based on a technicality, and the Supreme Court declared the party a terrorist organization, criminalizing membership in or expression of support for the group. The constitutional amendments passed in a 2016 referendum banned faith-based political parties, effectively preventing the IRPT from reforming.

The authorities continued throughout 2019 to harass and arrest former members of the IRPT, the political movement Group 24, the Europe-based National Alliance of Tajikistan (a refugee opposition coalition), and members' extended families. Sharofiddin Gadoev, who is protected by political asylum in the EU and lives in the Netherlands, was kidnapped while visiting Moscow in February 2019. His release two weeks later came only after harsh international condemnation. He reported that during his captivity, security services attempted to extort him into publicly supporting President Rahmon's son, Rustam Emomali, in the 2020 election.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Tajikistan has no record of peaceful transfers of power between rival parties. Rahmon first became chief executive in 1992, during Tajikistan's 1992–97 civil war, and has held the presidency since the office's creation in 1994. Under the 2016 constitutional revisions, he is entitled to run for reelection indefinitely and to overrule cabinet decisions even after leaving office as president. The amendments also lowered the minimum age for presidents from 35 to 30 years, allowing Rahmon's son to seek the post in 2020.

Years of unrelenting repression of independent political activity have left opposition parties unable to compete in elections. The administration exerts complete control over the electoral process and prevents any substantial competition for the presidency and control of parliament. Many IRPT members and their relatives were beaten, harassed, and imprisoned before the 2015 elections, with some reportedly tortured in custody. In October 2019, authorities declared the National Alliance of Tajikistan a terrorist organization.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Political affairs in Tajikistan are controlled almost exclusively by Rahmon and his extended family, leaving citizens with few avenues to exercise meaningful political choices or participate in the political process. Presidential family members hold numerous public positions and control key sectors of the private economy.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

No segment of the population enjoys full political rights or electoral opportunities in practice. The regime, which generally seeks to suppress any genuine dissent, does not permit women or minorities to organize independently to advance their political interests. Women remain underrepresented in the political system, both as voters and in elected positions.

C. FUNCTIONING OF GOVERNMENT: 0 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

The president, who is not freely elected, and his inner circle are virtually unopposed in determining and implementing policy. The PDP-controlled legislature does not offer a meaningful check on the executive's expansive constitutional authority. Officials from the president's native Kulob District are dominant within government. In 2017, Rahmon strengthened his family's grip on power by installing his son, Rustam Emomali, as Dushanbe's mayor.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Patronage networks and regional affiliations are central to political life, corruption is pervasive, and laws designed to prevent it are routinely ignored. Major irregularities have been reported at the National Bank of Tajikistan and the country's largest industrial firm, the state-owned Tajik Aluminum Company (TALCO).

C3. Does the government operate with openness and transparency? 0 / 4

Government decision-making and budgetary processes lack transparency, and public officials are not required to disclose financial information. Crackdowns on the media, the opposition, and civil society have further reduced independent scrutiny of state operations. In recent years the government has concluded extensive infrastructure and resource-extraction agreements with the Chinese government and Chinese companies, with little consultation or transparency on the terms of the deals or accountability for their implementation. The pattern has added to concerns about corruption and public debt, among other possible ramifications.

CIVIL LIBERTIES: 9 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16****D1. Are there free and independent media? 0 / 4**

The government controls most printing presses, newsprint supplies, and broadcasting facilities, and they deny independent media access to these resources. The state shuts out independent outlets and encourages self-censorship. Independent journalists face harassment and intimidation. Civil libel charges have been used to cripple outlets that criticize the government. Authorities routinely block critical websites, news portals, and entire social media platforms, and use periodic wholesale blackouts of internet and messaging services to suppress criticism.

Independent investigations by Eurasianet, the Columbia Journalism Review, and the *Wall Street Journal* in April 2019 reported that the US State Department was investigating inappropriate conduct of officials of US-funded Radio Free Europe/Radio Liberty Tajik Service—known locally as Radio Ozodi. They concluded the Tajik government had undermined the last remaining credible media outlet by co-opting and threatening its journalists. The news outlet's more critical coverage of Tajik authorities took place again after significant editorial, management, and staff changes. However, the Tajik government threatened

to cancel the accreditation of many of Ozodi's Dushanbe staff, accusing the outlet of supporting terrorism.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The government imposes severe restrictions on religious freedom, in part by limiting religious activities to state-approved venues and registered organizations. Authorities continue to prosecute individuals for alleged membership in banned religious organizations, including Christian and Muslim groups. Minors are generally barred from attending religious services in mosques, as are women in most cases.

Laws to discourage religious clothing (like the hijab) as well as an unofficial ban on beards for men continue to be arbitrarily enforced. The government published a "guidebook" in 2018, detailing recommended dress for women that officially excluded the hijab and other such garments, in favor of "traditional" or "national" alternatives. The government has pressured students to adhere to these dress codes, establishing roadblocks in some areas to search cars for women in hijabs and men with beards.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The government exerts significant political pressure on universities and academic personnel. In recent years, international scholars have noted the self-exile of Tajikistani academics who faced harassment from security services, surveillance and self-censorship within institutions of higher education, scrutiny of scholars who cooperate with foreign colleagues, and the appointment of officials backed by the security services to senior academic posts. Opportunities to study abroad, especially for religious education, are tightly restricted.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Restrictive laws and government surveillance serve as deterrents to open discussion of sensitive topics, including criticism of the country's leadership. A 2017 law allows authorities to monitor citizens' online behavior and prescribes fines and prison sentences for those who visit "undesirable websites," among other provisions. In 2018, a Tajikistani man was sentenced to five and a half years in prison for insulting the president by reposting and promoting critical videos on social media while living and working in Russia.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

The government strictly limits freedom of assembly. Local government approval is required to hold demonstrations, and officials often refuse to grant permission. Protests in the Gorno-Badakhshan region in November 2018 reportedly triggered localized internet blackouts. Authorities there had warned the previous month that participation in unauthorized gatherings would result in criminal charges.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Nongovernmental organizations (NGOs) must register with the Justice Ministry and are vulnerable to closure for minor technical violations. NGOs must disclose funding from foreign sources. Foreign funds must be logged in a state registry before organizations can access them, and the government oversees operations supported by the funds. Under legislation

passed in 2018 and implemented in January 2019, NGOs are now obliged to maintain their own websites and publish reports that comply with more expansive and vaguely worded financial reporting to prove they have no links to “terrorist financing” or “money laundering.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Citizens have the legal right to form and join trade unions and to bargain collectively, but these rights and the right to strike are undermined by general legal restrictions on freedoms of assembly and association. There are no laws against antiunion discrimination by employers, and the country’s trade union federation is controlled by the government.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary lacks independence. Many judges are poorly trained and inexperienced, and bribery is widespread. The 2016 constitutional amendments abolished the Council of Justice, transferring the authority for most judicial nomination and oversight functions to the Supreme Court instead. However, these powers remain under executive control in practice. The courts’ opaque and biased adjudication of numerous cases against opposition figures and other dissidents, particularly since 2015, has further demonstrated their subordination to the political leadership.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Arbitrary arrests and detentions are common, as is corruption among law enforcement agencies. Defendants are often denied timely access to an attorney, and politically fraught trials are frequently closed to the public. Nearly all defendants are found guilty.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Civilians are subject to physical abuse by security forces and have no meaningful opportunity to seek justice for such violations. Detainees are reportedly beaten in custody to extract confessions. Overcrowding and disease contribute to often life-threatening conditions in prisons.

Prison conditions worsened in 2019 and became more opaque following a riot in May: the government claimed IS prisoners murdered three guards and three prominent IRPT members, Sattor Karimov, Saeed Qiyomiddin Khozi, and Jomahmad Boev, along with several other inmates. Authorities did not fully explain how at least 20 other inmates died, but some reports indicate they were shot by guards, raising serious questions about the use of disproportionate or excessive lethal force and the arbitrary killing of prisoners by Tajik authorities. Similarly, the government attributed the 14 deaths that occurred during a July prison transfer to food poisoning, despite evidence of physical abuse on the bodies of the deceased. The state’s refusal to allow international organizations to help investigate causes of any of these events, or to make meaningful reforms, suggests that Tajikistan’s prison system is likely to remain in a state of crisis.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Discrimination against ethnic minorities is not a major problem. However, women face bias and disparate treatment in the workplace, and discrimination or violence against LGBT+ people is common. There is no legislation against discrimination based on sexual orientation or gender identity. LGBT+ people frequently face abuse by security forces.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4**

Most citizens can travel within the country, but they must register their permanent residence with local authorities. Students interested in studying Islamic theology are forbidden from seeking education abroad. Some areas, particularly Gorno-Badakhshan, feature a heavier security presence that includes police checkpoints, which hamper travel and provide opportunities for extortion and other abuses.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

By law, all land belongs to the state. Corruption and regulatory dysfunction affect enterprises ranging from peasant farms to large companies. The president's extended family and others from his native Kulob District maintain extensive business interests in the country and dominate key sectors of the economy, impeding business activity by those without such political connections.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Although forced marriage and polygamy are legally prohibited, marriages arranged by parents and religious marriages that allow polygamy are both common in practice. Because of local interpretations of Sharia (Islamic law), women are often unable to exercise their rights to divorce. Domestic violence is widespread, but cases are underreported and seldom investigated adequately.

Reports indicate that women sometimes face societal pressure to wear headscarves. Meanwhile, in addition to restricting hijabs for women and beards for men, the government interferes more broadly in matters of personal appearance. A 2018 guidebook outlined acceptable and unacceptable styles of dress for women, barring clothing that could be deemed immodest or "foreign" in origin.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

According to the 2019 US State Department's *Trafficking in Persons* report, the Tajik government has made significant efforts to improve enforcement of laws against forced labor, trafficking, and especially child labor during the cotton harvest season, though such practices have persisted to some extent. Safeguards against other forms of labor exploitation and hazardous working conditions are not well enforced. The scarcity of economic opportunity has compelled citizens to seek work abroad in large numbers, and these migrant workers are at risk of exploitation by human traffickers.

Tanzania

Population: 58,000,000

Capital: Dodoma

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Tanzania has held regular multiparty elections since its transition from a one-party state in the early 1990s, but the opposition remains relatively weak, and the ruling party, Chama Cha Mapinduzi (CCM), has retained power for over half a century. Since the election of President John Magufuli in 2015, the government has cracked down with growing severity on its critics in the political opposition, the press, and civil society.

KEY DEVELOPMENTS IN 2019

- A campaign of repression against opposition parties continued during the year, with harassment, arrests, and detentions of prominent political figures.
- In January, Parliament passed draconian amendments to the Political Parties Act that, among other provisions, allow for bans on political parties that engage in common forms of activism.
- Escalating state pressure on the media sector during the year included the detention of a prominent journalist in July and a temporary ban on the leading privately owned daily newspaper in February.
- In June, new legislation expanded the authority of the registrar for nongovernmental organizations (NGOs) to monitor, suspend, and deregister civil society groups.
- Due to widespread disqualification of candidates, opposition parties boycotted the November local elections, allowing the CCM to capture nearly all of the positions at stake.

POLITICAL RIGHTS: 17 / 40 (-3)

A. ELECTORAL PROCESS: 6 / 12 (-1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is elected by direct popular vote for up to two five-year terms. In the 2015 presidential election, Magufuli won with 58 percent of the vote, while Edward Lowassa of the opposition Chama Cha Demokrasia na Maendeleo (Chadema) took 40 percent. Observers generally deemed the election credible but noted areas of concern. An observer mission from the European Union (EU) described “highly competitive, generally well-organized elections, but with insufficient efforts at transparency from the election administrations.” The EU mission noted that the CCM had drawn on state resources, such as public stadiums, to support its campaign, while restricting access for opposition parties.

The semiautonomous region of Zanzibar elects its own president, who serves no more than two five-year terms. International observers deemed the 2015 presidential election to be credible, but the chairman of the Zanzibar Electoral Commission (ZEC) annulled the vote before official results were announced, claiming that the poll was not free and fair. The opposition Civic United Front (CUF) accused the ZEC of annulling the results to save the CCM incumbent, Ali Mohamed Shein, from defeat. A rerun of the election was held in 2016, but the opposition boycotted, allowing Shein to win with ease. The preelection period featured an increased military presence and reports of attacks on political party offices and journalists.

In August 2019, a petition filed with the High Court by a Magufuli supporter called for the national presidential term limit to be declared unconstitutional; the court had not yet heard arguments in the case at year’s end. Magufuli has reiterated his commitment to observing term limits.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Legislative authority lies with a unicameral, 393-seat National Assembly (the Bunge) whose members serve five-year terms. There are 264 seats filled through direct elections in single-member constituencies, 113 are reserved for women elected by political parties, 10 are filled by presidential appointment, and 5 members are elected by the Zanzibar legislature. The attorney general holds an ex officio seat. International observers generally viewed the 2015 parliamentary elections as credible, despite some minor irregularities. The CCM won a total of 253 seats, Chadema took 70, the CUF won 42, and the Alliance for Change and Transparency (ACT-Wazalendo) and the National Convention for Construction and Reform (NCCR-Mageuzi) each won one. However, by-elections held during 2018 for both parliament seats and local government offices were marred by violence and other alleged irregularities. As a result of the by-elections and other changes, the ruling party increased its majority to 287 seats as of 2019.

Members of Zanzibar's 85-seat House of Representatives serve five-year terms and are installed through a mix of direct elections and appointments. The 2015 legislative elections were annulled along with the concurrent Zanzibari presidential vote, and an opposition boycott of the rerun polling in 2016 left the CCM with full control of the regional legislature.

Tanzania held elections for local and neighborhood-level offices in November 2019. After opposition candidates were disqualified en masse, opposition parties boycotted the polls, and CCM candidates won over 99 percent of the positions at stake. International groups questioned the validity of the elections and objected to the government's failure to accredit international observers. In response, the government threatened to punish reporters who quoted foreigners.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4 (-1)

The National Electoral Commission (NEC) is responsible for overseeing countrywide elections, while the ZEC conducts elections for Zanzibar's governing institutions.

The structures of the NEC and ZEC contribute to doubts about their independence. The NEC is appointed by the Tanzanian president. Magufuli's appointment of Wilson Mahera Charles as the new NEC director in October 2019 was criticized by Chadema and ACT-Wazalendo leaders; they argued that Charles, who had previously run for office as a CCM candidate, was a partisan figure.

The NEC was criticized during the year for inadequately updating the voter registry ahead of the elections scheduled for 2020. Prior to the local elections in November, the NEC stated that voters could not use their national voter identification cards and would have to register separately with local and regional authorities overseen by a minister of state in the president's office. Registration rates for the elections were notably low. The minister of state was responsible for administering the local elections, and for disqualifying opposition candidates, including roughly 95 percent of those from Chadema. The minister sought to reinstate tens of thousands of the disqualified candidates after opposition groups announced their boycott, but appeared to reverse himself again the next day, underscoring the arbitrary nature of the process.

The ZEC is appointed by the Zanzibari president, though the opposition nominates two of the seven members. In 2018, President Shein appointed seven new members to the commission. While some observers approved of Shein's choices, others accused the new members of being CCM partisans whose impartiality could be compromised during the 2020 elections.

Score Change: The score declined from 2 to 1 because electoral authorities overseen by the executive branch disqualified opposition party candidates for local elections en masse, and because the president appointed a National Electoral Commission director who had been a ruling party candidate for office.

B. POLITICAL PLURALISM AND PARTICIPATION: 6 / 16 (-1)**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4**

Tanzanians have the right to organize into political parties, but the ruling CCM enjoys considerable incumbency advantages that stifle competition. For example, the system of state funding for parties under the Political Parties Act of 2015 disproportionately benefits the CCM. Political parties are regulated by a presidentially appointed registrar whom the opposition criticizes for partisan bias.

Authorities have stepped up efforts to constrain opposition parties in recent years. In 2016, the government banned all political rallies and demonstrations outside election periods, sharply curtailing parties' ability to mobilize public support. In January 2019, the CCM used its parliamentary supermajority to pass amendments to the Political Parties Act that further eroded the rights of opposition groups. The changes, which Magufuli signed into law in February, included a provision empowering a government minister to regulate party coalition formation, a ban on political fundraising from international sources, a rule prohibiting political parties from engaging in "activism," and the introduction of a number of tools that the registrar can use to investigate and interfere with the internal operations of targeted parties. The amendments also gave the registrar legal immunity, further reducing accountability for the office. Later in the year, both Chadema and ACT-Wazalendo were threatened with penalties for alleged violations of the Political Parties Act.

The government arrested several high-profile opposition figures in 2019, continuing a campaign of repression. A case in which ACT-Wazalendo leader Zitto Kabwe was charged with incitement in 2018 was ongoing, and he was prohibited from leaving the country in June 2019 due to alleged violations of the Media Services Act. Chadema leaders have been charged with sedition and prohibited from leaving the country. The party's chairman and one of its lawmakers were released in March 2019 after spending four months in jail for contempt of court. The police blocked opposition meetings and press conferences during the year.

The CCM achieved some successes in its efforts to co-opt opposition politicians, which critics have attributed to bribery and other inducements. Edward Lowassa, a former CCM figure who had defected and served as Chadema's 2015 presidential candidate, returned to the ruling party in March 2019. Former prime minister Frederick Sumaye, who moved from the CCM to Chadema in 2015, announced in December that he was leaving Chadema.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

The CCM has governed without interruption for more than 50 years. Tanzania's opposition, which performed better in the 2015 elections than it ever had before, still won only 29 percent of the National Assembly seats. Its electoral prospects are limited as a result of significant interference, harassment, violence, and criminal prosecutions by the government and its allies.

The leader of Zanzibar's CUF, who lost a court battle over control of the party and its finances in March 2019, joined ACT-Wazalendo shortly thereafter. Other CUF members

followed suit, raising speculation that the alliance could pose a formidable challenge to the CCM in Zanzibar in 2020. However, the deputy registrar of political parties threatened the enlarged opposition party with legal action shortly after its formation, citing activities that may have violated the Political Parties Act.

An atmosphere of intimidation associated with the 2018 by-elections—during which opposition campaign activities were met with violence, including murders and abductions—persisted in the months ahead of the November 2019 local elections. Chadema activist Mdude Nyagali was abducted, beaten, and abandoned in May 2019, and the party accused the police of involvement.

Chadema lawmaker Tundu Lissu, who traveled abroad to recover after a 2017 attempted assassination in which he was shot 16 times, was stripped of his parliamentary seat in June 2019, in part for absenteeism. In October, Lissu said he could not return to the country for safety reasons, though he indicated in November that he would be willing to run for president in 2020.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4 (-1)

Tanzanian voters and politicians are subject to some undue influence from unaccountable entities using antidemocratic tactics. For example, party militias engaged in violence and intimidation ahead of the 2015 polls, and the ruling party has allegedly used vote buying and other material incentives to sway voters.

Magufuli has increasingly used local administrative authorities, particularly the country's presidentially appointed regional and district commissioners, for political purposes. These officials are technically nonpartisan, but most are CCM loyalists or former security personnel. They have significant power within their jurisdictions, and have been especially repressive when overseeing opposition-oriented areas. At times they have sought to remove elected municipal leaders, arbitrarily barred the movements and activities of critical NGOs and human rights advocates, and reportedly threatened associated individuals. The 2019 local elections, which the opposition boycotted due to widespread candidate disqualifications, were notably managed by the government ministry that also supervises regional and district commissioners.

Score Change: The score declined from 3 to 2 because Tanzania's local government authorities are overseen by presidential appointees at the regional and district level who have increasingly exercised political influence on behalf of the ruling party.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Members of ethnic, religious, and other minority groups ostensibly have full political rights, but parties formed explicitly on the basis of ethnicity or religion are prohibited. The government threatens religious organizations that comment on political issues, though in 2019 Magufuli made gestures to improve relations with religious leaders.

The constitution requires that women make up 30 percent of representatives in the parliament. In 2019, about 37 percent of the seats were held by women, and the cabinet includes several women ministers. However, many policies under Magufuli have actively undermined women's rights and attempts at political advocacy.

LGBT+ people, who face the risk of arrest and harsh discrimination, are unable to openly advance their political interests.

C. FUNCTIONING OF GOVERNMENT: 5 / 12 (-1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Magufuli has consolidated political power in the presidency since taking office, sidelining the legislature—in part by suppressing dissent within the ruling party—and exerting greater control over cabinet ministers through dismissals and reshuffles. The CCM government has also reasserted its role in managing the activities of legislators and threatened those who are frequently absent.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a problem in the country, and reform efforts have yielded mixed results. The Prevention and Combating of Corruption Bureau (PCCB) has been accused of focusing on low-level corruption and doing little to address graft committed by senior officials.

The government fined five banks in September 2019 for violations of money-laundering rules; a number of businessmen have been jailed on charges of money laundering, but the government has been accused of using the law in an abusive manner. Separately, while a World Bank arbitration court in October ordered Tanzania to pay \$185 million in a case arising from the 2014 Independent Power Tanzania Ltd. (IPTL) corruption scandal, the government denied responsibility.

An audit in 2018 revealed \$640 million in missing revenue from the 2016–17 fiscal year. Additional scrutiny in 2019 uncovered more than \$1 billion in missing or misappropriated funds. Opposition calls to publish the full report from the auditor general and enforce accountability were rejected. The chair of the parliament’s Public Accounts Committee denied any loss or theft.

C3. Does the government operate with openness and transparency? 1 / 4 (-1)

An access to information act was adopted in 2016, but critics noted that it gives precedence to any other law governing the handling of government information, and appeals of decisions on information requests are handled by a government minister rather than an independent body. The law imposes prison terms on officials who improperly release information, but assigns no clear penalties for those who improperly withhold information.

According to research published by the Media Institute of Southern Africa’s Tanzania branch in 2018, local and regional government offices are uneven in their level of responsiveness to requests for information. Live broadcasts of parliament sessions have been suspended since 2016. In 2017, Tanzania withdrew from the Open Government Partnership, a multilateral platform designed to improve transparency and openness among its member states.

The government is suspected of manipulating public statistics on economic performance. In April 2019, Tanzania was accused of blocking the publication of an International Monetary Fund (IMF) report that criticized the country’s “unpredictable” economic policies, a claim that was denied by a government spokesman. The World Health Organization (WHO) rebuked Tanzania in September 2019 for not sharing information regarding a death from Ebola-like symptoms in Dar es Salaam. The government insisted that there was no Ebola in the country, described reports about the suspected case as false, and summoned the country’s local WHO representative in protest over the announcement.

The Statistics Act was amended in June 2019 to remove criminal liability for publishing information that conflicts with the National Bureau of Statistics, but the government

generally continued to resist transparency efforts and punish journalists and civil society groups that attempted to expose official wrongdoing.

Score Change: The score declined from 2 to 1 because the government has increasingly sought to obstruct access to public information in recent years.

CIVIL LIBERTIES: 23 / 60 (-2)

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

Independent journalists and media outlets are subject to harsh repression in Tanzania. The 2016 Media Services Act grants the government broad authority over media content and the licensing of outlets and journalists. It also prescribes severe penalties, including prison terms, for publication of defamatory, seditious, or other illegal content. The East African Court of Justice in March 2019 ruled that sections of the law conflict with the East African Community's treaty, but it was unclear what effect the ruling might have, and the law was not changed during the year. According to the Media Council of Tanzania, an NGO, violations of press freedom were more than three times more prevalent in 2019 than in 2015, when Magufuli took office.

The country's leading privately owned newspaper, the *Citizen*, was temporarily suspended for alleged political bias in February 2019. In September, three online television stations were banned or fined for dubious reasons. A television journalist was arrested and held for three days in August for "publishing false information" about the police, and a former radio journalist was arrested in September for disseminating information using WhatsApp. Prominent investigative journalist Erick Kabendera was detained beginning in July—first over citizenship questions, then alleged cybercrimes, and later for money laundering and other financial charges, which do not allow for release on bail. His court hearings were repeatedly delayed, and his health deteriorated. He remained in custody as of December.

The 2018 Electronic and Postal Communications (Online Content) Regulations require bloggers and owners of online discussion platforms and streaming services to pay more than \$900 in annual registration fees. Many bloggers have shut down their outlets as a result.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is generally respected, and interfaith relations are largely peaceful, though periodic sectarian violence has occurred. Muslims are believed to be a minority in Tanzania as a whole, but 99 percent of Zanzibar's population practices Islam. Political tensions between mainland Tanzania and Zanzibar often play out along religious lines. The government occasionally raises the specter of interreligious conflict as an excuse to detain political rivals, contributing to a general sense that Muslims are sometimes treated unfairly by authorities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom in Tanzania was harmed by the passage of the 2015 Statistics Act, which requires data released publicly to be first approved by the National Bureau of Statistics. In 2018, the parliament passed amendments to the Statistics Act that prescribed fines, a minimum of three years in prison, or both for anyone who disputes official government

figures. The law was amended in June 2019 to remove criminal liability for publishing independent data, but given the government’s ongoing and general hostility to dissenting views, it was unclear whether the legal change would strengthen academic freedom in practice.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The government historically monitored the population through a neighborhood-level CCM cell structure, but it has increasingly policed personal expression on social media in recent years. Under laws including the 2015 Cybercrimes Act and the 2018 Electronic and Postal Communications (Online Content) Regulations, social media users have been prosecuted for offenses such as insulting the president. Government officials have also threatened to prosecute users for supposedly spreading homosexuality through online platforms. Vague prohibitions on communication that “causes annoyance” or “leads to public disorder” have confused users as to what constitutes a violation, and empowered authorities to suppress unfavorable speech at their discretion. The 2018 regulations also require internet cafés to install surveillance cameras.

Since Magufuli took office, the Tanzanian government has consulted with Hacking Team—a firm that provides electronic surveillance capacity—and signed cybersecurity collaboration agreements with the South Korean and Israeli governments. In 2019, opposition leader Zitto Kabwe’s verified Twitter account was hacked and used to promote Magufuli, raising suspicions that the government and its allies, armed with new capabilities, were responsible. Also during the year, recordings of CCM leaders criticizing Magufuli were publicly leaked in an apparent attempt to demonstrate pervasive surveillance and encourage self-censorship. Magufuli admitted in January to monitoring the digital communications of some ministers.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12 (-1)

E1. Is there freedom of assembly? 1 / 4 (-1)

The constitution guarantees freedom of assembly, but the government can limit this right. Organizers must notify the police 48 in advance of any demonstration, and police have broad discretion to prohibit gatherings that could threaten public safety or public order, among other criteria. A ban on political rallies has been in place since mid-2016. The January 2019 amendments to the Political Parties Act further restricted public assembly, in part by broadening the scope of activities that are deemed “political.”

Score Change: The score declined from 2 to 1 due to authorities’ pervasive efforts to obstruct demonstrations, including through growing restrictions on political gatherings.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Tanzania has a diverse and active civil society sector, but laws that already gave the government broad authority to deregister NGOs were strengthened in 2019. Six NGOs were deregistered in April under existing rules, and amendments enacted in June expanded the NGO registrar’s discretionary powers to investigate an organization and deregister it for “operating contrary to its objectives.” Among other changes, the amendments allow private businesses to be punished if they support the activities of NGOs, and impose onerous new financial reporting requirements on even small grassroots organizations.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Trade unions are nominally independent of the government and are coordinated by the Trade Union Congress of Tanzania and the Zanzibar Trade Union Congress. The Tanzania Federation of Cooperatives represents most of Tanzania's agricultural sector. The government has significant discretion to deny union registration, and many private employers engage in antiunion activities. Essential public-sector workers are barred from striking, and other workers are restricted by complex notification and mediation requirements. Strikes are infrequent on both the mainland and Zanzibar.

F. RULE OF LAW: 5 / 16 (-1)**F1. Is there an independent judiciary? 2 / 4**

Tanzania's judiciary suffers from underfunding and corruption. Judges are political appointees, and the judiciary does not have an independent budget, which makes it vulnerable to political pressure. The results of such pressure are particularly evident in cases involving opposition figures and other critics of the government.

F2. Does due process prevail in civil and criminal matters? 1 / 4 (-1)

Due process does not always prevail in civil and criminal matters. Policies and rules governing arrest and pretrial detention are often ignored, and pretrial detention commonly lasts for years due to case backlogs and inadequate funding for prosecutors. Arbitrary arrests of opposition politicians, journalists, and civil society leaders occurred throughout 2019. In September, the inspector general of police claimed that public confidence in the police was suffering because of internal efforts to undermine his authority, corruption in the force, and improper policing practices. Magufuli in October suspended an assistant police commissioner for failing to act on government directives regarding police officers suspected of corruption in Rukwa.

In September, the president encouraged plea bargaining for those charged with financial crimes that do not allow for release on bail. Such a practice could compel innocent people, including those facing politicized prosecutions, to plead guilty and avoid long pretrial detentions.

Legal activists have suffered repercussions for their attempts to seek justice through the courts in recent years. The High Court suspended Zanzibari attorney Fatma Karume in September for filing an "inappropriate" legal challenge on behalf of the opposition that sought to block the appointment of Adelardus Kilangi as attorney general. In December, Tito Magoti—a rights activist and attorney for Tanzania's Legal and Human Rights Centre—was arrested in a manner that appeared to be an abduction by unidentified men. The regional police commissioner at first denied he was being detained, but Magoti was eventually charged with unbailable economic crimes.

Score Change: The score declined from 2 to 1 due to a pattern of arbitrary arrests, politicized prosecutions, and other abuses that have steadily eroded due process standards in recent years.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Reports of abuse and torture of suspects in police custody are common, and police have been accused of extrajudicial killings and other violence over the past three years. Several high-profile abductions and disappearances from 2018 remained unresolved in 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Women's rights are constitutionally guaranteed but not uniformly protected. Women face de facto discrimination in employment, including sexual harassment, which is rarely addressed through formal legal channels. Women's socioeconomic disadvantages are more pronounced in rural areas and in the informal economy.

Same-sex sexual relations are punishable by lengthy prison terms, and LGBT+ people face discrimination and police abuse in practice, leading most to hide their identities. Men who are suspected of same-sex sexual activity have been arrested and forced to undergo anal examinations.

In August 2019, the Tanzanian and Burundian governments agreed to repatriate some 200,000 Burundian refugees by the end of the year, in spite of ongoing political instability in Burundi. Between September 2017 and late October 2019, according to the Office of the UN High Commissioner for Refugees (UNHCR), more than 78,000 Burundian refugees were repatriated. The UNHCR suggested in October that refugees were not leaving voluntarily but were being deported. That month, Magufuli accused refugees of criminal behavior and exploitation of the country's natural resources. Nearly 167,000 Burundian refugees remained in Tanzania at year's end.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Residents enjoy some basic freedoms pertaining to travel and changes of residence, employment, and education, though corruption remains an obstacle. The government has wide discretion in enforcing laws that can limit movement, particularly in Zanzibar, where the approval of local government appointees is often required for changes in employment, personal banking, and residency. Separately, the authorities in recent years have arbitrarily arrested and deported a number of Kenyans, many of whom had been granted Tanzanian citizenship. The government at times imposes travel restrictions on civic activists, human rights researchers, opposition figures facing criminal charges, and other prominent individuals.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Tanzanians have the right to establish private businesses but are often required to pay bribes to license and operate them. The state owns all land and leases it to individuals and private entities, leading to clashes over land rights between citizens and companies engaged in extractive industries.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Rape, domestic violence, and female genital mutilation (FGM) are common but rarely prosecuted. An escalating pattern of rapes in which the attackers break into women's homes has been reported in recent years in western Tanzania. Laws and practices regarding marriage, divorce, and other personal status issues favor men over women, particularly in Zanzibar. In October 2019, the Court of Appeal upheld a 2016 High Court ruling that called for the minimum age of marriage to be raised to 18 for girls as well as boys. The marriage law would need to be amended for the ruling to take effect. Tanzania's adolescent fertility rate is more than twice the global average.

The government restricts access to family planning services. In July 2019, Magufuli encouraged women to help increase the country's birth rate and spur the economy. At the same time, girls can be expelled from school for becoming pregnant, and in 2017 the government prohibited those who had given birth from returning to school. In 2018, local authorities arrested some pregnant students.

In October 2019, in response to a widely publicized video of a government official caning students who had been accused of setting fire to dormitories, Magufuli applauded the corporal punishment and called for children to be caned both at school and at home so as to create a "disciplined nation."

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Sexual and labor exploitation remain problems, especially for children living in poor rural areas who are drawn into domestic service, agricultural labor, mining, and other activities. Child labor in gold mines, where working conditions are often dangerous, is common.

Most Tanzanians do not benefit from the country's extensive natural-resource wealth. Tanzania has one of the highest levels of income inequality in the world, and the poverty rate remains high.

Thailand

Population: 66,400,000

Capital: Bangkok

Freedom Status: Partly Free

Electoral Democracy: No

Status Change: Thailand's status improved from Not Free to Partly Free due to a slight reduction in restrictions on assembly and tightly controlled elections that, despite significant flaws, ended a period of direct rule by military commanders.

Overview: In March 2019, Thailand held elections for the first time since a 2014 military coup overthrew its democratically elected government. The election process was widely considered to have been designed to prolong and legitimize the military's dominant role in Thailand's governance. The new, nominally civilian government, again helmed by Prime Minister Prayuth Chan-o-cha, the former army chief, continues to restrict civil and political rights and suppress dissent. Thailand's new monarch, King Maha Vajiralongkorn, has worked to consolidate authority over political life and the military.

KEY DEVELOPMENTS IN 2019

- In March, Thailand held its first national elections since a 2014 military coup overthrew the democratically elected Yingluck Shinawatra government. The elections were tightly controlled by Thailand's military junta under rules determined by the military-drafted constitution, and were widely seen as designed to prolong and legitimize the military's dominant role in Thailand's governance.
- In July, the junta formally handed over power to the elected civilian government. The new administration retained much of the previous military leadership, including Prayuth, the former army chief, who returned as prime minister.

- In the first half of the year, a number of prominent Thai prodemocracy activists were repeatedly attacked, at times by roving masked gangs, in incidents thought to be linked to the military.
- In May, Thanathorn Juangroongruangkit, the leader of the Future Forward opposition party, was suspended from taking his seat in parliament by the Constitutional Court. In October, he was charged with sedition, and in November, was formally disqualified from parliament after the Constitutional Court found him guilty of owning media shares when he had applied to be a candidate.

POLITICAL RIGHTS: 6 / 40 (+1)**A. ELECTORAL PROCESS: 1 / 12 (+1)****A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4**

Thailand is a constitutional monarchy ruled by King Maha Vajiralongkorn, who serves as head of state. Although the monarchy has limited formal power, the king is highly influential in Thai politics, and has significant clout over the military.

According to the military-drafted constitution, Thailand's prime minister is selected by a majority vote of the combined 500-seat elected lower house and the 250-seat upper house, the Senate, whose members are entirely appointed by the military. The promilitary Palang Pracharat Party, which won only 115 out of 500 lower-house seats in the 2019 elections, nevertheless nominated incumbent prime minister Prayuth Chan-ocha to serve in that position once again. In 2014, as army chief, Prayuth had staged a military coup against the democratically elected government, and had been subsequently designated prime minister in the absence of elections.

Prayuth was approved as prime minister in 2019 through the support of a voting bloc comprised of the Palang Pracharat Party and other promilitary parties, and votes from 249 of the appointed senators, and assumed the office of civilian prime minister in July 2019. Newly elected lawmakers reported after the March election that in exchange for voting for Prayuth, they had received offers from "brokers" of bribes between \$640,000 and \$3.8 million.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4 (+1)

Under the military-drafted constitution, the bicameral National Assembly consists of the 250-seat Senate, whose members are appointed to five-year terms by the army, and the 500-seat House of Representatives, to which 375 members are directly elected to four-year terms in single-seat constituencies by simple majority vote, and 150 members are elected in a single nationwide constituency by party-list proportional representation vote.

In January 2019, after almost five years of repeated postponements, the military junta announced that multiparty elections would take place in March. The election for the House of Representatives was contested by 77 political parties, most of which fell into one of two camps: promilitary or antimilitary. The campaign period was marred by political repression, media censorship, unequal access to the media by political parties, and a lack of independent and impartial oversight from the Election Commission of Thailand (ECT), which was entirely appointed by the junta.

The results, announced six weeks after the polls, were tainted by irregularities, with ballots "lost," and vote tallies changed. Additionally, the formula for distribution of party seats changed after the election in order to reduce seats won by opposition parties and redistribute

them to military-aligned parties. This resulted in the redistribution of enough seats to give the promilitary parties a supermajority.

Only one outside election monitoring body, the Asian Network for Free Elections (ANFREL), was allowed to observe the polls. ANFREL was granted permission less than 10 days prior to the election, limiting the observers' ability to comprehensively monitor polling. Two domestic observer organizations, P-Net and the civil society organization We Watch, were also granted permission to monitor the elections, but all three missions saw access to various procedures restricted. We Watch determined that while the election gave the public the opportunity to exercise their voting rights, "the election process remains far from the words 'free' and 'fair.'"

In July, Thailand's government was formally transferred from the military's National Council for Peace and Order (NCPO) to the National Assembly, a bicameral legislature, as mandated by the 2016 military-drafted constitution, thus ending a period of direct rule by military commanders.

Score Change: The score improved from 0 to 1 because parliamentary elections were held for the first time since the 2014 military coup.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The NCPO-appointed Constitutional Drafting Committee (CDC) developed a draft constitution that was approved in a tightly controlled 2016 referendum. The new constitution, which governed the March 2019 elections, was designed to weaken political parties and elected officials while strengthening unelected institutions. In the mixed-member apportionment system introduced in the charter, there are 350 constituency seats and 150 party-list seats in the House of Representatives. Citizens cast only one vote in the 2019 elections (rather than two distinct votes as in previous elections), which counts for a candidate as well as for that candidate's party for the party-list seats, which, by design, makes it difficult for large parties to gain a majority and form a stable government.

All 250 seats in the Senate were appointed in July for a five-year term (a longer term than the four-year term for lower-house lawmakers) by the military. Thailand's prime minister is selected through a combined vote of the combined lower and upper house, granting the unelected Senate a powerful role in the selection of the prime minister.

The 2019 elections were overseen by the ECT, whose members were entirely appointed by the junta. Throughout the electoral process, the ECT came under criticism from the public and civil society for its lack of independence, and its willingness to intervene on behalf of the military and political parties aligned with it. For instance, after the March elections, the ECT changed the formula by which party seats were distributed, reassigning a number of seats won by the opposition Future Forward Party and Pheu Thai Party and redistributing them to small military-aligned parties, all of which subsequently voted with the promilitary Palang Pracharat Party and the Senate to retain Prayuth as prime minister.

B. POLITICAL PLURALISM AND PARTICIPATION: 3 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

From 2014 to 2018, Thailand's military government effectively banned political parties from meeting and conducting activities. However, Prime Minister Prayuth led regular

“mobile cabinet meetings” across the country in 2017 and 2018, which were essentially campaign rallies designed to shore up support for the Palang Pracharat Party, which was formally established in September 2018. That month, the NCPO had lifted many of the restrictions on political parties, allowing them to hold meetings, recruit members, select candidates, and hold forums with the public in preparation for the 2019 elections. In December 2018, it lifted the ban on political campaigning, though many opposition parties initially refrained from engaging in campaign activities.

Eventually, a slew of parties from across the political spectrum began organizing and campaigning in preparation for the March 2019 elections, though those opposed to military rule experienced official harassment. For example, in April 2019, after the Future Forward Party’s success in the elections, party leader Thanathorn Juangroongruangkit was charged with sedition and two other crimes for having allegedly “provided assistance” to democracy activists following a 2015 protest. In May, Thanathorn was suspended by the Constitutional Court from taking his seat as an elected member of parliament over a complaint that he had held shares in a media company when he applied to be serve in the legislature. In November, the Constitutional Court stripped Thanathorn of his parliamentary seat. In December, the ECT, citing an obscure law, asked the Constitutional Court to disband the Future Forward Party, an event expected to happen in early 2020. Opposition parties aligned with former prime minister Thaksin Shinawatra also suffered attacks by the government.

The military-drafted constitution imposed rules on political parties that were designed to weaken existing large parties like the Pheu Thai Party (PTP), whose government was overthrown in the 2014 coup. In order to circumvent these limitations, party leaders established like-minded parties, including Thai Raksa Chart, to better compete in the elections. However, after Thai Raksa Chart in February 2019 nominated Princess Ubolratana as its prime ministerial candidate, the party was dissolved by Constitutional Court in March and its nominated candidates were disqualified from running in the election. The development severely stymied the alliance of opposition parties associated with the Shinawatras from electoral success.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

In late 2018, the ban on activities of political parties, including those opposed to military rule, was lifted. Consequently, political parties were able to organize, campaign, and compete in the March 2019 general elections. However, restraints imposed by the military-drafted constitution greatly limited the ability of opposition parties to effectively campaign or gain significant political power through elections.

While parties opposed to military rule, most prominently the PTP and Future Forward, won a combined 245 seats, they have been unable to further legislation due to the military’s continued grip over legislative processes. In December 2019, the ECT began proceedings to disband the Future Forward Party following the disqualification of its leader, Thanathorn, from parliament the previous month.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

While Thai citizens were able to vote in the March 2019 election, the subsequently formed government did not reflect that vote due to a rigged outcome enabled by the military-drafted constitution. The new cabinet is stacked with former members of the military, leaders of the 2014 coup, and ministerial holdovers from the junta, including Prime Minister Prayuth.

The polls also saw repeated interventions by the Thai monarchy, which exerts tremendous influence over Thailand’s governance and political system. In February, Princess

Ubolratana was nominated by the Thai Raksa Chart Party, an opposition party affiliated with exiled former prime minister Thaksin Shinawatra, as its prime ministerial candidate. Her younger brother, King Maha Vajiralongkorn, made a televised announcement condemning her bid as “extremely inappropriate.” The Constitutional Court dissolved Thai Raksa Chart soon thereafter. In addition, on the eve of the March election, King Vajiralongkorn released an unprecedented statement from the monarchy urging citizens to vote for “good people” to prevent “chaos,” a message widely understood as a royal endorsement of promilitary parties.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

In 2019, some political rights denied to the population during military rule were restored with the election of a semicivilian government. Nevertheless, members of minority groups, particularly ethnic minorities and stateless residents of Thailand, are generally unable to choose their representatives or organize independently to assert their interests in the political sphere. Malay Muslims in southern Thailand remain politically marginalized.

Women are underrepresented in government at all levels, composing only 16.2 percent of the House of Representatives and 10.4 percent of the Senate; few women hold leadership roles in political parties, and the interests of women are generally not prioritized in political life.

The interests of LGBT+ people are increasingly represented in national politics. In 2019, there was growing support among lawmakers for legislation allowing same-sex unions.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Since July 2019, the policies of the Thai government have been determined by the prime minister and a bicameral National Assembly. Despite elections granting the majority of lower-house seats to opposition political parties, Thailand’s government remains a largely authoritarian institution due to the National Assembly’s unelected upper house, which votes with the lower house to determine the government’s long-term strategy and the selection of the prime minister, among other important governance issues. Consequently, government policies and new legislation continue to be decided and implemented by a clique of former military leaders and their allies.

Throughout 2019, the Thai king continued to consolidate and expand the political and military powers of the monarchy. In October 2019, King Vajiralongkorn ordered that two elite army units be transferred to the direct command of the palace, citing Article 172 of the constitution, which allows a royal decree to be issued when there is an emergency threatening national security and the monarchy.

C2. Are safeguards against official corruption strong and effective? 1 / 4

The National Anti-Corruption Commission (NACC) receives a high number of complaints each year, and, while in power, the NCPO passed vague anticorruption laws. However, the military junta engaged in wide-scale corruption, cronyism, and nepotism, and these issues have gone unaddressed since the transition to semicivilian rule in 2019.

C3. Does the government operate with openness and transparency? 1 / 4

Parliamentary oversight of the new government that came to power in 2019 has resulted in an increase in overall government openness and transparency. However, due to the military’s continued sway over government operations and supermajority within the National

Assembly, high-level decisions continue to be made, and legislation passed, opaquely and with little regard to the protestations of opposition lawmakers.

CIVIL LIBERTIES: 26 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

Under military rule, the government systematically used censorship, intimidation, and legal action to suppress independent media, and international and domestic news media were frequently censored during the election campaign period in early 2019. In July, in one of the junta's last acts, several NCPO orders limiting free speech and independent media were lifted, including those banning news reports considered to threaten national security and the credibility of the NCPO. However, the new government has retained a number of laws introduced by the junta that restrict free and independent media. In addition, several journalists charged with crimes related to their journalism during military rule still face prosecution. In October 2019, a Belgian journalist was detained in Bangkok by police after seeking to interview a prominent Thai political dissident who had been repeatedly assaulted by motorcycle gangs in previous months. In December 2019, a Thai journalist, Suchanee Cloitre, was sentenced to two years in prison on charges of libeling a commercial farm in a Twitter comment about a labor complaint filed by its workers.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

There is no state religion, and religious freedom is respected in the majority of the country. However, some restrictions exist. Speech considered insulting to Buddhism is prohibited by law. A long-running civil conflict in the south, which pits ethnic Malay Muslims against ethnic Thai Buddhists, continues to undermine citizens' ability to practice their religions. The vast majority of Thais are Buddhist and the king is considered the protector of Buddhism in Thailand, which carries spoken and unspoken authority.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom remains constrained in Thailand. University discussions and seminars on topics regarded as politically sensitive are subject to monitoring or outright cancellation by government authorities. Activist activities on university campuses also continue to be constrained by the government, including through prosecutions for sedition and violations of the country's draconian *lèse majesté* laws.

Academics working on sensitive topics are subjected to oppressive tactics including summonses for questioning, home visits by security officials, surveillance of their activities, and arbitrary detention for the purpose of questioning. Several Thai academics have fled into exile since the 2014 coup. In 2018 and 2019, a number of foreign academics were detained and questioned by Thai immigration authorities when they entered and left the country.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Despite Thailand's transition from military rule to semicivilian control in July 2019, anyone perceived as a critic of the military or the monarchy remains at high risk of surveillance, arrest, imprisonment, harassment, and physical attack. Thailand's new government retained 140 NCPO laws, including laws that restrict freedom of expression. The government also retained the junta's 2016 Computer-Related Crime Act, which gives authorities

broad powers to restrict online expression, impose censorship, and enforce surveillance, and extends enforcement of draconian *lèse majesté* provisions online.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12 (+1)

E1. Is there freedom of assembly? 2 / 4 (+1)

The junta's restriction on political gatherings of five or more people was lifted in December 2018, and a number of assemblies took place during 2019. Some—but not all—prosecutions under the provision banning assemblies were also dismissed in 2019. Others have continued, and some people still face charges for sedition or other offenses allegedly committed during past protests.

In December 2019, Thanathorn and other members of opposition party Future Forward were charged with contravening Thailand's Public Assembly Act for holding a peaceful rally in downtown Bangkok against the ECT's decision to ask the Constitutional Court to begin proceedings to disband the party.

Score Change: The score improved from 1 to 2 because authorities lifted a formal ban on public gatherings in late 2018 and allowed more assemblies to proceed during the year, while courts dismissed cases against some activists involved in past protests.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Thailand has a vibrant civil society, but groups focused on defending human rights and freedom of expression, and promoting democracy, continue to face restrictions, criminalization, and prosecution by the state, including under sedition and *lèse majesté* laws. In the months after the March 2019 elections, several representatives from Thai democracy groups were attacked by gangs thought to be connected to the military. Civil society groups holding republican views, such as the Organization for Thai Federation, remain forbidden.

Land and environmental activists risk serious and even deadly violence; the environmental rights group Global Witness has described Thailand as among the most dangerous countries in Asia for such activists to operate. Perpetrators of attacks generally enjoy impunity. In September 2019, skull fragments found earlier in the year in Kaeng Krachan National Park in Phetchaburi Province were identified as belonging to disappeared Thai-Karen environmental activist Porlajee "Billy" Rakchongcharoen. He had last been seen in the park in the custody of government park officials in April 2014. Arrest warrants were approved in November 2019 for four forestry officials in the case.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Thai trade unions are independent and have the right to collectively bargain. However, civil servants and temporary workers do not have the right to form unions, and less than 2 percent of the total workforce is unionized. Antiunion discrimination in the private sector is common, and legal protections for union members are weak and poorly enforced.

F. RULE OF LAW: 5 / 16

F1. Is there an independent judiciary? 1 / 4

Although Thailand's constitution grants independence to the judiciary, in practice Thailand's courts are politicized, and corruption in the judicial branch is common. The Constitutional Court, which has been accused of favoring the military, has sweeping powers, including the ability to dissolve political parties, overthrow elected officials, and

veto legislation. In March 2018, the government enacted a law that made criticism of the Constitutional Court with “rude, sarcastic, or threatening words” a criminal offense, further shielding the body from accountability.

In October 2019, Kanakorn Pianchana, a chief judge of the Yala trial court, shot himself in court immediately after acquitting five Muslim defendants from Thailand’s deep south on murder charges in a death-penalty case. Before shooting himself, Kanakorn read a statement that openly criticized the Thai judiciary for its lack of independence and impartiality, stating that he had been under intense pressure by superiors to find the five guilty despite a lack of evidence.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Restrictions implemented by the NCPO and retained by the current semicivilian government severely undermine due process rights. Orders issued in 2015 permitted the detention of individuals without charge for up to seven days, and expanded the authority of military officers in the area of law enforcement, permitting them to arrest, detain, and investigate crimes related to the monarchy and national security. In 2019, much of this authority was transferred from the junta to a newly empowered Internal Security Operations Command (ISOC), which can also summon and detain individuals without a warrant on grounds of suspicion. With the transfer of power from military rule to a semicivilian government, all court cases involving offenses against junta orders were transferred from military to civilian courts.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

While most of the country is free from terrorism or insurgencies, a combination of martial law and emergency rule has been in effect for over a decade in the four southernmost provinces, where Malay Muslims form a majority and a separatist insurgency has been ongoing since the 1940s. Civilians are regularly targeted in shootings, bombings, and arson attacks, and insurgents have focused on schools and teachers as symbols of the Thai state. Counterinsurgency operations have involved the indiscriminate detention of thousands of suspected militants and sympathizers, and there are long-standing and credible reports of torture and other human rights violations, including extrajudicial killings, by both government forces and insurgents.

The police and military often operate with impunity, which is exacerbated by the absence of any law that explicitly prohibits torture.

Since the March 2019 elections, there has been an increase in physical attacks on democracy activists by masked assailants widely presumed to be tied to the military government. Thai dissident Sirawith Seritiwat was attacked twice in June; the second attack left him hospitalized in serious condition. There have been no credible investigations by Thai authorities into any of these assaults. In 2019, there was also an increase in extraterritorial executions of Thai dissidents-in-exile. In December 2018, the bodies of two prominent Thai dissidents in exile in Laos were found stuffed with concrete on the banks of the Mekong River along the Lao-Thai border.

Thais with antimonarchy views continued to flee the country out of fear for their safety, particularly after several exiled Thais disappeared in 2019, likely in encounters with secret Thai forces operating extraterritorially.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

In Thailand's north, so-called hill tribes are not fully integrated into society. Many lack formal citizenship, which renders them ineligible to vote, own land, attend state schools, or receive protection under labor laws. Thailand is known for its tolerance of LGBT+ people, though societal acceptance is higher for tourists and expatriates than for nationals, and unequal treatment and stigmatization remain challenges. Women face discrimination in employment, a problem which was highlighted by the decision of the Royal Police Cadet Academy in September 2018 to ban female cadets.

Thailand has not ratified the UN convention on refugees, who risk detention as unauthorized migrants and often lack access to asylum procedures. In 2019, several Southeast Asian dissidents living in or transiting through Thailand were disappeared, likely with the assistance of the Thai state. In January, a Vietnamese journalist who had applied for refugee status was allegedly abducted in Bangkok and returned to Vietnam, where he is now in custody. In August, a Lao democracy activist was also disappeared from his home in Bangkok; his whereabouts were unknown at year's end.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Thai citizens generally have freedom of travel and choice of residence. However, travel may be restricted in areas affected by civil conflict, and the junta at times imposed travel bans on its critics.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The rights to property and to establish businesses are protected by law, though in practice business activity is affected by some bureaucratic delays, and at times by the influence of security forces and organized crime. Court cases related to land and natural resources, particularly those deemed by the junta to be vital to the country's economic development, are susceptible to political interference.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

While women have the same legal rights as men, they are vulnerable to domestic abuse and rape, and victims rarely report attacks to authorities, who frequently discourage women from pursuing criminal charges against perpetrators.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Exploitation and trafficking of migrant workers (estimated between 4 and 5 million) and refugees from Myanmar, Cambodia, and Laos are serious and ongoing problems, as are child and sweatshop labor. Sex trafficking remains a problem in which some state officials are complicit. However, the government has made some efforts to prosecute and seize the assets of those suspected of involvement in human trafficking, including police officers and local officials.

Thai companies facing criticism for human rights violations, labor rights abuses, and migrant rights violations continue to file libel lawsuits against activists and human rights defenders. The poultry company Thammakaset in recent years has filed more than 20 criminal and civil complaints against journalists, human rights defenders, former employees of the company, and staff of nongovernmental organizations.

The Gambia

Population: 2,300,000

Capital: Banjul

Freedom Status: Partly Free

Electoral Democracy: No

Overview: The Gambia was ruled for over two decades by former president Yahya Jammeh, who mounted a bloodless coup in 1994 and consistently violated political rights and civil liberties. The 2016 election resulted in a surprise victory for opposition candidate Adama Barrow. Fundamental freedoms including the rights to free assembly, association, and expression improved thereafter, but the progress toward the consolidation of the rule of law is slow. LGBT+ individuals face severe discrimination, and violence against women remains a serious problem.

KEY DEVELOPMENTS IN 2019

- In May, eight former soldiers were convicted of plotting to overthrow the Barrow government in 2017. According to court documents, the coup plotters were in communication with former president Jammeh and were led by one of Jammeh's former military aides.
- The findings of an official commission established to look into the corruption of the Jammeh regime were released in September, and documented extensive financial misconduct and waste by the former president and his close allies. The Barrow government has indicated that they will pursue legal means to recoup the lost monies. The former ruling party, the Alliance for Patriotic Reorientation and Construction (APRC), rejected the findings.
- In November, the Constitutional Review Commission released a draft of a new constitution. While the draft was praised for instituting term limits for the office of the president, the omission of a statement that Gambia is to remain a secular country prompted concern among civil society.
- Barrow launched a new party, the National People's Party, in December. The development was prompted by a widening rift in the United Democratic Party (UDP), which had backed Barrow's 2016 run for president.

POLITICAL RIGHTS: 20 / 40

A. ELECTORAL PROCESS: 7 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president is directly elected to a five-year term. There are currently no term limits, though a draft constitution released in late 2019 proposes a limit of two five-year terms. International observers were not allowed into The Gambia ahead of the December 2016 presidential election, and internet and international telephone services were cut on election day. Despite these obstacles, the Independent Electoral Commission was able to conduct an impartial vote count, and declared that Barrow, the candidate for a coalition of opposition parties, had won.

Incumbent president Jammeh initially conceded defeat, but then reversed his position, and had not stepped down by the time Barrow was inaugurated in Senegal in January 2017.

The Economic Community of West African States (ECOWAS) then sent in troops under a previously approved authorization to intervene militarily if a peaceful transfer of power did not begin by the last day of Jammeh's mandate. Within days of the deployment, Jammeh conceded defeat and left the country, allowing Barrow to take office.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

Of the 58 members of the unicameral National Assembly, 53 are elected by popular vote, with the remainder appointed by the president; members serve five-year terms. The 2017 parliamentary elections were transparent, peaceful, and neutrally managed, and were commended by ECOWAS, the African Union (AU), the European Union (EU), and the United Nations. Weaknesses included low turnout, incomplete updating of the voter registry, and poor organization of vote collation processes. Nevertheless, most polling stations operated on time and vote counting was transparent. The United Democratic Party (UDP), which backed Barrow and had previously been in opposition, won 31 seats, amounting to an absolute majority.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The Independent Electoral Commission (IEC) adequately managed the 2017 National Assembly elections, as well as local elections held in April and May 2018, but nevertheless faces serious challenges. Election observers have called for improvements to voter registration processes, improved polling station conditions, and more standardized counting and collation processes, as well as the redrawing of election district boundaries.

In November 2019, the Constitutional Review Commission released a draft of the new constitution, which if approved would institute term limits for the office of the president.

B. POLITICAL PLURALISM AND PARTICIPATION: 9 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Around a dozen political parties are registered and operate in Gambia. To register a new party, organizers must pay a 1 million dalasi (about \$20,000) registration fee and garner the signatures of 10,000 registered voters, with at least 1,000 from each of the country's regions. Parties centered on a particular religion, ethnicity, or region are banned. Parties are required to submit annual audits to the IEC.

Prior to the 2016 presidential election, Jammeh's Alliance for Patriotic Reorientation and Construction (APRC) had long dominated politics. The UDP has largely taken over the role as the dominant party, but a split between Barrow (formerly of the UDP) and Ousainou Darboe (the UDP leader) is challenging the party's dominance. In late December 2019, the IEC announced that it had approved the formation of a new Barrow-led political party, the National People's Party (NPP).

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

The UDP won 31 seats in the 2017 National Assembly elections, taking an absolute majority and displacing Jammeh's APRC, which had dominated the legislature over a period of two decades. A number of independent candidates and representatives of smaller parties were successful in the 2017 national and 2018 local elections.

Minor clashes between UDP and APRC supporters occurred during 2019. Late in the year, after a political split between Barrow and the leader of the UDP, Barrow launched the NPP. The Barrow Youth Movement and the Barrow Fans Club began establishing support for the new party prior to its formation, and critics have argued that those groups are reminiscent of the associations fostered by President Jammeh, who used such organizations to legitimize his decades-long rule.

In 2019, there was a debate in Gambia about whether Barrow should step down during the year, or serve his entire five-year term. A memorandum of understanding between the parties that backed Barrow in the 2016 election stipulated that the coalition's candidate, if successful, would serve for a three-year transitional period. Members of the Barrow government and several political parties have since indicated their support for Barrow serving the entire five-year term, however, prompting some concerns that Barrow is seeking to consolidate power in a manner reminiscent of Jammeh. A pressure group, 3 Years Jotna, held demonstrations in December 2019 demanding that Barrow stick with the original three-year timetable.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

While people's political choices are more free from the undue dominance of unelected groups since the end of Jammeh's 22-year rule, military forces and foreign powers remain influential in Gambian politics. The ECOWAS Mission in The Gambia, known by its acronym ECOMIG, was scheduled to end in May 2018, but its mandate has been repeatedly extended at the request of the Barrow government to further facilitate security-sector reform, and due to ongoing concerns that pro-Jammeh loyalists in the military could cause political instability.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

While political rights and electoral opportunities have recently improved, women remain underrepresented in politics. The National Assembly elected in 2017 includes the first-ever woman speaker, and a disabled person; both are presidential appointees.

Since ethnic tensions escalated toward the end of the Jammeh regime, both the APRC and UDP have become more ethnically polarized, with Jola people largely gravitating toward the APRC and Mandinkas supporting the UDP. There is thus widespread concern that Gambian politics are becoming more "ethnicized," and conflicts between the majority Mandinka ethnic group and other groups in the country becoming more common.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Nonstate actors, armed forces, and foreign governments do not appear to enjoy preponderant influence over the Barrow regime. However, despite these improvements, representative rule has yet to be consolidated.

In May 2019, eight soldiers were convicted of plotting to overthrow the Barrow government in 2017. According to court documents, the coup plotters were in communication with former president Jammeh and were led by one of Jammeh's former military aides.

C2. Are safeguards against official corruption strong and effective? 1 / 4

The Barrow government has undertaken limited initiatives to reduce corruption, which remains a serious problem. Allegations of corruption by officials at all levels of government

are frequently lodged, and both state and semistate agencies face allegations of improperly funneling money to private citizens.

The results of an official inquiry into former president Jammeh's use of state funds for private gain was published in September 2019, and showed widespread corruption by the former president and his associates, as well as by prominent financial institutions. The Barrow government has promised to address these findings, but domestic observers have expressed concerns about selective justice. The APRC, for its part, disputed the findings and promised to issue its own report on the matter.

Gambians continue to call for laws establishing an anticorruption commission. The Barrow government promised in September 2018 to establish one, but has yet to do so.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations are generally opaque. As of 2018, government officials are required to make asset declarations to the ombudsman, but the declarations are not open to public and media scrutiny; Barrow has defended this withholding of information, citing privacy concerns. There are widespread allegations of corruption in public procurement. Key licensing processes, especially for industries reliant on natural resources, are not transparent.

CIVIL LIBERTIES: 26 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16

D1. Are there free and independent media? 2 / 4

The environment for media has improved significantly under Barrow's administration. More people are entering the profession, exiled journalists have returned to the country, and there has been a proliferation of new private outlets in the print, online, and radio and television sectors. In early 2019, the government exempted print media from the National Education and Technical Levy, a tax that media groups argued was designed to restrict freedom of the press.

Nevertheless, some restrictive media laws remain on the books, and some have been upheld by courts. Reports of harassment of journalists by police continue.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The Barrow government has maintained that the Gambia is a secular society in which all faiths can practice freely. In practice, non-Sunni Islamic groups experience discrimination. Ahmadiyya Muslims have been publicly denounced as non-Muslims by the quasigovernmental Supreme Islamic Council, and a 2015 fatwa by the council denied Ahmadiyya burial rights in Muslim ceremonies.

The draft constitution released in November 2019 by the Constitutional Review Commission omitted a statement that Gambia is a secular country, prompting concern among civil society.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academic freedom was severely limited at the University of the Gambia under Jammeh. However, since Barrow took office, the environment for the free exchange of ideas among students and professors has improved, despite lingering challenges. Lecturers still face political pressure at times.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Following years of repressive rule under Jammeh, freedom for ordinary people to express views of a political nature without fear of retaliation has increased since Barrow's administration took power. However, sedition laws remain on the books and in 2018 were upheld by the Supreme Court. Some analysts argue that the laws could be used to criminalize criticism of the government on social media.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12**E1. Is there freedom of assembly? 2 / 4**

The constitution guarantees freedom of assembly, but the Public Order Act, which was used by Jammeh to restrict protests, was upheld by the Supreme Court in late 2017. Under the act, permits from the police inspector general are required for public assemblies. The government has imported new equipment including water cannons, which in 2019 were positioned at pro-Barrow rallies in order to respond to any "rudeness," according to officials, presumably by counterprotesters. Allies of Barrow have threatened force in response to planned antigovernment protests.

Large protests took place in the major cities of Brikama and Serrekunda in July 2019. The protests in Brikama were over the lack of basic services, while the protests in Serrekunda were over the death of a market vendor after his apprehension by police. In both cases, there were multiple arrests and injuries as a result of police action.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

There are a number of nongovernmental organizations (NGOs) in the Gambia focused on human rights and governance issues. Under Jammeh, NGO workers faced a serious risk of detention and other reprisals, but there have been few reports of such suppression since Barrow took power. Environmental groups, however, have reported harassment by security forces.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers—except for civil servants, household workers, and security forces—may form unions, strike, and bargain for wages, but the labor minister has the discretion to exclude other categories of workers. The Gambia has multiple trade unions that operate without significant government restrictions, although several lack organization and funds.

F. RULE OF LAW: 6 / 16 (+1)**F1. Is there an independent judiciary? 2 / 4 (+1)**

The Barrow government has taken multiple steps to improve the functioning of the judiciary, which was hampered by corruption and inefficiency under Jammeh. These steps include ending the use of contract judges, the establishment of additional courts to address the backlog of cases, giving courts greater budgetary autonomy, and reconstituting the Judicial Service Commission, which appoints lower-court magistrates and advises the president on higher-level appointments and on matters of court efficiency and operations. Nonetheless, the executive still dominates judicial appointments.

Score Change: The score improved from 1 to 2 due to a series of judicial reforms since 2017, including the reconstitution of the Judicial Service Commission and taking steps to replace contract judges.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutional guarantees of due process remain poorly upheld, but the situation has improved under President Barrow. Political dissidents face less risk of arrest and prosecution. There were several high-profile reports of arbitrary detention in 2018 but fewer such during 2019; most of those detained were released after a short time with no explanation.

The government has taken steps to arrest and prosecute security officers responsible for human rights abuses during the Jammeh regime. The trial of seven former officers in the reformed and renamed National Intelligence Agency, now the State Intelligence Services, who are accused of the 2016 murder of activist Ebrima Solo Sandeng, continued through 2019.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The use of illegitimate physical force by security agents has been less frequent under the Barrow administration. There have been some attempts to improve prison conditions, though they remain dire. A Human Rights Commission began operations in 2019 after commissioners were appointed, but its impact has yet to be seen.

In October 2018, the government established the Truth, Reconciliation, and Reparations Commission to investigate human rights abuses committed during the Jammeh era, and its hearings were ongoing during 2019. Testimony by several affiliates of the previous president confirmed widespread abuse and torture by the security forces and an extrajudicial hit squad locally known as the “junglers,” as well as abuses by Jammeh himself. However, testimony has not yet led to any prosecutions, and the release of some perpetrators has been controversial.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

A number of groups encounter serious difficulties in exercising their human rights. Legal protections for disabled persons require strengthening and enforcement. LGBT+ people face severe societal discrimination, and same-sex relations remain criminalized. The Gambian government confirmed in 2019 that it had no plans to decriminalize homosexuality. The constitution prohibits discrimination, but this “does not apply in respect to adoption, marriage, divorce, burial, and devolution of property upon death.”

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4**

There are no legal restrictions on freedom to change one’s place of residence or employment. Freedom of movement is not legally restricted but is hampered by security checkpoints in practice.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Gambian law provides formal protection of property rights, although Sharia (Islamic law) provisions on family law and inheritance can facilitate discrimination against women. Corruption hampers legitimate business activity. Land ownership is a contentious issue in the Gambia, with conflicts sometimes escalating into violence. In 2019, there were multiple reports of land disputes between communities that led to extensive destruction of property. These disputes are exacerbated by unclear division of responsibilities between traditional and state authorities.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Rape and domestic violence are illegal, but common. There are no laws prohibiting polygamy, or levirate marriage (in which a widow is married off to the younger brother of her spouse). Female genital mutilation (FGM) was outlawed in 2015, but is still practiced by some; there is some evidence that rates of FGM and child marriage have increased since the end of the Jammeh regime. In November 2018, the Ministry of Justice established a specialized unit to address sexual and gender-based violence. In 2019, the Barrow government signed several ECOWAS acts, notably those that aim to end child marriage, though any deterrent effects have yet to be seen.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Enforcement of labor laws is inconsistent. Women enjoy less access to higher education, justice, and employment than men. Although child labor and forced labor are illegal, some women and children are subject to sex trafficking, domestic servitude, and forced begging. The government has recently made an increased effort to address human trafficking, including by training security officials and border guards to identify victims, and by providing better services to those identified. However, the impact of these changes has been modest.

Timor-Leste

Population: 1,300,000

Capital: Dili

Freedom Status: Free

Electoral Democracy: Yes

Overview: Timor-Leste has held competitive elections and undergone peaceful transfers of power, but its democratic institutions remain fragile, and disputes among the major personalities from the independence struggle dominate political affairs. Judicial independence and due process are undermined by serious capacity deficits and political influence.

KEY DEVELOPMENTS IN 2019

- The country hosted held its third-ever LGBT+ Pride parade, with 3,000 attendees turning out in Dili in July.
- In August, Timor-Leste celebrated 20 years of independence.

POLITICAL RIGHTS: 32 / 40**A. ELECTORAL PROCESS: 11 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

The directly elected president is a largely symbolic figure, with formal powers limited to the right to veto legislation and make certain appointments. The president may serve up to two five-year terms. Francisco Guterres, known as Lú-Olo, was elected president in 2017, following a campaign period a European Union (EU) observer mission praised for its generally peaceful conduct. The mission assessed the election itself as having been well administered.

The leader of the majority party or coalition in Parliament becomes prime minister, and serves as head of government. In June 2018, former independence fighter and former president José Maria Vasconcelos, popularly known as Taur Matan Ruak, was sworn in as prime minister.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Members of the 65-seat, unicameral Parliament are directly elected and serve five-year terms. Because the minority government that was seated after the 2017 election could not pass a budget, the president dissolved Parliament in January 2018 and called new elections, which were held that May. The sitting opposition parties—the National Congress for the Reconstruction of Timor-Leste (CNRT), the Kmanek Haburas Unidade Nasional Timor Oan (KHUNTO), and the People’s Liberation Party (PLP)—came together as the Change for Progress Alliance (AMP) and won an outright majority of 34 seats. The Revolutionary Front for an Independent East Timor (Fretilin) won 23 seats, the Democratic Party (PD) won 5 seats, and the Democratic Development Front (FDD) won 3 seats.

An EU observer mission called the elections “transparent, well-managed and credible,” and they were generally peaceful and orderly, despite a few violent incidents during the campaign period.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The 2017 and 2018 EU election observation missions generally praised the National Election Commission (CNE) for its oversight of the years’ polls, but expressed concern that changes to the election laws in 2017 somewhat reduced the body’s supervisory responsibilities. Provisions governing elections are found across a number of pieces of legislation, and observers have called for legal mandates governing elections to be harmonized into a more coherent framework.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Some campaign finance regulations favor larger parties, such as a lack of caps on spending, and a system in which government campaign subsidies are awarded after elections, according to the number of votes a party won.

Nevertheless, political parties are generally free to form and operate. Two new parties, the youth-aligned KHUNTO and the PLP, concentrated enough support ahead of the 2017 elections to win 13 legislative seats between them that year. They later joined the AMP coalition in the 2018 elections, which won with an outright majority in Parliament.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The national elections in 2018 marked the third time since independence that governing power transferred between parties. The formation of a new majority AMP government comprised of the opposition parties from the 2017 elections includes the CNRT and two new parties, the PLP and KHUNTO.

While some smaller parties hold seats in Parliament, parties associated with the independence movement continue to dominate politics, with the 2017 government led by Fretilin and the 2018 government led by a coalition which includes the CNRT.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Politics are dominated by independence-movement figures who have formed political parties. However, some younger candidates have begun to emerge and win representation.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ethnic minorities are generally well represented in politics. With 39 percent of law-makers being women, Timor-Leste has the highest percentage of women in Parliament in the Asia-Pacific region. However, women have overwhelmingly expressed the opinion that there would be few if any women candidates on party lists in the absence of parity laws, and that in practice women politicians have difficulty participating meaningfully in political processes.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

In 2017 and 2018, the government held competitive and peaceful elections without the supervision of a UN mission that had been deployed to help restore security following a 2006 political crisis. A new minority government was formed after the legislative elections in 2017, but due to its inability to pass a budget was dissolved by the president in January 2018. The new government elected in the May 2018 early polls debated and approved a 2018 budget in September 2018, and a 2019 budget in February 2019.

President Guterres, from Fretilin, remains in office, so for the first time the president and the prime minister are from different parties. Since 2018, the President has rejected nine of the nominated cabinet ministers, in addition to a number of vice ministers, leaving several ministries without leaders.

C2. Are safeguards against official corruption strong and effective? 2 / 4

The World Bank estimates that Timor-Leste loses from 1.5 to 2 percent of gross domestic product (GDP) annually to corruption. Anticorruption bodies lack enough funding to operate effectively. The independent Anti-Corruption Commission (CAC) was established in 2009 and has no powers of arrest or prosecution and must rely on the prosecutor general, with input from police and the courts, to follow up on corruption investigations. Furthermore, Timor-Leste has no legal framework to protect those reporting corruption. In 2019, efforts were underway to develop an anticorruption law.

C3. Does the government operate with openness and transparency? 2 / 4

While the state has attempted to make budgets more accessible, procurement processes remain largely opaque. Requests for public information are not always granted, and at times require applicants to undertake inconvenient travel. Information is often issued exclusively in Portuguese, which some Timorese do not speak.

CIVIL LIBERTIES: 39 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 3 / 4

Media freedom is protected in the constitution. In practice, domestic media outlets are vulnerable to political pressure due to their reliance on government financial support, in a small media market with limited nongovernmental sources of paid advertising. Journalists

are often treated with suspicion, particularly by government officials, and practice self-censorship. However, in recent years, the country's journalists have been more willing to produce articles critical of the government.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is protected in the constitution, and Timor-Leste is a secular state. Approximately 97 percent of the population is Roman Catholic. Protestant groups have reported some cases of discrimination and harassment.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are few constraints on open and free private discussion, and citizens are free to discuss political and social issues. Topics related to the 2006 unrest, in which armed clashes between the police and mobilized civilian groups resulted in numerous deaths and the displacement of some 150,000 people, remain sensitive.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is constitutionally guaranteed, and while it is generally respected in practice, some laws can be invoked to restrict peaceful gatherings. Demonstrations deemed to be "questioning constitutional order," or disparaging the reputations of the head of state and other government officials, are prohibited. Demonstrations must be authorized in advance, and laws restrict how close they can be to government buildings and critical infrastructure.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Nongovernmental organizations (NGOs) can generally operate without interference, although the state actively monitors and regulates their work. All registered NGOs receiving government or donor funds are under the oversight of the Ministry of Planning and Finance. Few NGOs operate outside of the capital.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers, other than police and military personnel, are permitted to form and join labor unions and bargain collectively, though a 2011 law requires written notification of demands and allows for five days for a response from employers in advance of striking. If employers do not respond or if an agreement is not reached within 20 days, then five days' notice is required for a strike. In practice, few workers are unionized due to high levels of unemployment and informal economic activity.

F. RULE OF LAW: 8 / 16 (+1)

F1. Is there an independent judiciary? 2 / 4 (+1)

Concerns over judicial independence remain for politically sensitive cases, and there is still reported political interference in the justice system.

After independence, the judicial system depended on contracted foreign judges and lawyers. In 2014, however, the government terminated contracts and visas of foreigners working in judicial, prosecutorial, and anticorruption institutions. As a result, legal proceedings in some courts were delayed or forced to restart with new personnel, and the Legal and Judicial Training Centre was closed. Later, a 2017 law explicitly permitting foreign judges allowed training courses for Timorese judges to recommence after a three-year closure. The Legal and Judicial Training Centre has now been reopened, with Portuguese lawyers and language instructors training judges, prosecutors, and public defenders, and coordinating training across justice-related institutions.

Score Change: The score improved from 1 to 2 because the judicial system has made progress in recovering from the abrupt dismissal of foreign judges in 2014, in part through the training of new Timorese judges.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Due process rights are often restricted or denied, owing in part to a dearth of resources and personnel. The training of new magistrates following the 2014 dismissals of foreign judges has been slow, resulting in significant case backlogs, although this is improving as the Legal and Judicial Training Centre has reopened and trainee judges have since completing training.

Cases involving past human rights abuses are required by law to be heard by a panel including two international judges, which has not been possible since foreign judges were dismissed in 2014. There have been no new human rights cases since, and cases opened before 2014 are indefinitely pending.

According to the US State Department, the police force operates without a clear legal definition of its mandates, and civilian complaints to police are often met with repeated requests that the complaint be submitted in writing.

Alternative methods of dispute resolution and customary law are widely used, though they lack enforcement mechanisms and have other significant shortcomings, including unequal treatment of women. Nine of 13 municipalities have no fixed courts and rely on mobile services. The use of Portuguese for court administration poses an obstacle, and a shortage of Portuguese interpreters often forces the adjournment of trials. As there are only four fixed courts set up in Timor, and geographical access to courts remains a challenge. The government has set up mobile courts as an interim measure, and has announced plans for the development of a hybrid justice system with more harmonization between formal and customary dispute resolution mechanisms.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Police officers and soldiers are regularly accused of excessive force and abuse of power, though the courts have had some success in prosecuting offenders. Public perception of the police has improved in recent years, as have general feelings of security.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

While hate crimes based on sexual orientation are considered an aggravating circumstance in the penal code, other protections against discrimination for LGBT+ people are lacking. Gay men and transgender women in particular have trouble accessing employment

opportunities due to low rates of access to education and discrimination. Lesbian, bisexual, and transgender women report cases of extreme physical violence from strangers and their own families, including cases of “corrective” rape and forced marriage or relationships with the opposite sex. Issues like sexual orientation and gender identity receive little public attention, though a small number of LGBT+ advocacy organizations have been active in recent years.

Equal rights for women are constitutionally guaranteed, but discrimination and gender inequality persist in practice and in customary law.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 9 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Citizens generally enjoy unrestricted travel, though travel by land to the enclave of Oecusse is hampered by visa requirements and Indonesian and Timorese checkpoints. Individuals enjoy free choice of residence and employment, but unemployment rates are high, especially among youth, and most of the population still relies on subsistence farming.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Timorese have the right to establish businesses, and the legal framework for doing so is fairly straightforward. However, practical aspects of establishing and operating a business are complicated by inefficiencies that make it difficult to gain appropriate permits and enforce contracts, as well as a difficulties in obtaining credit.

Property rights are complicated by past conflicts and the unclear status of communal or customary land rights. According to a September 2019 survey conducted by the Asia Foundation, a nonprofit development organization, land problems remain the biggest reported security issue in the country, and there are signs that land-related disputes have increased since 2015. There is no formal mechanism to address competing claims. A national land law designed to establish formal tenure and to help resolve disputes through arbitration was enacted in 2017, but still requires several implementing regulations.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Gender-based and domestic violence remain widespread. Civil society groups have criticized the courts’ use of prison sentences for only the most severe and injurious such cases, and few reported cases are actually investigated. A lack of training on gender-based violence hampers investigatory procedures into such cases, including investigators’ failure to recognize or collect evidence.

Timor-Leste has a teenage pregnancy rate of 24 percent. An estimated 19 percent of teenage girls are married by age 18.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Timor-Leste is both a source and destination country for human trafficking. Timorese from rural areas are vulnerable to human trafficking for sexual exploitation and domestic servitude, and children are sometimes placed in bonded labor. The government has increased its efforts to prosecute offenders, including by promulgating the 2017 Law on Preventing and Combating Human Trafficking. However, in 2018, the government investigated 65 trafficking cases, compared to 267 in 2017, and 176 in 2016. Few cases result in convictions.

Togo

Population: 8,100,000

Capital: Lomé

Freedom Status: Partly Free

Electoral Democracy: No

Overview: While regular multiparty elections have taken place since 1992, Togo's politics have been controlled since 1963 by the late Gnassingbé Eyadéma and his son, current president Faure Gnassingbé. Advantages including security services dominated by the president's ethnic group and malapportioned election districts have helped Gnassingbé and his party retain power. Opposition calls for constitutional and electoral reforms have been harshly repressed for years.

KEY DEVELOPMENTS IN 2019

- The new parliament, which was dominated by the ruling party due to an opposition boycott of the December 2018 elections, voted overwhelmingly in May to adopt a constitutional amendment that reinstated the two-term limit for the presidency. The rule did not apply retroactively, however, meaning Gnassingbé could remain in power until 2030.
- In June and August, local council elections were held for the first time since 1987, with the ruling party capturing a majority of the seats.
- The authorities continued to restrict protests during the year, and in August the parliament passed legislation that imposed additional limits on freedom of assembly.

POLITICAL RIGHTS: 16 / 40 (+1)

A. ELECTORAL PROCESS: 5 / 12 (+1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president, who serves as head of state and holds most executive power, is elected to five-year terms. The president appoints the prime minister, who serves as head of government. Presidential term limits were eliminated in 2002, then restored through a constitutional amendment in May 2019; they did not apply retroactively, meaning the incumbent could seek two additional terms.

Faure Gnassingbé—who was initially installed as president by the military after the death of his father, Gnassingbé Eyadéma, in 2005—secured a third term in the 2015 election with 59 percent of the vote. The election was considered largely free and fair by African Union observers, but the opposition criticized numerous aspects of the electoral process, including a new electronic vote-tabulation system and bias on the electoral commission. The vote was postponed by 10 days to accommodate voter list revisions called for by the Economic Community of West African States (ECOWAS). Opposition leaders declined to dispute the results at the Constitutional Court, saying the court was tilted in favor of Gnassingbé.

Mayors were chosen by local councils in 2019 following that summer's municipal (commune) elections. Most were members of the ruling party, but opposition parties captured some mayoral posts. Jean-Pierre Fabre of the opposition National Alliance for Change (ANC), who had placed second in the 2015 presidential vote with 35 percent, became mayor

in the municipality of Golfe 2 in September. Regional governors are still appointed by the national government.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4 (+1)

The constitution calls for a bicameral legislature, but the Senate has never been established. Members of the current 91-seat National Assembly, which exercises all legislative powers, were elected for five-year terms through proportional representation in multimember districts. In the December 2018 elections, the main opposition parties led a 14-party boycott, citing a number of unmet demands regarding constitutional and electoral reform. Gnassingbé's Union for the Republic (UNIR) won 59 of the 91 seats, down from 62 in 2013. A party that led the opposition before aligning itself with the government in 2010, the Union of Forces for Change (UFC), won 7 seats, up from 3 in 2013. Independents took 18 seats, and smaller parties captured the remainder. Observers from the African Union and ECOWAS said the elections had been held "properly" in a "calm environment," though opposition protests had been violently suppressed in the weeks before the balloting. Official voter turnout, at 59 percent, was down from previous elections, and ranged from 95 percent in the UNIR-dominated far north to approximately 20 percent in the opposition-leaning capital in the south.

Municipal councillors were elected in June and August 2019 in the first local elections since 1987. The UNIR won more than 60 percent of the council seats; the ANC placed second.

Score Change: The score improved from 1 to 2 because the country held its first local elections in more than three decades, and unlike in the most recent parliamentary elections, opposition parties did not boycott the balloting.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Elections are organized and supervised by the Independent National Electoral Commission (CENI), whose membership by law should be balanced between the ruling party and the opposition. In 2018, the CENI was dominated by progovernment members—with the government-aligned UFC claiming opposition seats—throughout the voter registration and election planning period, contributing to the eventual boycott by opposition parties. The new CENI elected in 2019 remained dominated by the ruling party; most opposition-designated seats went to parties willing to cooperate with the government, with a UFC member again serving as CENI vice president. The Constitutional Court, responsible for verifying election results, is also considered to be stacked with close allies of the president. Prominent civil society groups have joined major opposition parties in their calls for a reliable electoral register, fairly apportioned legislative districts, a reorganized CENI, and a more independent Constitutional Court.

In May 2019, the new UNIR-dominated National Assembly adopted a constitutional amendment that established a two-term limit for the presidency with no retroactive effect, allowing Gnassingbé to seek reelection in 2020 and 2025. The president's constitutional reform commission, which included no opposition members, had proposed the change in 2017, but the parliament at the time lacked the supermajority support necessary for adoption. The 2019 revision included a number of other amendments, including the introduction of two-round presidential elections, six-year terms and a two-term limit for lawmakers, and immunity for former presidents regarding acts committed during their terms.

B. POLITICAL PLURALISM AND PARTICIPATION: 6 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

There is a multiparty political system, and opposition parties are generally free to form and operate. Candidates can also run as independents. However, the dominance of the UNIR undermines the visibility and competitiveness of other parties. Opposition members are sometimes arrested in connection with peaceful political activities.

In 2017 and 2018, antigovernment protests organized by opposition parties were suppressed with deadly force, and a number of opposition supporters were arrested and tortured for their participation in the demonstrations. Protests and arrests continued on a smaller scale in 2019.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

Gnassingbé's family has controlled Togo's powerful presidency since the 1960s. He and the UNIR have retained power thanks in large part to the structure of the electoral system, including district malapportionment in legislative elections and the single-round plurality vote in presidential elections prior to the 2019 constitutional revision, and their de facto control over institutions such as the CENI and the Constitutional Court.

Genuine opposition parties have no presence in the National Assembly following their boycott of the 2018 elections, though they did gain mayoralties and municipal council seats in the 2019 local elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The government is dominated by members of Gnassingbé's Kabyé ethnic group, who also make up the vast majority of security personnel. In 2005, the military installed Gnassingbé as president, in violation of the constitution. Since 2017, increased activity by the opposition has been met with increased use of force by the security apparatus. Hundreds of activists have been arrested, and many tortured. In the weeks before the 2018 elections, security forces repeatedly used live ammunition against opposition protesters, killing several people.

While security forces defend the regime through intimidation, the UNIR has been accused of relying on patronage and financial incentives, including the distribution of benefits to buy votes at election time.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The Éwé, Togo's largest ethnic group, have historically been excluded from positions of influence; they are prominent within the opposition. Since 2010, the community has been politically split, as the Éwé-dominated UFC reached a power-sharing agreement with the government while the majority remained loyal to opposition forces. Women are underrepresented in government and face some societal pressure that discourages their active and independent political participation. Only 16 percent of the National Assembly members elected in 2018 were women. Candidate registration fees were halved for women ahead of the 2019 local elections.

C. FUNCTIONING OF GOVERNMENT: 5 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4**

The president holds most policymaking power, and the National Assembly, which is controlled by the ruling party, does not serve as an effective check on executive authority. A pattern of flawed elections has undermined the legitimacy of both the executive and the legislature.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is a serious and long-standing problem. The government has adopted legislation that is ostensibly designed to reduce corruption, such as a law passed by the National Assembly in 2018 on money laundering and the funding of terrorism, but these legal changes have not been followed by effective enforcement or convictions of high-ranking officials. The majority of members of the High Authority for the Prevention and Fight against Corruption and Related Offenses (HAPLUCIA) are presidential appointees, raising concerns about the body's independence. HAPLUCIA cannot prosecute cases itself and must make referrals to the public prosecutor.

C3. Does the government operate with openness and transparency? 2 / 4

A 2016 freedom of information law guarantees the right to access government information, though some information is exempted, and the government does not always respond to requests. Most public officials are not required to disclose their assets. There is a lack of transparency regarding state tenders. A court case against French billionaire Vincent Bolloré, who was indicted in France in 2018 for allegedly helping Gnassingbé win the 2010 presidential election in exchange for contracts to operate container ports in Lomé, continued during 2019.

CIVIL LIBERTIES: 28 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16****D1. Are there free and independent media? 2 / 4**

Freedom of the press is guaranteed in the constitution but inconsistently upheld in practice. Numerous independent media outlets offer a variety of viewpoints, but a history of impunity for those who commit crimes against journalists, as well as restrictive press laws, encourage self-censorship. There is no mechanism to appeal decisions made by the High Authority for Broadcasting and Communication (HAAC), which can suspend outlets for violations of broadly worded regulations. In March 2019, the HAAC revoked the license of a newspaper for "deliberate refusal to respect the fundamental principles of journalism."

Police have engaged in violence and other acts of intimidation to discourage press coverage of opposition protests that began in 2017. Authorities have also temporarily disrupted mobile phone and internet service during protests, hampering efforts to report on them.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Religious freedom is constitutionally protected and generally respected in practice. Islam, Roman Catholicism, and Protestant Christianity are recognized by the state as religions; other groups must register as religious associations to receive similar benefits. The registration process has been subject to long delays and a large backlog; approximately 900 applications were pending at the beginning of 2019.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Academics are generally able to engage in political discussions. However, security forces have repeatedly used violence and arrests to quell student protests.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Citizens are able to speak openly in private discussion, but they may be arrested on incitement or other charges for speaking critically about the government to journalists or human rights organizations.

In 2018, the National Assembly adopted a new cybersecurity law that criminalizes publication of false information and breaches of public morality, among other problematic provisions that could affect online freedom of expression. The law also granted police greater authority to conduct electronic surveillance.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 1 / 4

While the constitution provides for freedom of assembly, a number of laws allow for its restriction, and police have periodically used deadly violence to disperse assemblies in practice. A 2011 legal reform retained problematic rules on prior notification for demonstrations and limits on their timing. A 2015 revision of the criminal code penalized participation in and organization of protests that had not gone through the necessary administrative procedures. In August 2019, the parliament approved legislation that imposed new limits on the timing and location of public demonstrations; the law also allowed authorities to restrict protests based on the availability of security personnel.

Protests organized in 2017 and 2018 to demand the restoration of presidential term limits attracted hundreds of thousands of participants. Authorities responded with temporary bans and other administrative restrictions, including a ban on all street protests during the 2018 electoral period. Police also used disproportionate force on a number of occasions, resulting in multiple deaths, arrests, and cases of torture. Such clashes were less common during 2019, but officials continued to arrest demonstrators and ban or disperse protests on a variety of topics, including a sit-in against high energy prices and a protest demanding the removal of the coach of the national soccer team. At least one person was killed during opposition protests in April.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Nongovernmental organizations are subject to registration rules that have sometimes been enforced arbitrarily to suppress activism on sensitive topics, such as torture and the rights of LGBT+ people. Several civil society leaders have been arrested and detained for their roles in the protest movement that began in 2017. Youth activist Folly Satchivi, who was arrested in 2018 while preparing to hold a press conference calling for the return of presidential term limits, received a three-year prison sentence, with one year suspended, in January 2019. An appeals court reduced his sentence in October, and he was released later that month following a presidential pardon.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The government generally protects workers' rights to form and join labor unions, though unions have fewer legal protections in the country's special export-processing zone.

F. RULE OF LAW: 6 / 16**F1. Is there an independent judiciary? 2 / 4**

The constitution provides for an independent judiciary, but in practice courts are heavily influenced by the presidency. The Constitutional Court in particular, appointed by the president and the UNIR-controlled National Assembly, is believed to be partial to the ruling party, which contributed to the opposition's decisions not to appeal the 2015 presidential election results or participate in the 2018 legislative elections in the absence of reforms. Judges on other courts are appointed by the executive based on the recommendations of a judicial council, which in turn is dominated by senior judges.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Executive influence and judicial corruption limit constitutional rights to a fair trial. Dozens of people arrested for participating in the antigovernment protest movement since 2017 have been charged, tried, and convicted in hasty proceedings, often without access to counsel.

Corruption and inefficiency are widespread among the police, and there are also reports of arbitrary arrest. The 2018 cybersecurity law contains vague terrorism and treason provisions with heavy prison sentences, and grants additional powers to the police without adequate judicial oversight.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Prisons suffer from overcrowding and inadequate food and medical care, sometimes resulting in deaths among inmates from preventable or curable diseases. The government periodically releases prisoners to address overcrowding, but the process by which individuals are chosen for release is not transparent.

The 2015 penal code criminalizes torture, and a 2016 revision defined torture in line with the UN Convention against Torture. However, instances of torture by security forces continue to be reported, including against participants in recent antigovernment demonstrations.

Islamist militants may present a growing threat to security in Togo, with some fighters from Burkina Faso reportedly taking refuge in the country.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Although women and men are ostensibly equal under the law, women continue to experience discrimination, and their opportunities for employment and education are limited. Official and societal discrimination has persisted against people with disabilities, certain regional and ethnic groups, and LGBT+ people, to whom antidiscrimination laws do not apply. Same-sex sexual activity is a criminal offense, and while the law is rarely enforced, LGBT+ people face police harassment.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4**

The law provides for freedom of internal movement and foreign travel, but these rights are sometimes restricted by the authorities in practice. Domestic travel can involve arbitrary traffic stops at which police collect bribes. In October 2019, three regional democracy activists were denied entry to Togo.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The country has made regulatory improvements to ease processes such as the registration of companies and property, but in general the business environment is poorly administered, creating opportunities for corruption and driving much economic activity into the informal sector. Women and men do not have equal inheritance rights under traditional or customary law, which is observed mainly in rural areas.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Customary law puts women at a disadvantage regarding matters such as widowhood, divorce, and child custody. Polygamy is widely practiced and legally recognized. Child marriage remains a problem in some regions. Rape is illegal but rarely reported and, if reported, often ignored by authorities. Domestic violence, which is widespread, is not specifically addressed by the law. UN data indicate that about 5 percent of women and girls aged 15 to 49 have undergone genital mutilation or cutting, which is illegal and less prevalent among younger girls.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Protections against exploitative labor conditions, including rules on working hours, are poorly enforced, and much of the workforce is informally employed. Child labor is common in the agricultural sector and in certain urban trades; some children are subjected to forced labor. According to the US State Department, the government has made efforts to address human trafficking for forced labor and sexual exploitation, including by identifying more trafficking victims, prosecuting more perpetrators, and stepping up public-awareness programs, though it still fell short on victim protection and other issues.

Tonga

Population: 100,000

Capital: Nuku'alofa

Freedom Status: Free

Electoral Democracy: Yes

Overview: Tonga's constitutional monarchy has featured a prime minister backed by a mostly elected parliament since 2010. However, the king retains important powers, including the authority to veto legislation, dissolve the parliament, and appoint judicial officials. While civil liberties are generally protected, ongoing problems include political pressure on the state broadcaster and land laws that discriminate against women.

KEY DEVELOPMENTS IN 2019

- Prime Minister Akilisi Pōhiva died in office in September; Pōhiva was succeeded by the finance minister, Pohiva Tu'i'onetoa, who was formally appointed in October.
- In February, Tonga signed a memorandum of understanding with Australia, Fiji, and New Zealand to cooperate on fighting organized crime in the region. In July, New Zealand publicly committed to a two-year support program to benefit the Tongan police in their efforts to fight transnational crime.

POLITICAL RIGHTS: 30 / 40**A. ELECTORAL PROCESS: 9 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4**

The king is no longer the chief executive authority, but he retains significant powers, including the ability to veto legislation and dissolve the parliament. The current monarch, King Tupou VI, came to the throne in 2012 and is known to hold more conservative views than his late brother and predecessor, George Tupou V.

The prime minister, who chooses the cabinet, is formally appointed by the king on the recommendation of the parliament. Veteran democracy campaigner Akilisi Pōhiva took office in 2014 after that year's election, and was returned to that post in early 2018 after his supporters won a 2017 snap election. Pōhiva died in office in September 2019 after a long illness; he was succeeded by finance minister Pohiva Tu'i'onetoa, who was formally appointed in October and later formed a cabinet that included commoners and members of the nobility.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The unicameral Legislative Assembly (Fale Alea) consists of 17 members who are directly elected by commoners, nine noble members elected by their peers, and up to four additional members whom the prime minister may appoint to the cabinet from outside the parliament and who hold their seats *ex officio*. The speaker is appointed from among the noble members on the recommendation of the assembly.

In the 2017 snap election, Pōhiva and his supporters in the loosely affiliated Democratic Party of the Friendly Islands won 14 of the 17 popularly elected seats, a sizeable gain from their previous share.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Electoral Commission administers elections competently and fairly, though the framework for parliamentary elections falls short of universal suffrage due to the reservation of nine seats for the nobility.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

A formal party system has yet to develop, and all candidates technically run as independents in their single-member constituencies. Nevertheless, there are no major restrictions on political competition, and in practice politicians have begun to form loose partisan affiliations such as Pōhiva's Democratic Party of the Friendly Islands. Parliamentarians are also known to shift their allegiances; after Pōhiva's death in September 2019, four lawmakers defected to the Peoples' Party, including founder Tu'i'onetoa, effectively leaving the Democratic Party of the Friendly Islands in opposition by year's end.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Rival coalitions led by Pōhiva's popularly elected allies and more conservative noble politicians have alternated in government in recent years. Before Pōhiva took office in 2014,

a noble, Lord Tu'ivakanō, served as prime minister. Prime Minister Tu'i'onetoa governs with the support of popularly elected parliamentarians along with noble members.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

The monarchy, the nobility, and the country's churches exert considerable political influence, but this has not prevented majority support for prodemocracy candidates in recent elections.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women have the same formal political rights as men, and 15 women ran for seats in the 2017 parliamentary election, but only two won office—an increase from zero in the previous legislature. Cultural biases tend to discourage women's political participation, and women cannot inherit noble titles, meaning the noble seats in the parliament are effectively reserved for men. Participation by ethnic minorities is subject to similar obstacles, though the population is mostly homogeneous, and many members of the small Chinese minority have been able to obtain citizenship and its associated political rights.

C. FUNCTIONING OF GOVERNMENT: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The elected prime minister and his cabinet largely control the formulation and implementation of government policy, but the king continues to rely on a privy council—whose members he appoints himself—for advice regarding the use of his constitutional powers. In May 2019, former Tongan attorney general John Cauchi publicly criticized the privy council's continued influence over the country's politics.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption and abuse of office are serious problems. While public officials and leaders of state-owned companies are sometimes held to account for bribery and other malfeasance, anticorruption mechanisms are generally weak and lacking in resources. In 2018, Lord Tu'ivakanō was charged with money laundering, perjury, and bribery in a scandal over the sale of passports. Tu'ivakanō appealed for the charges to be dismissed, but the Supreme Court rejected those efforts in October 2019; his trial was still pending at year's end.

C3. Does the government operate with openness and transparency? 2 / 4

Tonga does not have a law to guarantee public access to government information, which can be difficult to obtain in practice, and officials are not legally obliged to disclose their assets and income. The government has at times resisted public scrutiny of pending policies or auditor general's reports. Nevertheless, the parliament generally operates openly, and the media and civil society are typically able to monitor its proceedings and comment on legislation.

CIVIL LIBERTIES: 49 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 2 / 4

The constitution guarantees freedom of the press, and a variety of news outlets operate independently, including online. However, politicians have a history of exerting pressure on

the media in response to critical coverage. While prime minister, Pōhiva repeatedly complained about reporting by the state-run Tonga Broadcasting Commission (TBC), accusing the radio and television outlet of becoming “an enemy of government” in 2017. A series of leadership changes at the TBC followed later that year, raising widespread concerns among press freedom advocates.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Constitutional protections for religious freedom are generally upheld in practice. Religious groups are not required to register, but those that do receive various benefits. There are some restrictions on commercial activity on Sundays in keeping with a constitutional recognition of the Christian sabbath. The TBC’s policy guidelines bar broadcasts of preaching outside the “mainstream Christian tradition,” though this has reportedly not been strictly enforced.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally unrestricted. While there have been reports of self-censorship to avoid friction with the government in the past, no incidents of political interference have been reported in recent years. Tonga hosts one of the regional campuses of the University of the South Pacific as well as the late Tongan scholar Futa Helu’s ‘Atenisi Institute, which offers tertiary courses. In 2018, Christ’s University, which is owned by the Tokaikolo Church and opened in 2015, became Tonga’s first locally owned university to be registered and accredited.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no major constraints on Tongans’ ability to discuss politics and other topics in person or on social media. The government is not known to monitor personal communications.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 10 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution protects freedom of assembly, and demonstrations, though rare, generally remain peaceful. Political protests in 2006 degenerated into violent riots, prompting the government to declare a state of emergency that lasted until early 2011. However, there have been no similar incidents in the years since.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

Nongovernmental organizations (NGOs) have not reported harassment or other restrictions by the authorities. A number of different laws govern the registration processes for civil society groups, but they are not considered onerous.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers have the legal right to organize in trade unions, but implementing regulations have never been issued, meaning the country’s various de facto unions generally operate as associations. Tonga joined the International Labour Organization (ILO) in 2016, though it has yet to ratify the organization’s conventions on labor standards.

F. RULE OF LAW: 12 / 16

F1. Is there an independent judiciary? 3 / 4

The king retains authority over judicial appointments and dismissals. The Judicial Appointments and Discipline Panel, a committee of the privy council, provides advice on appointments, including for the lord chancellor, who has responsibility for administering the courts. The king in privy council has final jurisdiction over cases in the land court relating to hereditary estates and titles.

The judiciary is regarded as largely independent, but the royally appointed attorney general has previously been accused of interfering with judicial rulings. Broader judicial reforms that would have increased the cabinet's influence over judicial appointments were adopted by the parliament in 2014, but the king never gave his assent.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Due process provisions and safeguards against arbitrary arrest and detention are typically respected by the authorities. However, there is no mechanism to guarantee access to counsel for indigent defendants.

The police commissioner, Stephen Caldwell, is a New Zealander. The Police Act of 2010 gives control over the appointment of the police commissioner to the king's privy council, which has raised tensions with elected officials.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Prison conditions are generally adequate, police brutality is rare, and crime rates remain relatively low. A number of police officers accused of misconduct have been investigated, dismissed, or convicted of crimes in recent years. However, rising public concern has focused on problems including the country's role as a transit point for drug trafficking, drug-related petty crime, and organized crime affecting the Chinese community. In February 2019, Tonga signed a memorandum of understanding with Australia, Fiji, and New Zealand to cooperate on fighting organized crime in the region. In July, New Zealand announced that it would support the Tongan police in combating transnational criminal activity for two years.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The constitution includes a general provision for equality before the law, and this is upheld in many respects. However, women still face some forms of discrimination, including in land and inheritance laws and with regard to employment in practice. Same-sex sexual activity is criminalized, but the ban is not actively enforced.

Continued bias and instances of crime against members of the Chinese minority have been reported, though nothing approaching the scale of the 2006 riots—which targeted Chinese-owned businesses—has occurred since the state of emergency was lifted in 2011.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no significant constraints on freedom of movement or the ability to change one's place of residence or employment.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal framework generally supports private business activity. However, individuals cannot own or sell land outright, as all land is technically the property of the king. Land rights, once granted by nobles or directly by the crown through an allotment system, can only be leased or inherited, and while women can obtain leases, they are not eligible to receive or inherit land allotments.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are typically respected. However, domestic violence remains a problem despite state and civil society efforts to prevent it, and girls as young as 15—the legal minimum age for marriage with parental permission—are sometimes compelled by their parents to marry.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The population generally has access to economic opportunities and protection from abusive working conditions, though enforcement of labor laws is affected by resource limitations, and some employers have violated workers' rights. While there is no law specifically regulating child labor, any such work typically entails informal participation in family agriculture and fishing.

Trinidad and Tobago

Population: 1,400,000

Capital: Port of Spain

Freedom Status: Free

Electoral Democracy: Yes

Overview: The Republic of Trinidad and Tobago is a parliamentary democracy with vibrant media and civil society sectors. However, organized crime contributes to high levels of violence, and corruption among public officials remains a challenge. Other security concerns center on local adherents of Islamist militant groups. There is discrimination against the LGBT+ community, though a 2018 court ruling effectively decriminalized same-sex sexual conduct.

KEY DEVELOPMENTS IN 2019

- The government offered work permits to Venezuelan refugees and asylum seekers during a two-week period in June. Those who did not successfully register remained vulnerable to detention and deportation, and some applicants did not receive registration cards until December.
 - Several current and former government ministers and officials were accused of corruption during the year; former attorney general Anand Ramlogan was arrested for money laundering in May, while public administration minister Marlene McDonald was arrested and charged in August. Cases against both individuals were pending at year's end.
 - Watson Duke, leader of the Progressive Democratic Patriots (PDP) party, was charged with sedition in August over 2018 comments he made over a labor dispute; the case against Duke remained pending at year's end.
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POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 11 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president, the largely ceremonial head of state, is elected to a five-year term by a majority of the combined houses of Parliament. Paula-Mae Weekes, an independent former judge, was elected unopposed in January 2018 and took office that March.

The prime minister, who serves as head of government and is typically the leader of the majority party in Parliament, is appointed by the president. Keith Rowley became prime minister in 2015, after that year's parliamentary election resulted in a victory for his party, the center-right People's National Movement (PNM).

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Parliament consists of the directly elected, 41-member House of Representatives and the 31-member Senate, with members of both houses serving five-year terms. Of the 31 senators, 16 are appointed on the advice of the prime minister, 6 are appointed on the advice of the opposition leader, and 9 are appointed at the president's discretion based on merit.

In the 2015 parliamentary election, the center-left People's Partnership (PP) coalition, which includes the United National Congress (UNC) and Congress of the People (COP) and was led by then prime minister Kamla Persad-Bissessar, took 18 lower house seats. The PNM won 23 seats and formed the government. Election observers expressed confidence in the overall conduct of the balloting.

The semiautonomous island of Tobago has its own House of Assembly, with 12 members elected directly, 3 appointed on the advice of the chief secretary (the island's head of government), and 1 appointed on the advice of the minority leader. The PNM won 10 of the 12 elected seats and the PDP won the remainder in a 2017 election.

Local elections were held in December 2019; results showed the PNM and UNC each winning control of seven regions on a turnout of 34.5 percent.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

Electoral laws are largely fair. The Elections and Boundaries Commission (EBC) is in charge of organizing elections, and it is generally trusted by the public to fulfill its mandate impartially.

After the 2015 election, observation missions from the Caribbean Community (CARICOM) and the Commonwealth recommended that officials take steps to strengthen the transparency and accountability of campaign funding processes, and ensure that adequate training is provided for polling officials.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Trinidad and Tobago has a number of political parties. While the PNM dominated the political landscape in the decades following independence, it has weakened somewhat in the last two decades, allowing greater competition. The national political arena is now largely divided between the PNM and the PP. Factors including the country's first-past-the-post voting system have made it difficult for less established parties to gain seats in Parliament.

PDP leader Watson Duke was charged with sedition in late August 2019, after Duke publicly stated workers must “be prepared to die” over a labor dispute in 2018. Duke received bail in August; the case remained pending at year’s end.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has built a record of peaceful transfers of power between rival parties, with multiple changes in government through elections since the 1980s.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

People’s political choices are generally free from external pressure. However, observers have raised concerns about lack of transparency in campaign financing, which may enable improper influence and disadvantage opposition parties.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

All ethnic groups enjoy full political rights, and political parties are technically multiethnic, though the PNM is favored by Afro-Trinidadians and the UNC is affiliated with Indo-Trinidadians.

Women’s political participation has increased somewhat in recent years, but they remain generally underrepresented. In 2018, Weekes became the first woman to be elected president. Discrimination against LGBT+ people is widespread, affecting their ability to fully engage in political and electoral processes.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The country’s freely elected executive and legislative officeholders generally determine and implement government policies without undue interference.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a pervasive problem, especially within the police force and among high-ranking government officials and immigration officers. The government has sought to manage corruption through several pieces of legislation, but the laws are poorly enforced. In 2017, Chief Justice Ivor Archie was accused of pressuring the Housing Development Corporation (HDC) to provide housing to individuals tied to an acquaintance, and of steering work securing the Supreme Court to a firm tied to another acquaintance. The Law Association of Trinidad and Tobago (LATT) called for his impeachment in 2018, but the government declined in July 2019, citing insufficient evidence. In September, LATT members voted to challenge the government’s decision, and those efforts were ongoing at year’s end.

In May 2019, former attorney general Anand Ramlogan and senator Gerald Ramdeen, both of the UNC, were arrested on suspicion of money laundering; Ramlogan was accused of routing kickbacks and legal fees to outside lawyers during his tenure, while Ramdeen was accused of receiving some of the funds. The case against Ramlogan and Ramdeen, who resigned from the Senate in May, was still pending at year’s end. In August 2019, public administration minister Marlene McDonald and her husband were arrested on suspicion of misusing state funds between 2008 and 2009, and faced charges including money laundering

and conspiracy to defraud that month. The case against McDonald, who was removed from the cabinet and from the PNM deputy leadership, was ongoing at year's end.

C3. Does the government operate with openness and transparency? 3 / 4

Public officials are required to disclose their assets, income, and liabilities, but penalties against those who fail to comply are limited. The Integrity Commission, which is tasked with overseeing these financial disclosures, has been criticized for its lack of effectiveness.

The public has the right to access government documents by law, although numerous public institutions are exempt. Furthermore, there is no enforcement of a provision that requires the government to respond to information requests within 30 days. A 2015 law regulating public procurements has not been fully implemented.

CIVIL LIBERTIES: 49 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Freedom of the press is constitutionally guaranteed and generally upheld in practice. Media outlets are privately owned and vigorously pluralistic. However, those regarded as most favorable to the government receive the bulk of state advertising. Under the 2013 Defamation and Libel Act, "malicious defamatory libel known to be false" is punishable by up to two years in prison as well as a fine, but prosecutions are uncommon.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution guarantees freedom of religion, and the government generally honors this provision. The requirements for registration of a religious organization, which confers tax benefits and other privileges, are not considered onerous. Some restrictions are placed on foreign missionaries; up to 35 per registered religious group are allowed in the country at one time, and they cannot stay longer than three consecutive years.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally upheld.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are free to express their opinions in private conversations. The government has historically refrained from monitoring online communications; however, the national police launched a Social Media Monitoring Unit, which is charged with monitoring social media platforms to detect evidence of child pornography, prostitution, and human trafficking, in October 2019. According to Police Commissioner Gary Griffith, the unit is not meant to surveil citizens.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution provides for freedom of assembly, and the government generally respects this right.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights–and governance-related work? 4 / 4

Civil society is robust, with a range of domestic and international interest groups operating freely.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Labor unions are well organized and politically active, though union membership has declined in recent years. Strikes are legal and occur frequently. The law contains a provision allowing the labor minister to petition the courts to end any strike deemed detrimental to national interests. Walkouts by workers considered essential, including hospital staff, fire-fighters, and telecommunication workers, are punishable by up to three years in prison and fines. The government threatened to impose criminal penalties in 2018 prior to a series of strikes in protest against the planned closure of the Petrotrin refinery.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 3 / 4

The judicial branch is generally independent, but it is subject to some political pressure and corruption. Chief Justice Archie has been suspected of corruption since 2017, when he allegedly sought to influence the HDC.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process rights are provided for in the constitution, but they are not always upheld. Rising crime rates and institutional weakness have produced a severe backlog in the court system. Pretrial detainees and remanded individuals accounted for nearly 60 percent of the prison population as recently as September 2018. Defendants must wait many years for their cases to come to trial. Corruption in the police force, which is often linked to the illegal drugs trade, is endemic, and inefficiencies have resulted in the dismissal of some criminal cases. Intimidation of witnesses and jurors has been reported by judicial officials.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

The government has struggled in recent years to address criminal violence, which is mostly linked to organized crime and drug trafficking. The national police reported 536 murders in 2019, compared to 517 in 2018. In 2017, the Organized Crime Intelligence Unit was established “to pursue, target, dismantle, disrupt and prosecute” organized criminal groups and networks. But the police have been criticized for excessive use of force, and many abuses by the authorities go unpunished.

As many as 130 Trinidadians reportedly sought to join the Islamic State (IS) militant group in recent years. Trinidadian security forces, supported by US military personnel, raided multiple locations in 2018 and arrested individuals suspected of planning a terrorist attack on that year’s Carnival celebration.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Despite legal protections against discrimination on various grounds, racial disparities persist, with Indo-Trinidadians accounting for a disproportionate share of the country’s economic elite. Women continue to face discrimination in employment and compensation.

Human rights groups have criticized the government's unwillingness to address discrimination and violence against the LGBT+ community. However, in 2018, the High Court ruled that sections of the Sexual Offences Act, which prohibited "buggery" and "serious indecency," were unconstitutional. Same-sex relations between consenting adults were decriminalized by the court later that year. The government vowed to appeal that ruling to the London-based Privy Council in late 2018; their case remained pending at the end of 2019. Separately, Trinidad celebrated its second pride event in July 2019.

Immigration law does not adequately protect refugees, and Trinidad and Tobago specifically lacks a system to process asylum claims. As many as 40,000 Venezuelan asylum seekers and refugees have traveled to Trinidad and Tobago, but authorities regularly seek to detain and deport these individuals as illegal immigrants, including those who registered their status with the Office of the UN High Commissioner for Refugees (UNHCR). In June 2019, the government allowed refugees to register for a work permit during a two-week grace period. Over 16,500 Venezuelans applied for permits, which are valid for up to one year, though some applicants did not receive registration cards until December.

As many as 70 Trinidadians were among those held by Kurdish forces in the Al-Hol camp in Syria, after the IS lost its territorial holdings there in March 2019. In November, national security minister Stuart Young met with US officials to discuss the possibility of repatriating Trinidadians in Syria.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Trinidadians and Tobagonians do not face significant constraints on freedom of movement or on their ability to change their place of residence, employment, or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 3 / 4

While the government actively supports both domestic and foreign investment in the country, factors including corruption and weak state institutions can make it more difficult to start and operate businesses. There are particular problems associated with registering property and enforcing contracts.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Most individual rights with respect to personal status issues like marriage and divorce are protected by law. The 2017 Marriage Act raised the legal marriage age to 18, officially making child marriage illegal.

Rape, including spousal rape, is illegal, and domestic violence is addressed by a specific law. However, enforcement of these provisions remains inadequate, with many perpetrators reportedly avoiding punishment.

Abortion is illegal in most cases, and there is reportedly little public awareness of legal exemptions for abortions to save a woman's life or preserve her physical or mental health. A woman can be imprisoned for up to four years for obtaining an illegal abortion.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The law provides basic protections against exploitative working conditions, though these do not apply or are poorly enforced for informal and household workers in particular.

While the government has stepped up efforts to combat trafficking in persons, convictions have been lacking, and funding for services to trafficking survivors has been cut. Venezuelan women are especially vulnerable to sex trafficking.

Tunisia

Population: 11,700,000

Capital: Tunis

Freedom Status: Free

Electoral Democracy: Yes

Overview: After ousting a longtime autocrat from power in 2011, Tunisia began a democratic transition, and citizens now enjoy unprecedented political rights and civil liberties. However, the influence of endemic corruption, economic challenges, security threats, and continued unresolved issues related to gender equality and transitional justice remain obstacles to full democratic consolidation.

KEY DEVELOPMENTS IN 2019

- After the death in July of President Beji Caid Essebsi, Tunisia held a snap presidential election in September and October. Kais Saied, a political outsider, won the presidency in the runoff, defeating television station owner Nabil Karoui by a large margin. (Karoui spent most of the campaign in prison on money laundering and tax evasion charges.)
- The Ennahda party placed first in parliamentary elections held in October, but at year's end was still working to form a governing coalition. Both the presidential and parliamentary elections were generally well administered, and stakeholders accepted the results.
- In June 2019, two suicide bombers affiliated with the Islamic State of Iraq and the Levant (ISIL) detonated their explosives in Tunis, killing a police officer and wounding eight other people.
- In response to the July attack, interim president Mohamed Ennaceur renewed a state of emergency that has been in force since 2015, and grants the government and security forces extraordinary powers.

POLITICAL RIGHTS: 32 / 40 (+1)

A. ELECTORAL PROCESS: 12 / 12 (+1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The 2014 constitution lays out a semipresidential system in which a popularly elected president serves as head of state and exercises circumscribed powers, while the majority party in the parliament selects a prime minister, who serves as head of government, following parliamentary elections. The president is directly elected for up to two five-year terms.

After 92-year-old president Beji Caid Essebsi died in July 2019, presidential elections were held early, with the first round in September. In October, a runoff was held between the top two candidates: Kais Saied, an independent candidate and former professor of constitutional law who received an endorsement from the Islamist Ennahda party, and Nabil Karoui, the owner of the Tunisian television station Nessma, who previously had been

affiliated with the secular Nidaa Tounes party. (Karoui spent most of the campaign in prison on money laundering and tax evasion charges.) Saied won the runoff with 73 percent of the vote, according to the electoral commission, and Karoui conceded defeat.

Local observers concluded that the 2019 presidential election was generally competitive and credible, but raised some concerns about Karoui's inability to campaign while in prison.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Tunisia's 2014 constitution established a unicameral legislative body, the Assembly of the Representatives of the People (ARP), which consists of 217 representatives serving five-year terms, with members elected on party lists in 33 multimember constituencies.

International and national observers declared the legislative elections held in October 2019 generally competitive and credible. Ennahda placed first with 52 seats, and the party's prime-minister designate, former junior agriculture minister Habib Jemli, was working to form a coalition government at year's end. Karoui's new Qalb Tounes (Heart of Tunisia) party took 38 seats, the progressive Democratic Current took 22, the Al-Karama (Dignity) Coalition took 21, and the remaining seats were split among 11 other parties and 17 independent candidates.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4 (+1)

The Independent High Authority for Elections (ISIE), a nine-member commission, is tasked with supervising parliamentary and presidential elections. Since its inception in 2011, the ISIE's political independence and conduct of elections had been well regarded by Tunisian and international observers. In 2019, the ISIE successfully oversaw early presidential elections, including a televised debate between the two candidates in the second round, as well as successful parliamentary elections.

Score Change: The score improved from 3 to 4 due to the electoral authority's impartial and generally well-assessed management of a snap presidential election, and the year's parliamentary elections.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Tunisia's numerous political parties represent a wide range of ideologies and political philosophies, and are generally free to form and operate. The 2019 parliamentary elections saw robust competition between political parties and independent candidates within electoral processes that were deemed generally free and credible by observers.

Campaign-finance laws intended to prevent money from determining political outcomes are complex and often unclear, on occasion forcing parties to bend, if not break, the rules in order to campaign effectively; this contributes to tensions between candidates and parties.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties participate competitively in political processes, and the 2019 elections demonstrated that independents and new parties also have the ability to win political

power through elections. President Saied is not affiliated with a political party, and the second-place finisher in the parliamentary elections, Karoui's Qalb Tounes (Heart of Tunisia) party, was founded in June after splintering from Nidaa Tounes.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

While electoral outcomes are the result of transparent balloting, domestic economic oligarchies have a high degree of influence over politics.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Nongovernmental organizations (NGOs) and international organizations continue working to increase the political participation of marginalized groups. In 2017, the parliament passed a law requiring an equal number of men and women at the top of candidate lists, as well as at least one candidate with a disability and three people under the age of 35 on each list. Representation of women in subsequent elections has been high, and legislation aimed at protecting the rights of women, including a comprehensive law on fighting violence against women, has been passed. Forty-nine women won parliamentary seats in the 2019 elections. Eleven women and one openly gay man requested nomination to stand as candidates in the 2019 presidential elections.

Despite these positive developments, some segments of the population lack full political rights. Only Muslims may run for president. Societal discrimination and laws criminalizing homosexuality preclude many LGBT+ people from active political participation, and political parties largely fail to address issues of relevance to LGBT+ people.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The 2011 removal from power of autocrat Zine el-Abidine Ben Ali and his close relatives and associates made way for the establishment of a representative government that is generally accountable to voters. However, the late president Essebsi manipulated the national budget in such a way that the legislative branch is deeply underfunded, leaving it with limited ability or resources to craft legislation on its own. As a result, lawmaking has been largely a function of the executive.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is endemic in Tunisia, and corrupt high-level officials often act with impunity. In 2017, then prime minister Youssef Chahed launched a well-publicized war on corruption, frequently using powers granted under a state of emergency in force since late 2015 to detain those accused. In July 2018, the parliament approved a new law designed to strengthen the anticorruption legal framework, which requires the president, government ministers, and high-level public officials, among others, to publicly declare their assets. Penalties for violating the law include hefty fines and prison terms of up to five years.

While several independent bodies have been approved to deal with corruption since 2011, many have not yet been established, and those that have often lack sufficient resources to carry out their mandate effectively. Chahed's campaign was criticized for focusing in large part on emerging elites, while leaving corrupt figures associated with the Ben Ali regime largely untouched.

However, in an in October 2019, Tunisia was removed from the Financial Action Task Force's blacklist of noncooperative countries in the global fight against money laundering and the financing of terrorism. The development may indicate that the many anticorruption initiatives of the past few years are beginning to result in positive changes.

C3. Does the government operate with openness and transparency? 2 / 4

In 2016, the ARP adopted a freedom of information law, though it was criticized by watchdog groups for its security-related exemptions. Cabinet ministries often refuse public requests for information. Members of the governing coalition voted out in 2019 had frequently crafted policy behind closed doors, without input from other parties.

The law passed in 2018 requiring public officials to declare their assets represented a step forward in demanding transparency and accountability from the government.

CIVIL LIBERTIES: 38 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 12 / 16

D1. Are there free and independent media? 2 / 4

The constitution guarantees freedom of opinion, thought, expression, information, and publication, subject to some restrictions. Press freedom has improved in recent years, and many independent outlets operate. Tunisia also signed on to the International Declaration on Information and Democracy, which outlines basic principles for the global information and communication space, when the initiative was launched in late 2018.

However, journalists continued to face pressure and intimidation from government officials in connection with their work in 2019. Reporters covering the security forces remain particularly vulnerable to harassment and arrest. Moreover, it is difficult to obtain data about the ownership of media companies or the funding of public advertising, and press freedom advocates have expressed concern about significant political influence on a number of major private outlets. Ahead of the 2019 elections, Tunisian journalists expressed concerns about government influence over the public broadcaster, as well.

Separately, in April, police raided Karoui's Nessma television station on charges of violating broadcasting rules; it shut down temporarily but then resumed operations without a license, and authorities did not intervene further.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution calls for freedom of belief and conscience for all religions, as well as for the nonreligious, and bans campaigns against apostasy and incitement to hatred and violence on religious grounds. However, blasphemy remains illegal and police may invoke it as a pretext for arrests. Islam is enshrined as the only religion of the state, and Islamic education remains a required component of the curriculum in public schools. In May 2019, during Ramadan, a café owner was arrested and fined for keeping his restaurant open during fast hours in what human rights called an arbitrary use of criminal law. Converts to Christianity often experience harassment and discrimination.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Article 33 of the constitution explicitly protects academic freedom, which continues to improve in practice. However, ingrained practices of self-censorship on the part of academics remain in some instances. Students have reported being unable to pursue dissertation

research on topics including sexuality and gender identity, as well as critiques of Islam's role in violent extremism.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is generally open and free, though there is some reluctance to broach some topics, including criticism of the military. Homosexuality remains illegal, and the prohibition discourages open discussion of issues affecting LGBT+ people.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees the rights to assembly and peaceful demonstration. Public demonstrations on political, social, and economic issues regularly take place. However, a controversial counterterrorism law adopted in 2015, and successive states of emergency declared in response to political and security situations, have imposed significant constraints on public demonstrations. The latest state of emergency, which was renewed in August 2019 through the end of the year, allows security forces to ban strikes, meetings, and large gatherings considered likely to incite disorder. Although the government claims that the continued state of emergency is needed due to security concerns, many analysts argue that it remains in place largely as a political tool to suppress dissent.

Hundreds of people were arrested in 2017 and 2018 at various demonstrations against economic struggles and austerity measures. Amnesty International noted in several 2019 statements that many who participated in such protests in Gafsa were later tried and convicted in absentia by a first-instance court in that city. Demonstrations in 2019, such as those in Sidi Bouzid in April following the deaths of a number of agricultural workers, as well as celebrations of the successful completion of the presidential elections, remained peaceful and free of police intervention.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

A progressive 2011 decree guarantees the freedom for NGOs to operate and outlines procedures governing the establishment of new groups. Tens of thousands of new NGOs began operating after the revolution, and such groups continued to organize conferences, trainings, educational programs, and other gatherings throughout the country during 2019.

However, a 2018 law effectively equated NGOs with businesses, and requires them to submit to onerous reporting requirements beyond those codified in the 2011 NGO decree. Under the law, all NGOs (and businesses) are required to register with a new National Registry of Institutions, and to provide data on staff, assets, decisions to merge or dissolve, and operations. Failure to register may result in a year of imprisonment and a fine of \$4,000. Critics argue that the requirement increases the monitoring and oversight of civil society by the government. Registration applications can be denied at the discretion of the Council of the National Registry.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The constitution guarantees the right to form labor unions and to strike. Although the General Tunisian Labor Union (UGTT) is the predominant union, additional independent unions exist as well. The Tunisian economy has seen large-scale strike actions across all sectors since the revolution, with participants demanding labor reform, better wages, and

improved workplace conditions. Unions have reported that some employers have taken actions to discourage union activities, including dismissing union activists.

F. RULE OF LAW: 9 / 16

F1. Is there an independent judiciary? 2 / 4

While the constitution calls for a robust and independent judiciary, judicial reform has proceeded slowly since the 2011 revolution, with numerous Ben Ali-era judges remaining on the bench and successive governments regularly attempting to manipulate the courts. Legislation adopted in 2016 established the Supreme Judicial Council, a body charged with ensuring the independence of the judiciary and appointing Constitutional Court judges. Council members were elected in 2016 by thousands of legal professionals. However, as of 2019, the Constitutional Court, which is intended to evaluate the constitutionality of decrees and laws, had not yet been established, nor its members formally appointed.

F2. Does due process prevail in civil and criminal matters? 2 / 4

The state of emergency in place since 2015 and renewed through the end of 2019 gives police broad license to arrest and detain people on security- or terrorism-related charges, and arbitrary arrests continued to take place during the year. Civilians are still tried in military courts, particularly on charges of defaming the army.

In 2014, Tunisia established a Truth and Dignity Commission to examine political, economic, and social crimes committed since 1956, and it soon began collecting testimony. In March 2018, the parliament voted against extending the commission's mandate, a decision that drew criticism from rights activists for weakening transitional justice efforts. The commission presented its final report in March 2019, drawing on over 62,000 complaints filed by Tunisian citizens against the state for human rights abuses. While a number of cases were transferred to courts, Essebsi failed to acknowledge the final report, and many of its recommendations remained unimplemented at year's end.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Tunisia continues to contend with periodic terrorist attacks. In June 2019, two suicide bombers detonated their explosives in Tunis, killing a police officer and wounding eight other people; ISIL claimed responsibility. In October 2018, a suicide bomber in Tunis had injured nine people.

The police force faces long-standing complaints of officers abusing civilians and detainees with impunity, and the police unions have resisted reform efforts aimed at addressing the problem. Reports of the use of excessive force and torture by security agents continued in 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The constitution prohibits all forms of discrimination and calls for the state to create a culture of diversity. However, LGBT+ people continue to face legal discrimination. Homosexuality remains illegal, and the penal code calls for a three-year prison sentence for "sodomy." Although the 2014 constitution guarantees gender equality, women experience discrimination in employment, and sexual harassment in public spaces remains prevalent.

Tunisia has no asylum law, leaving the United Nations as the sole entity processing claims of refugee status in the country. Irregular migrants and asylum seekers are often

housed in informal detention centers, where they suffer from substandard living conditions. Delays in the issuance of residency permits make it impossible for many to work legally, forcing them to take informal jobs with no labor protections.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement has improved substantially since 2011. The constitution guarantees freedom of movement within the country, as well as the freedom to travel abroad. In 2017, lawmakers approved measures that require authorities to go through more rigorous processes in order to issue travel bans or restrict passports.

However, authorities have broad license under the state of emergency to restrict individuals' movement without initiating formal charges, and thousands of people have been affected by such orders.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The protection of property rights and establishment of new businesses continues to be an area of concern, closely linked to high levels of corruption as well as a large backlog of property disputes.

The cabinet approved a bill in November 2018 that would establish equal inheritance rights for men and women. Currently, women are granted half the share of inheritance that men receive. However, Ennahda expressed opposition to the bill, and it was not taken up by the parliament in 2019.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Tunisia has long been praised for relatively progressive social policies, especially in the areas of family law and women's rights. However, women experience high rates of domestic abuse. In 2017, lawmakers approved a Law on Eliminating Violence against Women, which addressed domestic violence and also included language intended to protect women from harassment in public, and from economic discrimination. However, the law is not consistent with the penal code—which, for example, does not criminalize spousal rape. Critics of the law have faulted a provision allowing accusers to drop charges, noting that women who experience domestic abuse may be susceptible to pressure from abusers and others to withdraw allegations. At a conference in November 2018 that brought together government officials, NGO representatives, and survivors of domestic violence, participants noted that implementation of the law has been limited by a shortage of trained agents to handle complaints, pressure on women from some agents to avoid taking their abusive husbands to court, and a number of logistical barriers to reporting abuse.

Public displays of affection can lead to charges of violating public morality laws, and jail time.

In 2017, the Justice Ministry repealed a decree that had banned Tunisian women from marrying non-Muslim men.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Tunisian women and children are subject to sex trafficking and forced domestic work in both Tunisia and abroad. Refugees and other migrants are also susceptible to exploitation by traffickers. Cases of exploitation in the agriculture and textile sectors are prevalent;

women often work long hours with no contracts, benefits, or legal recourse. Recent protests have called attention to the lack of economic opportunity for average Tunisians due to high inflation, high unemployment, and a lack of meaningful reform to address such issues. Protests and a general strike in Sidi Bouzid in April 2019 highlighted the continued problem of regional economic inequality, with marginalization, underdevelopment, unemployment, and deteriorating conditions plaguing the country's interior.

Turkey

Population: 82,600,000

Capital: Ankara

Freedom Status: Not Free

Electoral Democracy: No

Overview: President Recep Tayyip Erdoğan's Justice and Development Party (AKP) has ruled Turkey since 2002. After initially passing some liberalizing reforms, the AKP government showed growing contempt for political rights and civil liberties, and its authoritarian nature was fully consolidated following a 2016 coup attempt that triggered a dramatic crackdown on perceived opponents of the leadership. Constitutional changes adopted in 2017 concentrated power in the hands of the president. While Erdoğan exerts tremendous power in Turkish politics, opposition victories in 2019 municipal elections demonstrated that his authority was not unlimited.

KEY DEVELOPMENTS IN 2019

- Opposition candidates won the mayoralties of Istanbul and Ankara in March, defeating AKP rivals in the country's two largest cities. The Supreme Electoral Council (YSK), which is effectively controlled by the AKP, ordered a rerun of the election in Istanbul, but opposition candidate Ekrem İmamoğlu won again in June. Opposition parties governed nine of the ten largest urban areas in the country after winning in Istanbul and Ankara.
- Prosecutions and harassment campaigns against opposition politicians and prominent members of civil society continued throughout the year. Selahattin Demirtaş, leader of the Kurdish-oriented People's Democratic Party (HDP), remained imprisoned on new charges of terrorism despite calls for his release. Canan Kaptancıoğlu, the Istanbul chair of the opposition Republican People's Party (CHP), was convicted in September on charges that included insulting President Erdoğan and spreading terrorist propaganda, though she remained free pending appeal. In December, the European Court of Human Rights (ECHR) called for the release of philanthropist Osman Kavala, who was charged with attempting to overthrow the government for supporting a 2013 protest; despite the ruling, he remained imprisoned at year's end.
- In October, Turkey launched a new military offensive into northern Syria, and those who criticized the campaign were subject to arrest and harassment. That same month, President Erdoğan announced a plan to resettle as many as one million Syrian refugees in the captured areas.

POLITICAL RIGHTS: 16 / 40 (+1)**A. ELECTORAL PROCESS: 5 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4**

The president is directly elected for up to two five-year terms, but is eligible to run for a third term if the parliament calls for early elections during the president's second term. If no candidate wins an absolute majority of votes, a second round of voting between the top two candidates takes place. President Erdoğan has retained a dominant role in government since moving from the post of prime minister to the presidency in 2014. A constitutional referendum passed in 2017 instituted a new presidential system of government, expanding presidential powers and eliminating the role of prime minister, effective after the snap presidential vote in June 2018.

The June 2018 presidential election, which was originally scheduled for November 2019, was moved up at Erdoğan's behest, as he claimed an early election was necessary to implement the new presidential system. The election was held while Turkey was still under a state of emergency, which was put into place in 2016 after an abortive coup attempt.

Erdoğan, who leads the AKP, won a second term in June 2018, earning 52.6 percent of the vote in the first round. Muharrem İnce of the CHP won 30.6 percent. Selahattin Demirtaş of the HDP won 8.4 percent, while Meral Aksener of the nationalist İyi (Good) Party won 7.3 percent; other candidates won the remaining 1.1 percent. Since Erdoğan's first term ended ahead of schedule, he is eligible for a third term, and could hold office through 2028 if he is reelected again.

Election observers with the Organization for Security and Co-operation in Europe (OSCE) criticized the poll, reporting that electoral regulators often deferred to the ruling AKP and that state-run media favored the party in its coverage. The OSCE additionally noted that Erdoğan repeatedly accused his opponents of supporting terrorism during the campaign. İnce, the CHP candidate, also criticized the vote, calling it fundamentally unfair. Demirtaş, the HDP's candidate, campaigned from prison, having been charged with terrorism offenses in 2016.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The 2017 constitutional referendum enlarged the unicameral parliament, the Grand National Assembly, from 550 seats to 600, and increased term lengths for its members from four to five years; these changes took effect with the June 2018 elections. Members are elected by proportional representation, and political parties must earn at least 10 percent of the national vote to hold seats in parliament.

According to the OSCE, the 2018 elections were marred by a number of flaws, including misuse of state resources by the ruling party to gain an electoral advantage, and an intimidation campaign against the HDP and other opposition parties. Media coverage of the campaign, particularly in state-run outlets, definitively favored the AKP. Reports of irregularities such as proxy voting were more prevalent in the south and southeast.

The People's Alliance, which had formed in February 2018 and included the AKP and the far-right Nationalist Movement Party (MHP), won a total of 344 seats with 53 percent of the vote, while the CHP won 146 seats with 22 percent. The HDP won 11 percent and 67 seats, and the İyi (Good) Party entered parliament for the first time with 10 percent of the vote and 43 seats.

In April 2018, two HDP members of parliament were removed from office due to criminal convictions for "insulting a public employee" and membership in a terrorist

organization, respectively, bringing to 11 the total number of HDP deputies ousted as a result of criminal convictions or absenteeism caused by imprisonment. The HDP also reported that 394 party members were detained during the campaign.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The YSK's electoral judges oversee voting procedures. In 2016, the parliament passed a judicial reform bill that allowed AKP-dominated judicial bodies to replace most YSK judges. Since the reform bill was enacted, the YSK has increasingly deferred to the AKP in its rulings, most notably in May 2019, when it ordered a rerun of the Istanbul mayoral election; the CHP's candidate had narrowly won the race in March, but the YSK scrapped the result based on selective technicalities, claiming that some polling documentation went unsigned and that a number of ballot officials were not civil servants as required by law.

The electoral authority's decision was met with derision, with CHP candidate Ekrem İmamoğlu calling it "treacherous." The European Parliament rapporteur on Turkey, Kati Piri, warned that the decision threatened the credibility of Turkey's democratic institutions. A CHP lawmaker claimed in a television interview that the AKP had threatened judges with imprisonment if they did not call for a rerun. Despite the annulment of the first election's results, İmamoğlu won the second vote for the mayoralty that June, increasing his margin of victory over the AKP candidate.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Turkey maintains a multiparty system, with five parties represented in the parliament. However, the rise of new parties is inhibited by the 10 percent vote threshold for parliamentary representation—an unusually high bar by global standards. The 2018 electoral law permits the formation of alliances to contest elections, allowing parties that would not meet the threshold alone to secure seats through an alliance. Parties can be disbanded for endorsing policies that are not in agreement with constitutional parameters, and this rule has been applied in the past to Islamist and Kurdish-oriented parties.

After a cease-fire with the militant Kurdistan Workers' Party (PKK) collapsed in 2015, the government accused the HDP of serving as a proxy for the group, which is designated as a terrorist organization. A 2016 constitutional amendment facilitated the removal of parliamentary immunity, and many of the HDP's leaders have since been jailed on terrorism charges. In September 2018, Demirtaş, the HDP's presidential candidate, was sentenced to four years and eight months in prison for a 2013 speech praising the PKK in the context of peace negotiations.

In November 2018, the ECHR ordered Demirtaş's immediate release, finding that his arrest was politically motivated and his nearly two-year-long pretrial detention was unreasonable. As of 2019 he remained in prison on new terrorism charges that could lead to a 142-year prison term.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4 (+1)

Since coming to power in 2002, the ruling AKP has asserted partisan control over the YSK, the judiciary, the police, and the media. The party has aggressively used these

institutional tools to weaken or co-opt political rivals in recent years, severely limiting the capacity of the opposition to build support among voters and gain power through elections.

The Turkish government has also resorted to arresting and charging opposition leaders, accusing of them of offenses varying from terrorism to insulting the president. The HDP has regularly been subjected to this tactic; while Sırrı Süreyya Önder, a party deputy in Ankara, was released in October 2019 on the orders of the Constitutional Court, leader Selahattin Demirtaş and party official Figen Yüksekdağ both remained in prison as the year ended. Canan Kaftancıoğlu, the chair of the CHP in Istanbul, was given a prison sentence of almost 10 years in September, after she was charged with insulting the president and spreading terrorist propaganda. Kaftancıoğlu, who managed her party's campaign in Istanbul during the 2019 municipal elections, called the charges politically motivated and remained free pending appeal.

Despite the AKP's ability to limit the success of opposition parties, it lost ground in the municipal elections, with the CHP winning important mayoral races in Ankara and Istanbul. By the time the municipal elections were completed, opposition parties controlled nine of Turkey's ten largest urban areas.

Score Change: The score improved from 1 to 2 due to opposition victories in key municipal elections, despite politicized interventions by electoral authorities.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

The civilian leadership has asserted its control over the military, which has a history of intervening in political affairs. This greater control was a factor behind the failure of the 2016 coup attempt, and the government has since purged thousands of military personnel suspected of disloyalty. However, the AKP's institutional dominance threatens to make the state itself an extension of the party that can be used to change political outcomes.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Critics charge that the AKP favors Sunni Muslims, pointing to an overhaul of the education system that favored Islamic education in secular schools and promoted the rise of religious schools in the 2010s. The AKP also expanded the Directorate of Religious Affairs, using this institution as a channel for political patronage. Among other functions, the party uses the directorate to deliver government-friendly sermons in mosques in Turkey, as well as in countries where the Turkish diaspora is present.

The non-Sunni Alevi minority, as well as non-Muslim religious communities, have long faced political discrimination. While religious and ethnic minorities hold some seats in the parliament, particularly within the CHP and HDP, the government's crackdown on opposition parties has seriously harmed political rights and electoral opportunities for Kurds and other minorities.

Women remain underrepresented in politics and in leadership positions in government, though they won a slightly larger share of seats—104, or about 17 percent—in the 2018 parliamentary elections. While the AKP's policies and rhetoric often do not serve women's interests, opposition parties, notably the HDP, espouse the expansion of rights for women and minorities.

LGBT+ people have little representation in Turkish politics, though a small number of openly gay candidates have run for office. Sedef Cakmak of the CHP was the first openly

LGBT+ candidate to take part in a city council race; she won her seat in Beşiktaş, a district of Istanbul, in 2014. The first openly gay parliamentary candidate was backed by the HDP in the 2015 general elections, but did not win a seat. Despite these efforts, LGBT+ people remain politically marginalized, and the government has used public morality laws to restrict the formation of organizations to advocate for their interests.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

The new presidential system instituted in June 2018 vastly expanded the executive's already substantial authority. With the elimination of the prime minister's post, President Erdoğan now controls all executive functions; he can rule by decree, appoint judges and other officials who are supposed to provide oversight, and order investigations into any civil servant, among other powers. Erdoğan and his inner circle make all meaningful policy decisions, and the capacity of the parliament to provide a check on his rule is, in practice, seriously limited.

The state of emergency, which gave the president the authority to suspend civil liberties and issue decrees without oversight from the Constitutional Court, was formally lifted in July 2018 after two years in effect. However, analysts argued that the change would do little to curb the continued consolidation and abuse of executive power.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption—including money laundering, bribery, and collusion in the allocation of government contracts—remains a major problem, even at the highest levels of government. Enforcement of anticorruption laws is inconsistent, and Turkey's anticorruption agencies are generally ineffective, contributing to a culture of impunity. The purge carried out since the failed 2016 coup attempt has greatly increased opportunities for corruption, given the mass expropriation of targeted businesses and nongovernmental organizations (NGOs). Billions of dollars in seized assets are managed by government-appointed trustees, further augmenting the intimate ties between the government and friendly businesses.

In January 2018, Turkish banker Mehmet Hakan Atilla was found guilty in a US court of helping Iran evade sanctions, and he was given a 32-month prison sentence that May. During the trial, Turkish-Iranian businessman Reza Zarrab testified that senior Turkish officials had accepted bribes as part of the scheme, and that Erdoğan himself approved some of the bribes during his tenure as prime minister; Erdoğan unsuccessfully lobbied the US government not to continue in its prosecution of Atilla. In July 2019, Atilla completed his sentence, with credit for time served in pretrial detention, and was deported to Turkey. In October, he was appointed general manager of the Istanbul stock exchange despite his conviction in the United States.

C3. Does the government operate with openness and transparency? 0 / 4

The political and legal environment created by the government's purge and 2016–18 state of emergency has made ordinary democratic oversight efforts all but impossible. In 2016, the Council of Europe criticized the state of emergency for bestowing “almost unlimited discretionary powers” on the government. Although Turkey has an access to information law on the books, in practice the government lacks transparency and arbitrarily withholds information on the activities of state officials and institutions. External monitors like civil society groups and independent journalists are subject to arrest and prosecution if they attempt to expose government wrongdoing.

CIVIL LIBERTIES: 16 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16****D1. Are there free and independent media? 1 / 4**

The mainstream media, especially television broadcasters, reflect government positions and routinely carry identical headlines. Although some independent newspapers and websites continue to operate, they face tremendous political pressure and are routinely targeted for prosecution. More than 150 media outlets were closed in the months after the attempted coup in 2016.

In August 2019, the parliament further limited media freedom by placing online video services under the purview of the High Council for Broadcasting (RTÜK), the country's broadcast regulator. As a result, online video producers must obtain licenses to broadcast in Turkey, even if they operate abroad. The RTÜK's members are appointed by the parliament, and are almost exclusively members of the AKP and its political ally, the MHP.

New outlet closures and arrests of journalists occur regularly, with an increase during the Turkish incursion into Syria in October 2019. The Committee to Protect Journalists reported that 47 journalists were imprisoned as of December. A group of 13 journalists and executives working for the independent newspaper *Cumhuriyet* were retried and convicted on charges of terrorism in November 2019, even though their original conviction was overturned by the Court of Cassation; the group remained free pending an appeal at the end of the year. Human Rights Watch noted that Kurdish journalists were disproportionately targeted by the authorities, and that reporting from within the predominantly Kurdish southeast was heavily restricted.

The Turkish government used national security powers to ban Wikipedia in 2017, saying the website contained terrorist content. While an Ankara court upheld the ban that same year, the Constitutional Court overturned it in a late December 2019 ruling, finding that the original decision violated freedom of expression.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

While the constitution guarantees freedom of religion, the public sphere is increasingly dominated by Sunni Islam. Alevi places of worship are not recognized as such by the government, meaning they cannot access the subsidies available to Sunni mosques. The number of religious schools that promote Sunni Islam has increased under the AKP, and the Turkish public education curriculum includes compulsory religious education courses; while adherents of non-Muslim faiths are generally exempted from these courses, Alevis and nonbelievers have difficulty opting out of them.

Three non-Muslim religious groups—Jews, Orthodox Christians, and Armenian Christians—are officially recognized. However, disputes over property and prohibitions on training of clergy remain problems for these communities, and the rights of unrecognized religious minorities are more limited.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom, never well respected in Turkey, was weakened further by the AKP's purge of government and civil society after the 2016 coup attempt. Schools tied to Fethullah Gülen—the Islamic scholar whose movement was blamed for the coup attempt and deemed a terrorist organization in Turkey—have been closed. Thousands of academics have been summarily dismissed for perceived leftist, Gülenist, or PKK sympathies.

In July 2018, President Erdoğan issued a decree giving him the power to appoint rectors at both public and private universities. The government and university administrations now routinely intervene to prevent academics from researching sensitive topics, and political pressure has encouraged self-censorship among many scholars.

Academics who openly discuss sensitive or politically charged subjects have found themselves targeted by the government. In 2016, more than 2,000 academics signed an open letter calling on Turkey to stop a military offensive in the Kurdish southeast; the government dismissed at least 400 participants in response, and 204 were given prison sentences by late 2019. However, the Constitutional Court ruled in favor of a group of purged academics in a July 2019 decision. Some of the educators who were still on trial for their involvement were acquitted in a series of lower court rulings in September as a result.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Many Turkish citizens continue to voice their opinions openly with friends and relations, but more exercise caution about what they post online or say in public. While not every utterance that is critical of the government will be punished, the arbitrariness of prosecutions, which often result in pretrial detention and carry the risk of lengthy prison terms, is increasingly creating an atmosphere of self-censorship. In October 2019, authorities detained hundreds of people for social media posts criticizing the latest Turkish military offensive into Syria.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Although freedom of assembly is theoretically guaranteed in Turkish law, authorities have routinely disallowed gatherings by government critics on security grounds in recent years, while progovernment rallies are allowed to proceed. Restrictions have been imposed on May Day celebrations by leftist and labor groups, protests by purge victims, and opposition party meetings. Police use force to break up unsanctioned protests.

Commemorations by Saturday Mothers, a group that protests forced disappearances that took place during a 1980 coup d'état, have been routinely broken up by police; many participants, including elderly people, have been arrested. In August 2018, police stopped the group's assembly in Istanbul's Galatasaray Square, using tear gas and arresting participants. The government claimed that Saturday Mothers was connected to the PKK, an allegation the group denied. Saturday Mothers was not allowed to return to the square in 2019, and has held sit-ins in a local human rights office instead.

The government has also targeted LGBT+ events in recent years. Istanbul's pride parade, which once hosted tens of thousands of participants, was banned for the fifth consecutive year in 2019. Participants who tried to march faced tear gas and rubber bullets when police dispersed their gathering. Rallies were also banned in Ankara and the coastal city of Izmir.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

The government has cracked down on NGOs since the 2016 coup attempt, summarily shutting down at least 1,500 foundations and associations and seizing their assets. The targeted groups worked on issues including torture, domestic violence, and aid to refugees and internally displaced persons. NGO leaders also face routine harassment, arrests, and prosecutions for carrying out their activities.

Osman Kavala, a prominent civil society leader and philanthropist, was arrested in 2017 and charged in early 2019 with attempting to overthrow the government by supporting a protest in Istanbul's Gezi Park in 2013. The indictment was heavily criticized by human rights organizations for lacking credible evidence. Kavala and 15 other defendants from Turkish civil society were finally put on trial in June 2019. In December, the ECHR ruled that Kavala's detention was unjustified and called for his release, but he remained behind bars awaiting a verdict as the year ended.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Union activity, including the right to strike, is limited by law and in practice; antiunion activities by employers are common, and legal protections are poorly enforced. A system of representation threshold requirements make it difficult for unions to secure collective-bargaining rights. Trade unions and professional organizations have suffered from mass arrests and dismissals associated with the state of emergency and the general breakdown in freedoms of expression, assembly, and association.

F. RULE OF LAW: 3 / 16

F1. Is there an independent judiciary? 1 / 4

The appointment of thousands of loyalist judges, the potential professional costs of ruling against the executive in a major case, and the effects of the postcoup purge have all severely weakened judicial independence in Turkey. More than 4,200 judges and prosecutors were removed in the 2016 coup attempt's aftermath. The establishment of the new presidential system in June 2018 also increased executive control over the judiciary. Under this new structure, members of the Board of Judges and Prosecutors (HSK), a powerful body that oversees judicial appointments and disciplinary measures, are now appointed by the parliament and the president, rather than by members of the judiciary itself.

Though the judiciary's autonomy is restricted, judges sometimes ruled against the government in significant cases in 2019, for example in the cases involving academics who had called for an end to state violence in Kurdish areas in 2016.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Due process guarantees were largely eroded during the state of emergency between 2016 and 2018, and these rights have not been restored in practice since the emergency was lifted. Due process and evidentiary standards are particularly weak in cases involving terrorism charges, with defendants held in lengthy pretrial detention periods lasting up to seven years. In many cases, lawyers defending those accused of terrorism have faced arrest themselves. According to the Justice Ministry, more than 150,000 people were under investigation for terrorism offenses as of mid-2019, and roughly 70,000 were on trial; most were accused of links to the Gülen movement.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Torture at the hands of authorities has remained common after the 2016 coup attempt and subsequent state of emergency. Human Rights Watch has reported that security officers specifically target Kurds, Gülenists, and leftists with torture and degrading treatment, and operate in an environment of impunity. Prosecutors do not consistently investigate allegations of torture, and the government has resisted the publication of a European Committee for the Prevention of Torture report on its detention practices.

The threat of terrorism decreased in 2018 with the weakening of the Islamic State (IS) militant group in neighboring Syria and Iraq; no large-scale terrorist attacks were reported during 2019. However, residents in the Kurdish southeast endured another year of conflict between security forces and the PKK, and have been subject to curfews as part of a new strategy to limit PKK activity. The conflict between security forces and Kurdish militants has killed more than 4,600 people within Turkey and in northern Iraq since July 2015, most of them soldiers or militant combatants.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Although Turkish law guarantees equal treatment, women as well as ethnic and religious minority groups suffer varying degrees of discrimination. For example, Alevis and non-Muslims reportedly face discrimination in schools and in employment, particularly in senior public-sector positions. Gender inequality in the workplace is common, though women have become a larger part of the workforce since the beginning of the century.

The conflict with the PKK has been used to justify discriminatory measures against Kurds, including the prohibition of Kurdish festivals for security reasons and the reversal of Kurdish municipal officials' efforts to promote their language and culture. Many Kurdish-language schools and cultural organizations have been shut down by the government since 2015.

Turkey hosts 3.6 million refugees from Syria, in addition to 400,000 refugees and asylum seekers from other parts of the world. While the government has worked to provide them with basic services, a large minority of refugee children lack access to education, and few adults are able to obtain formal employment. Popular resentment against this population has been rising for years and is felt across the political spectrum. In response to public pressure, the Turkish government in October 2019 announced a plan to resettle as many as one million Syrian refugees in a new buffer zone in northern Syria. That month, Turkey launched a military offensive to capture the territory in question from the Syrian Democratic Forces, a US-backed and Kurdish-led militia group that had waged a successful multiyear campaign against IS in Syria, but that Turkey opposed due to its alleged ties to the PKK. Also in October, Turkish authorities forced Syrian refugees to secure new residency permits or risk deportation.

Same-sex relations are not legally prohibited, but LGBT+ people are subject to widespread discrimination, police harassment, and occasional violence. There is no legislation to protect people from discrimination based on their sexual orientation or gender identity. LGBT+ people are banned from openly serving in the military.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

An upsurge in fighting between the government and the PKK in 2015 and 2016 resulted in the displacement of hundreds of thousands of people in southeastern Turkey, and freedom of movement remains limited in the region as low-level clashes continue.

More than 125,000 public-sector workers have been fired in the purges that followed the 2016 coup attempt, and those who were suspended or dismissed have no effective avenue for appeal. Many purge victims were unable to find new employment in the private sector, due to an atmosphere of guilt by association.

The authorities also targeted purged workers and their spouses with the revocation of their passports. The government stated that it was working to reinstate passports in March

2019 and again in July, after the Constitutional Court overturned the regulation that allowed their original revocation. However, the matter remained unresolved at year's end.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Private property rights are legally enshrined, but since 2013 many critics of the government have been subjected to intrusive tax and regulatory inspections. In the aftermath of the 2016 coup attempt, the assets of companies, NGOs, foundations, individuals, media outlets, and other entities deemed to be associated with terrorist groups have been confiscated. According to news site European Interest, \$11 billion in private business assets, ranging from corner stores to large conglomerates, had been seized as of June 2018.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The government has shown increasing disinterest in protecting vulnerable individuals from forced marriage and domestic violence. Child marriages, often performed at unofficial religious ceremonies, are widespread, and Syrian refugees appear to be particularly vulnerable. The Directorate of Religious Affairs briefly endorsed the practice, suggesting that girls as young as nine years old could marry when it published a glossary of Islamic terms in early 2018. The same document, which was retracted after public outcry, also defined marriage as an institution that saved its participants from adultery.

Despite legal safeguards, rates of domestic violence remain high; police are often reluctant to intervene in domestic disputes, and shelter space is both extremely limited and often geographically inaccessible. The AKP considered weakening domestic violence protections as part of a larger effort to dissuade women from seeking divorce; a parliamentary report published in 2016 recommended that women should be required to prove their partner's violence in order to receive extended police protection. The recommendation was retracted after sparking public criticism.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The weakness of labor unions and the government's increasing willingness to take action against organized labor have undermined equality of opportunity, protection from economic exploitation, and workplace safety. Workplace accidents have become more frequent in recent years, and laborers have little recourse if injured. According to the Workers' Health and Work Safety Assembly (İSiGM), more than 1,700 workers died in workplace accidents in 2019, including 67 child laborers and 112 migrant laborers. The large refugee population is especially vulnerable to exploitative employment conditions.

Turkmenistan

Population: 5,900,000

Capital: Ashgabat

Freedom Status: Not Free

Electoral Democracy: No

Overview: Turkmenistan is a repressive authoritarian state where political rights and civil liberties are almost completely denied in practice. Elections are tightly controlled, ensuring

nearly unanimous victories for the president and his supporters. The economy is dominated by the state, corruption is systemic, religious groups are persecuted, and political dissent is not tolerated.

KEY DEVELOPMENTS IN 2019

- A 2018 decision to eliminate free public utilities took effect in January, as Turkmenistanis continued to face hyperinflation and food shortages.
- President Gurbanguly Berdimuhamedov dismissed trade minister Amandurdy Ishanov and interior minister Iskander Mulikov as part of a selective crackdown on official corruption in September and October, respectively. Ishanov's prison sentence was unspecified, while Mulikov was believed to have been sentenced to at least 10 years.
- President Berdimuhamedov's son and presumed political heir, Serdar, was appointed deputy governor of Ahal Province in January.

POLITICAL RIGHTS: 0 / 40**A. ELECTORAL PROCESS: 0 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4**

The president is directly elected for an unlimited number of seven-year terms, extended from five years under a 2016 constitutional revision. Berdimuhamedov, the incumbent, was reelected for a third term in 2017 with 97.69 percent of the vote amid turnout of over 97 percent, according to official results. His eight token opponents were either nominees of state-backed parties or members of the ruling Democratic Party of Turkmenistan (DPT) who ran as independents. The Organization for Security and Co-operation in Europe (OSCE) criticized the election process for failing to present voters with a genuine choice and noted that it took place in a strictly controlled political and media environment.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The unicameral Mejlis is composed of 125 members elected from individual districts to serve five-year terms. Parliamentary elections are tightly controlled by the state and feature no genuine competition from opposition candidates.

In the March 2018 election, the DPT won 55 seats, the Party of Industrialists and Entrepreneurs and the Agrarian Party each took 11, and candidates nominated by groups of citizens secured 48. Voter turnout was reported to be approximately 92 percent. The OSCE reported that the election "lacked important prerequisites of a genuinely democratic electoral process." Observers said that while there was a semblance of pluralism, all parties and candidates supported the president, and the absence of media diversity interfered with citizens' ability to make a free and educated choice.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The legal framework for elections is neither fair nor impartially implemented. The Central Election Commission (CEC) is appointed by the president and operates with little transparency. The law allows virtually no opportunity for independent fund-raising or campaigning. In the 2017 presidential and 2018 parliamentary elections, the CEC organized and funded all campaign activities, according to international monitors.

The constitution and electoral code were amended in 2016 to remove the upper age limit of 70 for presidential candidates, extend the presidential term from five to seven years, and eliminate the right of public associations to nominate presidential candidates.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4**

The party system is dominated by the ruling DPT and controlled by the executive branch. The 2012 law on political parties specified the legal basis for citizens to form independent parties, but barred parties formed on professional, regional, or religious lines, and those created by government officials. Nevertheless, Berdimuhamedov subsequently announced plans to form two new groups—the Party of Entrepreneurs and Industrialists and the Agrarian Party. Both were then openly organized by sitting members of the DPT and formally registered in 2012 and 2014, respectively. The Agrarian Party won its first parliamentary seats in 2018.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Turkmenistan has never experienced a peaceful transfer of power between rival parties through elections. Berdimuhamedov had served in the government of his late predecessor, Saparmurat Niyazov, who in turn had ruled the country since before its independence from the Soviet Union. The Soviet-era Communist Party became the DPT in 1991 and remains in power to date. All genuine opposition groups operate either illegally or in exile.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The authoritarian political system offers voters no meaningful alternatives to the ruling party. At an informal level, politics within the regime are thought to be influenced by regional patronage networks, or “clans,” that control different parts of the state and economy.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Members of the ethnic Turkmen majority and the president’s tribal subdivision in particular are favored for leadership positions. While women and ethnic or religious minorities formally have full political rights, no segment of the country’s population enjoys the practical ability to engage in independent political activity. About a quarter of candidates elected to the Mejlis in 2018 were women.

C. FUNCTIONING OF GOVERNMENT: 0 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

The president, who is not freely elected, has ultimate decision-making authority. The executive branch determines laws and policies with no meaningful input or oversight from the rubber-stamp legislature. The People’s Council—a body that includes elected Mejlis members and well as a variety of unelected officials and community leaders—was revived in 2018 after being abolished in 2008. It replaced a less powerful Council of Elders and is formally considered the country’s top representative body, surpassing the role of the much

smaller Mejlis. However, it meets infrequently and mainly endorses the president's decrees and policies. In September 2019, Berdimuhamedov announced his intention to combine the two bodies into a bicameral legislature, though he gave no indication of any substantive changes; a constitutional amendment to finalize this change is due in 2020.

C2. Are safeguards against official corruption strong and effective? 0 / 4

There are no independent institutions tasked with combating corruption, which is widespread in Turkmenistan. Anticorruption bodies have allegedly been used to extort revenue from wealthy officials and businesspeople. Crackdowns on corruption are typically selective and related to conflicts within the ruling elite.

In September 2019, trade minister Amandurdy Ishanov was dismissed, offered a filmed confession, and received an unspecified prison term for corruption later that month. Prominent businessman Charymukammed Kulov also confessed to corruption in September, amid speculation that he was seen as a threat to the president. In October, interior minister Iskander Mulikov, who was tied to Kulov, was dismissed. In December, Mulikov offered a filmed confession and was convicted of abuse of power and corruption; local sources suggested he received a prison term of between 10 and 25 years. That same month, Attorney General Batyr Atdaev announced that former migration service chief Meylis Nobatov was found guilty of corruption; he received a 15-year sentence.

Genuine checks on nepotism and conflicts of interest are lacking. Serdar Berdimuhamedov, the president's son and presumed political heir, left his post as deputy foreign minister to become deputy governor of Ahal Province after a January 2019 decree. The president's brother-in-law, Nazar Rejepov, has benefited from preferential government contracts; his firm is a subcontractor for the construction of a highway between Ashgabat and Türkmenabat.

C3. Does the government operate with openness and transparency? 0 / 4

Decisions on monetary policy, large-scale contracts with foreign companies, and the allocation of state profits from hydrocarbon exports are largely opaque and ultimately controlled by the president, without effective legal limits or independent oversight. Government officials and state-owned companies are not required to disclose their basic financial information to the public.

CIVIL LIBERTIES: 2 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 0 / 16

D1. Are there free and independent media? 0 / 4

Press freedom is severely restricted in Turkmenistan. The state controls nearly all broadcast and print media, and the state-run internet service provider blocks websites that carry independent news coverage or opposition-oriented content. Some citizens are able to access foreign satellite broadcasts, but the government continues efforts to remove receivers from houses in the countryside.

Independent journalists, particularly those affiliated with Radio Free Europe/Radio Liberty (RFE/RL), are subject to harassment, detention, physical abuse, and prosecution on trumped-up charges. RFE/RL contributor Saparmamed Nepeskuliev was allowed to leave Turkmenistan in March 2019, after he served a three-year prison term on drug charges that local rights groups said were fabricated. Soltan Achilova, an independent journalist who has also worked with RFE/RL, was prevented from leaving Turkmenistan to attend an international seminar in March 2019. The government allowed her to travel abroad in August.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Legal restrictions, state monitoring and harassment, and the risk of penalties including fines and imprisonment have virtually extinguished the ability of individuals to freely practice religion. A 2016 law on religion maintained existing bans on religious activity outside state control, imposed a higher membership threshold for the registration of religious groups, and required all registered groups to reapply for registration. Senior Muslim clerics are appointed by the government, and Muslims who do not follow the officially approved interpretation of Islam are subject to persecution, including lengthy prison terms. Members of unregistered religious minority groups continue to face raids, beatings, and other forms of harassment. Turkmenistanis who contentiously object to compulsory military service for religious reasons risk imprisonment; nongovernmental organization (NGO) Forum 18 reported that seven Jehovah's Witnesses were handed prison sentences in 2019 for this reason.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

The government places significant restrictions on academic freedom, limiting research on politically sensitive topics and imposing onerous obstacles to the recognition of degrees from foreign institutions. Curricula in schools and universities are controlled by the government.

In August 2019, schools were instructed to celebrate the government's achievements since Turkmenistan gained independence from the Soviet Union. In October, educators were instructed to review and teach Berdimuhamedov's writings.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

Private discussion and the expression of personal views are highly restricted due to intrusive supervision by state security services, including physical surveillance, monitoring of telephone and electronic communications, and the use of informers.

In recent years the government has employed increasingly sophisticated methods to monitor the population. Authorities have reportedly used special software to eavesdrop on voice over internet protocol (VoIP) calls, operate computer cameras remotely, and record keystrokes. Social media users who post critical comments about the government are subject to intimidation and imprisonment, and restrictions on social media sites, cloud storage services, and virtual private networks (VPNs) have expanded. The government also reportedly monitors the online contacts and posts of its citizens abroad.

In September 2019, President Berdimuhamedov approved a new law that further expanded the government's ability to monitor communications systems, regardless of their ownership. That same month, RFE/RL reported that the National Security Ministry (MNB) expanded its system of informers in universities to identify students critical of the government.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12**E1. Is there freedom of assembly? 0 / 4**

The constitution guarantees freedom of assembly, and the 2015 Law on Assemblies defines the right of individuals and groups to hold peaceful gatherings with prior authorization. However, the law grants officials broad discretion to block assemblies, and the authorities do not allow antigovernment demonstrations.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Onerous registration and regulatory requirements effectively prevent most independent NGOs from operating legally or receiving foreign funding, and activities by unregistered groups can draw fines, detention, and other penalties. Individual activists face intimidation and harassment, as do the family members of human rights activists working in exile. One of the president's sisters controls the National Red Crescent Society of Turkmenistan and has been accused of using the organization for personal enrichment.

In 2016, journalist and activist Gaspar Matalaev was arrested for reporting on Turkmenistan's forced labor system, and confessed after he was subjected to torture. Matalaev was released in September 2019 after serving a three-year sentence.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Workers have a legal right to join trade unions, but there are no protections against anti-union discrimination, and strikes are prohibited. The government-controlled Association of Trade Unions of Turkmenistan is the only union organization permitted to operate.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The judicial system is subservient to the president, who appoints and dismisses judges unilaterally. In practice, the courts are commonly used to punish dissent and remove potential threats to the president's political dominance.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Arbitrary arrests and detentions are common, particularly for dissidents, members of unapproved religious groups, activists, and journalists who work with foreign organizations. The authorities frequently deny defendants' basic rights of due process, including public trials and access to defense attorneys.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Prison conditions are extremely harsh, and security forces routinely use torture to extract confessions or punish inmates, which can result in deaths in custody. Turkmenistanis are also subject to enforced disappearance; the Prove They Are Alive! human rights campaign reported that 121 people were disappeared in a 2018 report.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Employment and educational opportunities for ethnic minorities are limited by the government's promotion of Turkmenistani national identity, and activists who advocate for minority rights have faced persecution. Traditional social and religious norms help to restrict women's access to education and economic opportunity; there are no legal protections against sexual harassment in the workplace.

The law does not protect LGBT+ people from discrimination, and sexual activity between men can be punished with up to two years in prison. In October 2019, an Ashgabat doctor posted an online video revealing his sexual orientation; several days later, the doctor and members of his family were summoned to a police station and disappeared. In November, the doctor resurfaced to retract his claim, while his family members were still missing.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4**

Freedom of movement is restricted, with frequent reports of individuals being barred from traveling abroad; officials are reportedly instructed to prevent Turkmenistanis under the age of 40 from leaving the country. The government is known to bar the families of dissidents and prisoners from leaving. Internal passports and a residency permit system also obstruct travel within the country. Despite these restrictions, unpublished government statistics suggest that nearly two million people emigrated during a 2008–18 reporting period, with many of them seeking to escape the country's dire economic situation.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The constitution establishes the right to property ownership, but the deeply flawed judiciary provides little protection to businesses and individuals, and the president's relatives monopolize key sectors of the economy that are not directly state controlled. Arbitrary evictions and confiscation of property are common.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Domestic violence is reportedly common, but few victims file complaints with the authorities, and the government has not made significant efforts to monitor, prevent, or combat the problem. Reporting and prosecution of rape are similarly limited. While polygamy has long been illegal, it apparently persists in practice; a new law adopted in 2018 was meant to reinforce the ban. Schoolgirls in Mary Province were ordered to undergo mandatory gynecological tests in October 2019, after local officials claimed that some girls were secretly giving birth to children or undergoing abortions.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

The government forces thousands of students, public employees, and other citizens to participate in the annual cotton harvest with little or no pay. Impoverished residents of rural areas are especially vulnerable to trafficking abroad for forced labor or sexual exploitation, and the government does little to address the problem.

The state's mismanagement of a weak economy, including soaring inflation, has inhibited opportunity and imposed hardship on the population. Persistently low oil and gas prices have driven down vital export revenues in recent years, leading to reports of unpaid wages and shortages of basic goods. To raise funds, the government has at times increased various fees, cut subsidies, and pressured officials, businesspeople, and ordinary workers to make "voluntary" contributions. In 2018, Berdimuhamedov issued a decree ending the remnants of a program that provided free public utilities; the decree took effect in January 2019.

Tuvalu

Population: 10,000

Capital: Funafuti

Freedom Status: Free

Electoral Democracy: Yes

Overview: Tuvalu is a parliamentary democracy that holds regular, competitive elections. Civil liberties are generally upheld. Ongoing problems include a lack of antidiscrimination laws to protect women and LGBT+ people.

KEY DEVELOPMENTS IN 2019

- Kausea Natano was elected prime minister in September. His victory ended the six-year tenure of Enele Sopoaga.
- In November, Parliament livestreamed government proceedings on social media for the first time, with hopes of improving the government's ability to inform its population, and the world, about policy changes.
- In July, the High Court determined that landowners on Funafuti, who had leased their land to the government for the island's airport, had violated their lease agreement; the court ordered police to arrest anyone interfering with flights. The landowners had blockaded the runway in June, after they claimed the lease for the land had expired in 2017.

POLITICAL RIGHTS: 37 / 40**A. ELECTORAL PROCESS: 12 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

A governor general represents the British monarch as ceremonial head of state. The prime minister, chosen by Parliament, leads the government. Kausea Natano became prime minister (he ran as an independent) after the September 2019 elections ousted several supporters of former prime minister and reelected representative Enele Sopoaga. In a secret ballot, Natano defeated Sopoaga for the position, receiving 10 of the 16 ministers' votes.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The unicameral House of Assembly has 16 members who are directly elected through contests in eight geographical constituencies, each of which are represented by two members. The attorney general has an advisory role and does not vote. In the September 2019 elections, all candidates ran as independents. Two women ran for seats in Parliament, though only the incumbent Puakena Boreham was elected. Each of the main inhabited islands in Tuvalu is also governed by an elected local council.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Tuvalu's legal framework provides for democratic elections, and the laws are fairly and impartially implemented. An appointed secretary to the government is responsible for the supervision of elections and maintenance of voter rolls. Local polling officers are authorized to adjudicate election-related disputes in their districts, and there is a mechanism through which appeals may be filed. The September 2019 elections seem to have been accepted by all relevant stakeholders and constituencies.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

There are no formal political parties, though no law bars their formation. Candidates typically run as independents and form loose, frequently shifting alliances once in office.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Tuvalu has an established pattern of democratic transfers of power. Individual prime ministers and governments have seldom lasted a full term in office in recent decades, with intense political rivalries often prompting no-confidence votes in Parliament. In May 2019, former prime minister Sopoaga faced a motion of no confidence, although it was withdrawn a week later.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

Traditional elders and the main Protestant church play an influential role in society, but they do not exercise undue control over the political choices of voters and candidates.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

All Tuvaluans aged 18 and over who are present in the country on polling day but not imprisoned are eligible to vote. While women formally have full political rights, in practice their participation is somewhat inhibited by discriminatory and widespread biases. Two women ran in the 2019 parliamentary elections, and one of them (an incumbent) won a seat. A move to add two reserved seats for women was considered as part of a constitutional review process in 2018. No action appears to have been taken as of the end of 2019.

C. FUNCTIONING OF GOVERNMENT: 10 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4**

Tuvalu's elected officials are able to develop and implement government policies and legislation without improper interference from any unelected entity. The country often receives funding from other countries and international entities to implement policies and programs. The Asian Development Bank (ADB), the World Bank, and partner countries provide the country with grants, but there have been no reported concerns of undue influence on government. In August 2019, the Tuvalu government reaffirmed its commitment to its relationship with Taiwan, which precludes any diplomatic ties with China, and thus any influence China might have on Tuvalu's government. China's influence has grown in the Pacific, which has raised concerns of undue influence on the independence of policymaking in several other countries in the region.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Corruption is not a severe problem in Tuvalu, and the country's independent auditing and law enforcement bodies are generally effective in combating graft, though there have been some corruption scandals in recent years. Former prime minister Ielemia was convicted in 2016 of receiving over \$15,000 from Japanese and Taiwanese sources while in office and depositing the money in a personal bank account. The conviction was overturned by a higher court a few weeks later, but the fact that Ielemia had begun to serve a prison term led to his disputed removal from Parliament. Ielemia, who had been pursuing an appeal in the courts in 2017, died in November 2018.

C3. Does the government operate with openness and transparency? 3 / 4

Government operations and legislative processes are generally transparent, though there is no freedom of information law to guarantee and regulate public access to official records.

While officials are legally obliged to disclose their assets and income, the rules are not consistently enforced, according to the US State Department.

An April 2018 report by the International Monetary Fund (IMF) found that Tuvalu had made progress in improving public financial management.

In November 2019, the Tuvalu Parliament livestreamed government proceedings on social media for the first time. Information about changes in policy or circumstance in Tuvalu can take days to reach the body of the population, as well as the rest of the world; livestreaming parliamentary sessions sought to ameliorate these challenges.

CIVIL LIBERTIES: 56 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The constitution provides for freedom of the press, and there are no reported restrictions on this right, though the small media market does not support independent domestic news outlets. The government operates a radio station and a national newspaper. Many residents use satellite dishes to access foreign programming. Internet coverage has grown somewhat in recent years, though access is largely limited to the main island, and is expensive, inconsistent, and limited everywhere else. In January 2019, the World Bank facilitated a public-private partnership project to develop and expand access to internet across the country.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution and laws provide for freedom of religion, and this right is generally respected in practice. A Protestant church, the Congregational Christian Church of Tuvalu, has official status under the law, and about 97 percent of the population belongs to it. Cultural leaders are empowered to regulate local religious activities, and on smaller islands they sometimes discourage minority groups from proselytizing or holding public events.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant restrictions on freedom of expression. The government does not improperly monitor personal communications or social media activity.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

The constitution provides for freedom of assembly, and the government typically upholds this right in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Freedom of association is respected. Nongovernmental organizations operate without interference, providing a variety of health, education, and other services.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers in the private sector have the right to organize unions, bargain collectively, and strike. Public-sector employees can join professional associations and engage in collective bargaining, but they are not permitted to strike. Most labor disputes are resolved through negotiations in practice. The only registered union represents seafarers.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is independent. The chief justice is appointed by the head of state on the advice of the cabinet, and other judges are appointed in the same manner after consultation with the chief justice. Judges cannot be removed arbitrarily.

F2. Does due process prevail in civil and criminal matters? 4 / 4

The authorities generally uphold due process during arrests, detentions, and trials. A public defense lawyer is available to detainees and defendants. However, the limited capacity of the legal system can lead to delays in court proceedings and access to counsel.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

There were no reports of physical abuse by police or in the prison system during the year. Criminal activity does not pose a major threat to physical security. In December 2019, two Fijian men who had been convicted of murder in 2011 and sentenced to life imprisonment were released. Justice Minister Simon Kofe explained that the penal code had changed in 2014 to reduce the mandatory penalty for murder from life imprisonment to a minimum of 15 years. Despite his acknowledgment that this legal change did not apply retroactively, in May 2018, Kofe petitioned the High Court to resentence the two prisoners.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

While women generally enjoy equality before the law, discriminatory biases and social norms limit women's role in society, and there are no specific legal protections against gender discrimination in employment.

Same-sex sexual activity is illegal and can be punished with imprisonment, though the law is not actively enforced. Discrimination based on sexual orientation or gender identity is not specifically banned.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Tuvaluans are free to travel within the country and abroad, and to relocate for purposes including employment and education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

Tuvalu's legal framework and government policies are generally supportive of property rights and private-business activity. However, laws and practices surrounding land ownership and inheritance favor men over women.

In June and July 2019, a dispute over a leasing agreement for the island's airport escalated between landowners on the island Funafuti and the government. The landowners believed that the lease had expired after 25 years—thus in 2017—while the government

claimed the original lease for the airport was set for 99 years. After landowners blockaded the runway, and the two parties went into negotiations, a case for the incident and dispute was filed in the High Court, which determined that the landowners had violated their lease agreement. Police were ordered to arrest anyone who interfered with flights, as the blockade was deemed to pose a “significant sovereign risk.”

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Although personal social freedoms are generally respected, domestic violence often goes unreported because it is viewed as a private matter. There are no specific laws against spousal rape.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Forced labor is prohibited, and the government mandates basic protections against exploitative or dangerous working conditions, though enforcement is not proactive or consistent. Most of the labor force works in the informal sector or in small-scale fishing and agriculture.

In 2018, Tuvalu created its first national human rights institution (NHRI) and will give the country’s ombudsman additional powers to promote and protect human rights on the island. The new NHRI was created to be aligned with the Paris Principles for independent and effective human rights institutions.

Uganda

Population: 44,300,000

Capital: Kampala

Freedom Status: Not Free

Electoral Democracy: No

Overview: While Uganda holds regular elections, their credibility has deteriorated over time, and the country has been ruled by the same party and president since 1986. The ruling party, the National Resistance Movement (NRM), retains power through the manipulation of state resources, intimidation by security forces, and politicized prosecutions of opposition leaders. Uganda’s civil society and independent media sectors suffer from legal and extralegal harassment and state violence.

KEY DEVELOPMENTS IN 2019

- Police repeatedly used force to disrupt rallies, protests, and other events organized by the political opposition during the year, in some cases arresting opposition leaders.
- The media regulator ordered the suspension of 39 journalists at 13 outlets in April, though the move was later blocked by a court, and issued a directive in August requiring social media accounts with large followings to register and submit to official monitoring.
- In August, prominent academic Stella Nyanzi was sentenced to 18 months in prison under the Computer Misuse Act for 2018 Facebook posts that were critical of the president.

- In November, the interior minister called on thousands of nongovernmental organizations (NGOs) to cease their activities after they failed to pass a reregistration process.

POLITICAL RIGHTS: 11 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The president is directly elected to serve five-year terms. In the 2016 election, incumbent Yoweri Museveni won with 60.6 percent of the vote, according to official results. Kizza Besigye of the opposition Forum for Democratic Change (FDC) placed second, with 35.6 percent. The integrity of the election was undermined by problems including the misuse of state resources and flawed administration by the Electoral Commission (EC).

A 2017 constitutional amendment removed the presidential age limit of 75, allowing the president to seek reelection in 2021. Opposition parties and other critics challenged the validity of the change, citing procedural problems and intimidation, but the Supreme Court upheld the amendment in April 2019.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The 2016 elections for the unicameral Parliament were held concurrently with the presidential vote. A total of 426 members were chosen, including 289 elected in single-member districts, 112 elected to reserved seats for women, and 25 chosen to represent special interest groups (the military, youth, people with disabilities, and trade unions). Members serve terms of five years. The ruling NRM won an absolute majority with 293 seats. Independents won 66 seats, the opposition FDC took 36, and smaller parties divided the remainder. As with the presidential election, the integrity of the balloting was undermined by problems including the misuse of state resources and flawed administration by the EC.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Independent observers, civil society, and opposition leaders have long critiqued and called for substantive reforms to Ugandan electoral laws. On election day in 2016, the EC experienced significant technical and logistical problems. It extended the voting time for polling stations that opened late, with voting in some areas continuing for an extra day even as counting was well under way. This exacerbated existing mistrust of the EC and raised suspicions of malfeasance.

Following the flawed 2016 elections, the Supreme Court called on the attorney general to implement electoral reforms within two years and update the court on the progress of the changes. The deadline passed in March 2018 with no meaningful reforms advanced. In June 2019 the Supreme Court ordered the government to present reform bills within a month, and in July the attorney general introduced five pieces of legislation, which had yet to be adopted at year's end.

The EC suspended the Citizens' Coalition for Electoral Democracy in Uganda (CCEDU), a prominent NGO, from election observation and voter education activities in July 2018. The commission claimed that the group is partisan and undermines the integrity of elections. However, after representatives from the CCEDU met with the EC in October of that year, both sides indicated that they had reached an agreement to allow the group to resume its work. The ban on CCEDU was formally lifted in February 2019.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

The constitution and laws provide for the formation of political parties, and multiple parties exist and compete in practice. However, the activities of opposition groups are hindered by restrictive party registration requirements and candidate eligibility rules, a lack of access to state media coverage, and violence or harassment by state authorities and paramilitary groups.

Police used tear gas and live ammunition to break up FDC rallies in the towns of Lima and Kasee in April 2019. They used similar tactics to stop FDC leaders from organizing rallies in oil-rich Bunyoro the following month, and ordered local radio stations not to host any opposition politicians. In September police blocked a planned FDC event in eastern Uganda on the grounds that it was illegal under the Public Order Management Act (POMA). When FDC leaders tried to organize the party's national conference in November, heavily armed police and military officers cordoned off the venue and forcibly dispersed party supporters. Besigye and a number of other FDC members were arrested and temporarily detained.

The Alliance for National Transformation (ANT), a new opposition group formed after some FDC members broke away in late 2018, received its registration in April 2019 and held a launch event in May. Some observers warned that the development would further fragment and weaken the opposition.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

The ruling party dominates all levels of government. There are several dozen opposition lawmakers in Parliament, as well as numerous independents, though some of the latter support the NRM. Presidential and parliamentary election campaigns are characterized by violence, intimidation, and harassment toward opposition parties.

Leaders of opposition parties and political movements are sometimes arrested on trumped-up criminal charges. There were multiple arrests of FDC leaders during 2019, and Robert Kyagulanyi—better known as Bobi Wine, a singer, Parliament member, and leader of the People Power group—was targeted for harassment throughout the year. He was placed under house arrest in April after police canceled a press conference and concert he planned to hold, then faced arrest later that month on charges related to an allegedly illegal assembly the previous year. Wine was released on bail a few days later. In July he announced that he would run for president in 2021. Wine and more than 30 others were still awaiting trial on treason charges arising from a 2018 incident in Arua district; police alleged that Wine and his supporters obstructed President Museveni's motorcade and threw stones at the vehicles. Charges of annoying, alarming, or ridiculing the president were added to the case in August 2019.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The military is closely aligned with Museveni and the NRM, and holds 10 seats in Parliament. The government and ruling party also reportedly use public resources and patronage networks to build political support among religious leaders and other influential figures.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The dominant position and coercive tactics of the NRM impede free political participation and advocacy of interests by Uganda's various ethnic groups, including those affiliated with traditional kingdoms and smaller indigenous groups. An assessment of women's participation in the 2016 elections by the Women's Democracy Group, a coalition of Ugandan civil society organizations, noted a widespread perception that because a certain number of legislative seats are reserved for women, "they should not contest for direct positions so as to reduce on the competition for male contestants." Due to severe legal and societal discrimination, the interests of LGBT+ people are not represented in politics.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Power is concentrated in the hands of the NRM leadership, the security forces, and especially the president, who retains office through deeply flawed electoral processes. Lawmakers have little practical ability to influence legislation in which the government has a particular interest, though there is more consultation on ordinary policy matters. The executive has secured passage of key legislation through inducement, harassment, and intimidation of the legislative branch. For example, several opposition lawmakers were assaulted and forcibly removed from Parliament by plainclothes military officers during the reading of the 2017 constitutional amendment bill that removed the presidential age limit.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is a serious problem. There are laws and institutions designed to combat official malfeasance, including the Anti-Corruption Act of 2009 and the Inspectorate of Government, and instances of alleged graft have led to investigations and intense media attention. However, the system has not been effective at addressing corruption in a sustained manner, and top government officials are rarely prosecuted in practice.

C3. Does the government operate with openness and transparency? 1 / 4

Many government departments deny requests for information under the country's Access to Information Act. Other laws related to national security and confidentiality also impede open access to information in practice. Public procurement decisions are generally opaque.

CIVIL LIBERTIES: 23 / 60 (-2)

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16 (-2)

D1. Are there free and independent media? 1 / 4 (-1)

The media sector features many independent outlets, but their journalists face arrest, harassment, intimidation, and assault in reprisal for their work. In February 2019, a team of British journalists were arrested and temporarily detained while investigating the illegal sale of drugs from public health facilities. Authorities raided or shut down a number of radio stations for hosting Besigye during the year, and several journalists were arrested while attempting to cover protests and opposition party events. In November, police forcibly dispersed journalists who had gathered to protest police brutality against their colleagues.

Both reporters and outlets are at risk of suspension and other forms of regulatory interference. In February 2019, the Uganda Communications Commission (UCC), a government media regulator, ordered the *Daily Monitor* newspaper to shut down its website, accusing it of failing to register under a 2018 directive requiring all online media to obtain the commission's permission to operate. In April the UCC ordered the suspension of 39 journalists at

13 television and radio stations over their coverage of protests that followed the arrest and detention of Bobi Wine that month. Two activists went to court to challenge the suspensions on behalf of the Uganda Journalists Association, and the High Court in Kampala ruled in their favor in May, blocking the UCC's action. In August, the regulator required social media accounts with large followings to register and submit to official monitoring. In October, the UCC warned five broadcasters that their coverage of political affairs and protests violated their license agreements, and ordered a local radio station, Pearl FM, to suspend *Inside Story*, a popular political talk show, citing complaints from security agencies.

Score Change: The score declined from 2 to 1 due to persistent state pressure on independent media, including arrests of journalists, the interruption of broadcasts, and the mass suspension of reporters and outlets.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

There is no state religion, and freedom of worship is both constitutionally protected and generally respected in practice. However, the government has restricted religious groups whose members allegedly pose security risks. It has also sought to control political statements by religious leaders, tolerating those who express support for President Museveni and the ruling party while subjecting those with more critical views to intimidation, harassment, and arrest. In July 2019, police arrested a prominent pastor, Joseph Kabuleta, for posting a statement on Facebook that allegedly offended “the person of the president.” In his post, Kabuleta had criticized the president’s son, who was supposedly being positioned to succeed his father.

A series of Muslim clerics have been murdered in recent years, and the investigations into the crimes have not yet led to any convictions.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4 (-1)

Academic freedom has been undermined by alleged surveillance of university lectures by security officials, and by the need for professors to obtain permission to hold public meetings at universities. In December 2018, 45 staff members at Makerere University in Kampala were dismissed for indiscipline, but critics argued that the dismissals were meant to silence critics of the government within the university. In August 2019, a prominent Makerere University academic, Stella Nyanzi, was sentenced to 18 months in prison for 2018 Facebook posts that were critical of President Museveni. Nyanzi, who had been in jail since late 2018 and lost her university post in February 2019, was charged under the Computer Misuse Act, which the government has often invoked to stifle political dissent.

The authorities have responded harshly to campus protests by student groups. In October 2019, police and the military used tear gas and raided dormitories at Makerere University, beating and arresting students who were demonstrating against fee increases.

Score Change: The score declined from 3 to 2 due to increased government pressure on universities in recent years, including a crackdown on student protesters and the punishment of critical speech by faculty members.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Private speech is relatively unrestrained, and Ugandans openly criticize the government on social media. However, individuals are at risk of criminal penalties for such speech, and the government reportedly monitors social media platforms. Media reports in August 2019 indicated that Ugandan intelligence officials, with assistance from a Chinese telecommunications firm, have hacked into the accounts and devices of opposition figures to track their communications and movements; the same techniques could presumably be used against ordinary citizens.

In 2018, the government implemented a controversial social media tax, requiring users on platforms like Facebook, Twitter, and WhatsApp to pay a daily fee of \$0.05, which is prohibitively expensive for many. Critics assailed the tax as an attack on freedom of expression and an attempt to limit the exchange of criticism of the government and mobilization of the opposition online. According to the UCC, the tax led to a decline in the number of social media users in the months following its introduction. Also in 2018, Museveni instructed the Uganda Revenue Authority to monitor all phone calls within the country, claiming that the government was losing significant tax revenue due to the underreporting of calls by telecommunications companies.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is restricted by POMA, the 2013 public order law, which requires groups to register with local police in writing three days before any gathering, public or private, to discuss political issues. The police have authority to deny approval for such meetings if they are not deemed to be in the “public interest,” and to use force to disperse assemblies judged unlawful. The government has relied on POMA to block opposition meetings and rallies, and to stop opposition lawmaker Bobi Wine, who is a popular singer, from holding concerts. This pattern continued in 2019, with police repeatedly using tear gas, live ammunition, and arrests to disrupt opposition events. To circumvent these restrictions, opposition politicians have sometimes resorted to organizing meetings in their residences.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Civil society in Uganda is active, and several NGOs address politically sensitive issues. However, their operations are vulnerable to various legal restrictions, burdensome registration requirements, and occasional threats. NGOs that work on human rights issues have reported break-ins at their offices and burglaries in recent years, and the police have failed to adequately investigate the incidents.

In August and September 2019, the government required NGOs to submit information to the National Bureau for NGOs on their staffing, finances, and activities. In November, the interior minister ordered some 12,000 NGOs to shut down for failing to renew their registration, though the bureau said the groups would still have an opportunity to reregister. Only about 2,000 groups had successfully navigated the process.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers’ rights to organize, bargain collectively, and strike are recognized by law, except for workers providing essential government services. As of 2018, there were 42 trade unions in Uganda, representing close to one million people. Most are grouped under two umbrella entities—the National Organization of Trade Unions (NOTU) and the Central

Organization of Free Trade Unions (COFTU). Despite their legal and institutional protections, trade unions have been undermined in practice by co-optation, intimidation, and manipulation designed to frustrate their organizing and bargaining efforts.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

Executive influence weakens judicial independence, as does systemic corruption. In August 2019, the chief justice established an internal task force to investigate widespread allegations of judicial corruption, but the FDC called for an independent probe by outside lawyers and experts.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Police routinely engage in arbitrary arrests and detentions, despite legal safeguards against such practices. Other impediments to due process include prolonged pretrial detention, inadequate access to counsel for defendants, and corruption. A number of reform initiatives in recent years, including the introduction of plea bargaining in 2015, have reportedly had some success in reducing large case backlogs.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Rape, extrajudicial violence, and torture and abuse of suspects and detainees by security forces are persistent problems, and prosecutions of the perpetrators are rare. The alleged torture of Bobi Wine and other opposition politicians in August 2018 led to protests against police brutality. The government said it would investigate Wine's allegations of torture, but no charges had been filed as of 2019.

Prison conditions are poor, as the prison system is operating at about three times its intended capacity, with pretrial detainees constituting nearly half of the inmate population.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The LGBT+ community continues to face overt hostility from the government and much of society. Same-sex sexual activity is criminalized under a colonial-era law. Men and transgender women accused of consensual same-sex conduct are sometimes forced to undergo an anal exam that Human Rights Watch says could amount to torture. In October 2019, LGBT+ activist Brian Wasswa was fatally attacked at his home in Jinja. In October and November, police carried out two groups of mass arrests of members of the LGBT+ community in Kampala.

The law prohibits employment discrimination based on gender and other criteria, but it does not cover the informal sector, in which most women work, and women are subject to de facto discrimination in employment and other matters.

There were almost 1.4 million refugees living in Uganda at the end of 2019, and the government has been praised for its progressive asylum policies. However, it struggles to fund basic services for some refugee populations.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement in Uganda is largely unrestricted, including for refugees, most of whom live outside of camps and have been able to move more freely in recent years. However, bribery is common in many facets of life, such as interacting with traffic police, gaining admittance to some institutions of higher education, and obtaining government jobs.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Customary land tenure is widespread in the north, and land disputes—some of them violent—are common, particularly when private development projects are at stake. Forced evictions sometimes occur in northern and central Uganda. In 2018, police detained 26 land rights activists and two local NGO staff for mobilizing residents of Mubende district to resist illegal evictions; a related clash with employees of a businessman carrying out evictions had led to one death. The 28 individuals were charged in late 2018 with nine counts, including murder and aggravated robbery. In October 2019, their counsel was briefly detained when he demanded access to his clients. The trial was adjourned in November 2019 and expected to resume in 2020.

In June 2018, 200 people from Apaa sought protection at the Office of the UN High Commissioner for Human Rights (OHCHR) after security forces allegedly burned down their homes. Residents returned after a month, but forced evictions in the area have reportedly continued.

The law allows women to inherit land, but local customary rules and societal practices put women at a disadvantage regarding land tenure and inheritance.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Domestic violence is widespread and underreported, and underage marriages are common in some communities. Some 40 percent of women aged 20 to 24 were married by age 18. According to a UN Children's Fund report published in 2018, one in three women between the ages of 18 and 24 were victims of sexual violence as children, and more than 60 percent of young adults experienced physical abuse as children. In November 2018, courts across the country began holding special sessions to address a backlog of thousands of rape and domestic violence cases.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Poor enforcement of labor laws contributes to unsafe or exploitative conditions for some workers, including extremely low pay. Child labor in agriculture, domestic service, and a variety of other industries is a significant problem, and the issue is most prevalent in rural areas. Sexual exploitation of minors is also an ongoing problem.

While Uganda has in place a number of domestic laws to promote workers' rights, the government has failed to regulate the recruitment and transfer of Ugandan domestic workers to Middle Eastern countries. Accounts that surfaced in the media in 2019 described Ugandan workers in the Middle East experiencing sexual abuse, beatings, exploitation, and torture. A report issued by Parliament in late 2017 revealed the deaths of 48 Ugandans working in the Middle East in the first 11 months of that year, out of which 34 died by committing suicide. The government has promised legislation to regulate the employment of Ugandans abroad, and a draft bill was under consideration in late 2019.

Ukraine

Population: 42,000,000

Capital: Kyiv

Freedom Status: Partly Free

Electoral Democracy: Yes

Note: The numerical scores and status listed here do not reflect conditions in the occupied Ukrainian territories of Crimea and Eastern Donbas, which are examined in separate reports. *Freedom in the World* country reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Ukraine has enacted a number of positive reforms since the protest-driven ouster of President Viktor Yanukovich in 2014. However, corruption remains endemic, and initiatives to combat it are only partially implemented. Attacks against journalists, civil society activists, and members of minority groups are frequent, and police responses are often inadequate. Russia occupies the autonomous Ukrainian region of Crimea, which it invaded in the aftermath of Yanukovich's ouster, and its military supports armed separatists in the eastern Donbas area.

KEY DEVELOPMENTS IN 2019

- Volodymyr Zelenskyy, a comedian with no previous political experience, was elected president in April, defeating incumbent president Petro Poroshenko in a runoff with 73.2 percent of the vote. In July's parliamentary elections, President Zelenskyy's new Servant of the People party took an absolute majority of seats, defeating the incumbent European Solidarity grouping. Polling could not take place in Crimea and separatist-held parts of Donbas, and notable irregularities were reported in the parliamentary polls. However, both elections were considered generally competitive and credible.
- The new government began working to implement long-awaited reforms upon being seated, including changes to the electoral system that were implemented in December. At year's end, work was continuing on a law that would finally permit the sale of agricultural land.
- Attacks and harassment against journalists, activists, and minority groups including the Romany population and LGBT+ people continued.
- A new High Anti-Corruption Court began operations in September, but had yet to produce convictions at year's end.

POLITICAL RIGHTS: 27 / 40 (+1)

A. ELECTORAL PROCESS: 9 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is directly elected for a maximum of two five-year terms. In the 2019 election, held in two rounds in March and April, Volodymyr Zelenskyy defeated incumbent

president Petro Poroshenko with 73.2 percent of the second-round vote, winning a majority of votes in all but one Ukrainian region. International observers deemed the vote competitive and credible, although polling could not take place in Crimea and separatist-held parts of Donbas.

A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4

The 450 members of the unicameral Supreme Council, or Verkhovna Rada, have been elected to five-year terms through a mixed system in which half of the members are chosen by closed-list proportional representation and the other half in single-member districts. Future elections will be held under a new system approved in December 2019.

In early elections held in July 2019, President Zelenskyy's Servant of the People party won 254 seats, giving them an outright majority—the first time since independence any party had crossed that threshold. The incumbent Poroshenko bloc, which had rebranded in May as European Solidarity, took just 25 seats. The Opposition Platform–For Life grouping took 43 seats, Fatherland 26, and the Voice Party 20.

The elections were deemed generally competitive and credible, despite some problems. Voting was again impossible in Crimea and separatist-held parts of Donbas. Consequently, the elections filled only 424 of the 450 seats. Additionally, approximately 1 million Ukrainian citizens are unable to vote because they do not have a registered address. An Organization for Security and Co-operation in Europe (OSCE) election monitoring mission cited some irregularities, including “widespread vote-buying, misuse of incumbency, and the practice of exploiting all possible legislative loopholes” that contributed to inequalities among competitors.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The mixed electoral system for the parliament that has governed past polls, including those in 2019, has been criticized as prone to manipulation and vote-buying. President Zelenskyy attempted reforms that would have introduced an entirely party list–based system prior to the 2019 parliamentary election, but could not garner enough support in the parliament. However, in December, the new parliament adopted an electoral law that partially implemented a proportional representation voting system, with open party lists for both parliamentary and local elections, and Zelenskyy enacted it at the end of the year.

Election monitors have expressed concern about courts' varying interpretations of electoral laws when faced with complaints regarding candidate registration and other topics, as well as about long delays in the adjudication of election-related cases. New electoral laws have sometimes been adopted in haste shortly before voting.

B. POLITICAL PLURALISM AND PARTICIPATION: 12 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

With the exception of a ban on the Communist Party, there are no formal barriers to the creation and operation of political parties. New political parties organize frequently. A law that came into force in 2016 provides parliamentary parties with state funding, but the provision effectively favors established parties over newcomers.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4 (+1)

Ukrainian politics feature dynamic competition among parties. Opposition groups are represented in the parliament, and their political activities are generally not impeded by administrative restrictions or legal harassment. Generally, grassroots parties have difficulty competing with more established parties that enjoy the support and financial backing of politically connected business magnates, known as oligarchs.

In the second election round held in April 2019, Zelenskyy won the presidency by a large margin, defeating incumbent president Poroshenko. In July's elections, President Zelenskyy's new Servant of the People party took an absolute majority of seats in the Rada, defeating the incumbent European Solidarity grouping.

Score Change: The score improved from 3 to 4 because new parties opposed to the incumbent party gained power in the year's presidential and parliamentary elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Russian influence in Ukrainian politics has continued to decline since Yanukovich's ouster, though Moscow retains influence in some eastern and southern regions where the Opposition Platform–For Life, a successor to Yanukovich's Party of Regions, performed well in the 2019 parliamentary election.

Ukraine's oligarchs exert significant influence over politics through their financial support for various political parties.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

There are no formal restrictions on the participation of women and members of minority groups in political life. However, their voting and representation are hindered by factors including discrimination that discourages their political participation, the conflict in the east, lack of identity documents for many Roma, and rules against running as an independent for many local, district, and regional offices. Internally displaced persons (IDPs), of which there are over 1.5 million, face legal and practical barriers to voting. Societal discrimination against LGBT+ people affects their ability to engage in political and electoral processes.

The Law on Local Elections mandates a 30 percent quota for women on party lists, but it is not effectively enforced. A record number of women were elected to the parliament in 2019, bringing the number of women parliamentarians to 87, though this amounts to only 20 percent of all seats.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

Elected officials craft and implement reforms, though the process is ongoing and many initiatives stall due to opposition from powerful business groups and other special interests. The main obstacle to effective governance in government-controlled parts of Ukraine is corruption.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption remains a serious problem, and there is little political will to fight it despite strong pressure from civil society. Anticorruption agencies have repeatedly been ensnared in politically fraught conflicts with other state entities and elected officials. A new High Anti-Corruption Court began to operate in September 2019, but has yet to yield results.

C3. Does the government operate with openness and transparency? 2 / 4

Ukraine has made some progress in advancing transparency, for example by requiring that banks publish the identity of their owners, and by passing a 2016 law obliging politicians and bureaucrats to file electronic declarations of their assets. However, it is possible to bypass some regulations, in part because underdeveloped institutions are not fully capable of identifying and punishing violators.

A robust freedom of information law approved in 2011 is not well enforced.

CIVIL LIBERTIES: 35 / 60 (+1)**D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16****D1. Are there free and independent media? 2 / 4**

The constitution guarantees freedoms of speech and expression, and libel is not a criminal offense. The media landscape features considerable pluralism, and open criticism of the government and investigation of powerful figures. However, business magnates own and influence many outlets, using them as tools to advance their agendas. President Zelenskyy has received significant support from media outlets controlled by banking magnate Igor Kolomoisky. Other parties also receive favorable coverage from “friendly” media. Zelenskyy at times has also refused to take reporters’ questions, and his staff has occasionally refused access to spaces journalists are legally permitted to enter.

Authorities in 2018 renewed existing measures that bar a number of Russian news outlets from Ukrainian distribution networks and prohibit their journalists from entering the country. Various language laws impose upon news outlets requirements that certain content be in the Ukrainian language. In 2019, the Ukrainian Supreme Court upheld regional bans on Russian-language “culture products,” including books and films.

Journalists continue to face the threat of violence and intimidation in 2019, and Ukraine’s courts and law enforcement agents often fail to protect their rights. In May, Vadym Komarov, a journalist in the city of Cherkasy, was attacked with a hammer in broad daylight in the center of the city. Komarov fell into a coma, dying 40 days later without regaining consciousness. The case was classified by authorities as an attempted murder in connection with his journalistic work; at year’s end the police had yet to publicly name suspects.

The independent Institute of Mass Information recorded 226 media-freedom violations from January to early December 2019, including Komarov’s murder. Other violations included 20 beatings, 16 cyberattacks, 93 incidents of interference, 34 incidents of threats, and 21 cases of restricting access to public information.

Separately, in December, police arrested five suspects in the 2016 murder of journalist Pavel Sheremet, who was killed in a car bombing.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution and a 1991 law define religious rights in Ukraine, and these are generally respected. However, smaller religious groups continue to report some discrimination. Vandalism of Jewish structures and cemeteries continues. Acknowledging one’s atheism may result in discrimination.

In October 2018, Ukrainian Orthodox clerics received permission from religious authorities in Istanbul, the historical seat of the Eastern Orthodox Church, to create their own “autocephalous” church and remove it from the canonical jurisdiction of the Russian Orthodox Church. A new Orthodox Church of Ukraine was then formed in December to unite existing factions. The Kremlin and church leaders in Moscow strongly objected to the

move, and Ukrainian officials said they anticipated provocations, including disputes over church property. However, tensions between the new Orthodox Church of Ukraine and the Ukrainian branch of the Russian Orthodox Church have decreased since Poroshenko—who made “Army! Language! Faith!” one of his main reelection slogans—left office.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

A 2014 law dramatically reduced the government’s control over education and allowed universities much greater freedom in designing their own programs and managing their own finances.

A law adopted in 2017 was designed to align the country’s education system with those in the European Union (EU), but it drew criticism for provisions that mandate the use of Ukrainian as the primary language of instruction in most publicly funded secondary schools by 2020, affecting numerous schools that currently teach in minority languages.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Ukrainians generally enjoy open and free private discussion, although the polarizing effects of the conflict have weighed on political expression, especially when it relates to questions of individual and national identity. Heated exchanges in the media and instances of violence against those expressing views considered controversial are not uncommon, likely contributing to self-censorship among ordinary people.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

E1. Is there freedom of assembly? 2 / 4

The constitution guarantees the right to peaceful assembly but requires organizers to give the authorities advance notice of demonstrations. Ukraine lacks a law governing the conduct of demonstrations and specifically providing for freedom of assembly.

Threats and violence by nonstate actors regularly prevent certain groups from holding events, particularly those advocating equal rights for women and LGBT+ people. In 2019, a few high-profile LGBT+ rights assemblies and events proceeded in Kyiv, Odesa, Kryvyi Rih, and Kharkiv without serious violence, following significant international pressure on the authorities to allow them. However, several others were canceled or stopped due to threats or violence. Additionally, when police do provide protection, they often only protect the assembly itself, allowing participants to be attacked before and after the event.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Numerous civic groups emerged or were reinvigorated following the departure of Yanukovich in 2014, and many are able to influence decision-making at various levels of government. In 2019, the Ukrainian Constitutional Court struck down a law that had required leaders, staff, and contractors of nongovernmental organizations (NGOs) focused on corruption to submit asset and income declarations, winning praise from domestic and international observers. Populist lawmakers had used information made public through the law to smear the groups as working to harm Ukraine on behalf of malicious “foreign agents.”

However, in recent years NGOs have faced growing threats of violence, and those responsible are rarely brought to justice. In June 2019, five men were convicted of “inflicting

severe bodily harm” for the 2018 attack on Kateryna Handzyuk, an anticorruption activist who monitored police activities in Kherson; she died that year of wounds inflicted when she was attacked with sulfuric acid. Activists continue to demand that authorities investigate who ordered the attack and bring them to justice. Ukraine’s Center for Civil Liberties reported 36 attacks on activists and journalists in the first five months of 2019.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Trade unions function in the country, but strikes and worker protests are infrequent, as the largest trade union, stemming from the Soviet-era labor federation, lacks independence from the government and employers in practice. Factory owners are still able to pressure their workers to vote according to the owners’ preferences.

F. RULE OF LAW: 6 / 16 (+1)

F1. Is there an independent judiciary? 1 / 4

Ukraine has long suffered from corrupt and politicized courts, and recent reform initiatives aimed at addressing the issue have stalled or fallen short of expectations. A new High Anti-Corruption Court began operations in September, but has yet to yield results.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Although due process guarantees exist, in practice individuals with financial resources and political influence can escape prosecution for wrongdoing.

The government has made little progress in meeting domestic and international demands to investigate and prosecute crimes committed during the last months of the Yanukovich administration in late 2013 and early 2014, which included the shooting of protesters. This lack of accountability saw renewed attention in 2019, when the government exchanged individuals accused of committing serious crimes during the Euromaidan protests for Ukrainians held by Russia and Russian-backed separatist forces in the country’s east.

According to statistics from the World Prison Bureau published in 2019, about 36 percent of prisoners are in pretrial detention.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4 (+1)

The security situation is generally stable outside of the occupied areas. However, there have been a number of high-profile assassinations and assassination attempts in recent years, some of which targeted political figures. Conditions in many prisons are squalid and dangerous.

Score Change: The score improved from 1 to 2 because Eastern Donbas was assessed separately for the first time in this edition of Freedom in the World, meaning the scores for Ukraine no longer reflect conditions in that territory.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

A 2012 law introduced a nonexclusive list of grounds on which discrimination is prohibited. Gender discrimination is explicitly banned under the constitution. However, these protections are inconsistently enforced, and the Romany minority and LGBT+ people experience significant discrimination in practice. Roma and LGBT+ people and groups generally only receive police protection or justice for attacks against them when there is

intense pressure from civil society or international observers. Rights groups have reported that employers openly discriminate on the basis of gender and age.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Freedom of movement is generally not restricted in areas under government control. Ukraine's cumbersome system requiring individuals to be legally registered at an address to be able to vote and receive some services, however, creates a barrier to full freedom of movement, in particular for the displaced and those without an address where they could be registered for official purposes.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

The government has taken steps to scale back regulation of private businesses in recent years. However, the business environment is negatively affected by widespread corruption, and a moratorium on the sale of agricultural land remains in effect. However, in November 2019, lawmakers approved on first reading a draft law that would repeal this restriction.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The government generally does not restrict social freedoms, though same-sex marriages are not recognized in Ukraine. Domestic violence is widespread, and police responses to the few victims who report such abuse are inadequate.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

The trafficking of women domestically and abroad for the purpose of prostitution continues. IDPs are especially vulnerable to exploitation for sex trafficking and forced labor.

Labor laws establish a minimum wage that meets the poverty level, as well as a 40-hour work week and workplace safety standards. However, workers at times go unpaid, and penalties for workplace safety violations are lenient.

United Arab Emirates

Population: 9,600,000

Capital: Abu Dhabi

Freedom Status: Not Free

Electoral Democracy: No

Overview: The United Arab Emirates (UAE) is a federation of seven emirates led in practice by Abu Dhabi, the largest by area and richest in natural resources. Limited elections are held for a federal advisory body, but political parties are banned, and all executive, legislative, and judicial authority ultimately rests with the seven hereditary rulers. The civil liberties of both citizens and noncitizens, who make up an overwhelming majority of the population, are subject to significant restrictions.

KEY DEVELOPMENTS IN 2019

- Pope Francis undertook the first papal visit to the UAE and the Arabian Peninsula in February, as Emirati officials sought to burnish the country's reputation for religious tolerance.
- In May, Emirati media circulated video images of Sheikh Khalifa bin Zayed al-Nahyan, ruler of Abu Dhabi and president of the UAE, meeting well-wishers during Ramadan. Sheikh Khalifa had rarely appeared in public since suffering a stroke in 2014; his half-brother and designated heir, Sheikh Mohammed bin Zayed al-Nahyan, remained the country's de facto ruler.
- Nonpartisan elections for half of the seats on the UAE's advisory council were held in October, featuring a somewhat expanded pool of eligible voters and greater participation by women candidates, though turnout remained low.

POLITICAL RIGHTS: 5 / 40**A. ELECTORAL PROCESS: 1 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4**

The Federal Supreme Council, comprising the dynastic rulers of the seven emirates, is the country's highest executive body. It selects a president and vice president from among its members, and the president appoints a prime minister and cabinet. The emirate of Abu Dhabi has controlled the federation's presidency since its inception in 1971; the current president, Sheikh Khalifa bin Zayed al-Nahyan, succeeded his father in 2004. In 2006, Sheikh Mohammed bin Rashid al-Maktoum succeeded his late brother as ruler of the emirate of Dubai and as vice president and prime minister of the UAE.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

The unelected Federal Supreme Council is also the country's highest legislative authority, but it is advised by the 40-seat Federal National Council (FNC), which can review proposed laws and question government ministers.

Since 2006, half of the FNC's members have been elected for four-year terms on a nonpartisan basis by an electoral college chosen by the rulers of each emirate, while the government directly appoints the other half. The size of the electoral college has expanded over time. For the October 2019 elections it grew to 337,000 members, up from 224,000 in 2015, though this still fell far short of the entire voting-age citizen population. Close to 500 candidates vied for the 20 elected seats. Voter turnout remained low at about 35 percent, matching the 2015 level.

There are no elected legislative bodies in the individual emirates.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The UAE's electoral framework applies only to the advisory FNC, and it lacks universal suffrage. While the electoral college has expanded, and overseas voting was permitted for the first time in 2015, there is no accountability for the procedures by which the rulers of each emirate draw up the lists of eligible voters. The geographical allocation of FNC seats results in significant overrepresentation for the smaller emirates.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Political parties are banned, and all electoral candidates run as independents.

Since 2011, the UAE has aggressively cracked down on opposition activists, particularly if they are suspected of belonging to the Association for Reform and Guidance (Al-Islah), a group formed in 1974 to advocate for democratic reform. The government has accused members of Al-Islah of being foreign agents of the Muslim Brotherhood intent on overthrowing the regime, and designated the Muslim Brotherhood as a terrorist organization in 2014. Qatar's support for the Muslim Brotherhood has been a factor in efforts by the UAE, Saudi Arabia, and their regional allies to isolate that country since 2017. Dozens of activists, civil society leaders, academics, and students remained imprisoned during 2019 as part of the broader crackdown.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The political system grants the emirates' hereditary rulers a monopoly on power and excludes the possibility of a change in government through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The political choices available to eligible voters are severely limited in practice, and the alignments of both voters and candidates are heavily influenced by tribal networks.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Approximately 90 percent of the population of the UAE consists of noncitizens who lack political rights and electoral opportunities, including thousands of stateless residents. There is no clear process for obtaining citizenship without Emirati parentage or marriage to an Emirati man; children of Emirati mothers and foreign fathers must apply for naturalization.

Women make up about 50 percent of the FNC electoral college, and approximately 180 women ran as candidates in the 2019 elections, more than double the 78 who ran in 2015. Women won seven of the elected seats on the council, and the authorities appointed 13 women in keeping with a pledge to ensure equal representation in the 40-member body. In practice, however, ordinary women have little opportunity to organize independently and advance their interests through the political system.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Government policies are determined by the dynastic rulers of the seven emirates. The FNC performs only advisory functions and has struggled to arrange hearings with government ministers. In practice, policymaking authority has coalesced around the crown prince of Abu Dhabi, Mohammed bin Zayed al-Nahyan, since the titular UAE president suffered a stroke in 2014. The president, Khalifa bin Zayed al-Nahyan, has made occasional appearances in state media since June 2018, including video images of him greeting guests during

Ramadan in May 2019, but there has been no obvious change to the crown prince's de facto leadership.

C2. Are safeguards against official corruption strong and effective? 2 / 4

The UAE is considered one of the least corrupt countries in the Middle East, and the government has taken steps to increase efficiency and streamline the bureaucracy. Nevertheless, there are no genuinely independent anticorruption mechanisms, and senior members of the ruling families are able to shield themselves and their associates from public scrutiny.

The collapse of the Abraaj Group private equity firm beginning in 2018, several months after institutional investors questioned its alleged mismanagement of funds, highlighted regulatory and oversight weaknesses in the financial sector in Dubai that could also have implications for the strength of the country's safeguards against public-sector malfeasance.

C3. Does the government operate with openness and transparency? 0 / 4

The government generally lacks transparency, and despite legal provisions for access to public information, it remains difficult in practice. The State Audit Institution does not release public information about its reports, and its remit is limited to federal entities and state-owned companies, whereas most spending takes place in the individual emirates; the institution can conduct audits of an emirate's entities if asked by its ruler.

CIVIL LIBERTIES: 12 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

The 1980 Publications and Publishing Law, considered one of the most restrictive press laws in the Arab world, regulates all aspects of the media and prohibits criticism of the government. Journalists commonly practice self-censorship, and outlets frequently publish government statements without criticism or comment. Media operate with more freedom in certain "free zones"—areas in which foreign media outlets can produce news content intended for foreign audiences—but the zones remain subject to UAE media laws and have additional regulatory codes and authorities.

Emirati-owned and UAE-based media outlets have participated actively in a government-backed media campaign against Qatar that began in 2017. The attorney general warned that year that anyone who showed sympathy or favoritism toward Qatar in any medium could be punished with three to 15 years in prison and a fine of at least 500,000 dirhams (\$136,000) under the penal code and a highly restrictive 2012 cybercrime law.

A number of well-known commentators have been jailed in recent years for criticizing the authorities, expressing support for dissidents or human rights, or calling for political reform. Leading human rights activist Ahmed Mansoor, who was sentenced to 10 years in prison in 2018 for using social media to "publish false information that damages the country's reputation," was among those who remained behind bars in 2019.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Islam is the official religion, and the majority of citizens are Sunni Muslims. Blasphemy is a criminal offense, as is proselytizing to Muslims by non-Muslim groups. The General Authority of Islamic Affairs and Endowments provides regular guidance to Muslim preachers; it and a Dubai counterpart appoint the country's Sunni imams. Shiite clergy have their own council to manage religious affairs.

There have been some allegations of noncitizen Shiite Muslims facing discrimination or deportation in recent years. Christian, Hindu, and Sikh places of worship have been built on plots of land donated by ruling family members. Pope Francis became the first pontiff to visit the Arabian Peninsula when he traveled to the UAE in February 2019 as part of a bid by Emirati officials to emphasize the country's religious tolerance. In September the authorities announced plans to open an Abrahamic Family House, to include a mosque, a church, and a synagogue, in 2022.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The Ministry of Education censors textbooks and curriculums in both public and private schools. Islamic education is required in public schools and for Muslims in private schools. Several foreign universities have opened satellite campuses in the UAE, although faculty members are generally careful to avoid criticizing the government. At least 10 faculty members from New York University (NYU) have been denied entry to teach or conduct research at NYU's Abu Dhabi campus. Students, staff, and support personnel have also been denied entry. The UAE authorities have placed scholars and students who have criticized aspects of government policy on a unified Gulf Cooperation Council (GCC) security blacklist, barring them from the wider region.

In 2018, British doctoral student Matthew Hedges was arrested after completing a research trip to the country. He was held in solitary confinement in Abu Dhabi for five months, convicted on espionage charges after a trial that lasted five minutes, and sentenced to life imprisonment. Under international pressure, he was then pardoned by the UAE president and promptly deported.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

A number of laws give authorities broad discretion to punish individuals' speech on sensitive topics. The 2012 cybercrime law, which amended and replaced one passed in 2006, introduced lengthy prison terms for vaguely worded offenses such as damaging "the reputation or the stature of the state or any of its institutions." A 2014 counterterrorism law prescribes punishments including the death penalty for offenses like "undermining national security" and possession of material that opposes or denigrates Islam. A 2015 law against hate speech and discrimination contained loosely worded definitions and criminalized a wide range of free speech activities. These and other criminal laws have been actively enforced, including against ordinary social media users.

Human Rights Watch reported in December 2019 that the authorities had systematically persecuted the relatives and associates of jailed or exiled dissidents, for example by revoking their citizenship, withholding identity documents, banning travel, denying them access to education and employment, and subjecting them to surveillance and intimidation. Such practices serve as a further deterrent to unfettered speech.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 1 / 4

The government places restrictions on freedom of assembly. Public meetings require government permits, and unauthorized political or labor protests are subject to dispersal by police. Demonstrations are rare in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Nongovernmental organizations must register with the Ministry of Social Affairs and can receive subsidies from the government, though they are subject to many restrictions. International human rights groups have been denied entry to the UAE. Local human rights activists are at serious risk of detention, prosecution, and mistreatment in custody, and their relatives may be subject to various forms of harassment.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Workers—most of whom are foreign—do not have the right to form unions, bargain collectively, or strike. They can seek collective redress for grievances through state mediation or the courts, and the government sometimes arranges concessions and settlements. Workers occasionally protest against unpaid wages and poor working and living conditions, but such demonstrations are typically dispersed by security personnel, and noncitizens who participate risk deportation. Professional associations require government licenses and are closely monitored by the authorities.

F. RULE OF LAW: 3 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary is not independent, with court rulings subject to review by the political leadership. Judges are appointed by executive decree, and the judiciary as an institution is managed largely by executive officials. Many judges are foreigners working on short-term contracts.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Detainees are often denied adequate access to legal counsel during interrogations, and lengthy detention without charge is not uncommon. Judges are empowered to extend such detention indefinitely. Systematic violations of international due process standards have been observed in numerous high-profile trials involving political dissidents, human rights defenders, and foreigners, among others. Some of those convicted have their detentions arbitrarily extended after their sentences are complete.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Authorities have been criticized by international human rights organizations for failure to investigate allegations of torture and mistreatment in custody, including denial of medical care. Detainees regularly report abuse by the authorities. Ahmed Mansoor went on hunger strike in May and September 2019 to protest the conditions of his detention, having been harshly beaten by prison authorities for his complaints; in October more than 100 organizations joined a global call for his immediate release.

Sharia (Islamic law) courts sometimes impose flogging sentences for offenses including drug use, prostitution, and extramarital sex.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Discrimination against noncitizens and foreign workers is common, and they are at risk of deportation for relatively minor offenses. Women face legal and societal discrimination

on a variety of issues, including employment. Same-sex sexual relations can draw harsh criminal penalties, and LGBT+ people are subject to widespread social stigma.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Emiratis face no apparent restrictions on freedom of movement within the UAE or on their ability to change their place of employment, but under the country's *kafala* system, migrant workers' legal status is tied to their employers' sponsorship, meaning they can be punished or deported for leaving employment without meeting certain criteria. Stateless residents' freedom of movement is limited by their lack of travel documents; under a government program, many stateless people have received passports from the Comoros that ease travel and other activities but do not confer full citizenship. Societal norms sometimes restrict a woman's ability to travel without the consent of her husband or father. Qatari nationals have been barred from the UAE since 2017.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The UAE has enacted reforms in recent years to ease procedures for establishing and operating businesses. However, the government and ruling families exercise considerable influence over the economy and are involved in many of the country's major economic and commercial initiatives, limiting the space for genuinely private business activity.

Women generally receive smaller inheritances than men under Sharia, and women are excluded from state benefits aimed at supporting home ownership.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Muslim women are forbidden to marry non-Muslims, while Muslim men may marry Christian or Jewish women. Women are generally at a distinct disadvantage under laws governing marriage and divorce. All sexual relations outside legal marriage are criminal offenses, which deters victims from reporting rape. No laws protect against spousal rape or domestic violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Foreign workers are often exploited and subjected to harsh working conditions, physical abuse, and withholding of passports with little to no access to legal recourse. A series of ministerial decrees issued in 2015 aimed to give migrant workers more flexibility to terminate employment under certain conditions. Foreign household workers were not covered by those decrees or by labor laws in general, leaving them especially vulnerable. A law adopted in 2017 guaranteed such household workers basic protections and benefits including sick leave and daily rest periods, though they were inferior to those in the national labor law, and household workers would still be unable to leave their employers without a breach of contract.

A competitive rivalry between Abu Dhabi and Dubai for eye-catching development projects masks deeper sensitivities in relations between these two emirates and the five less affluent emirates in the northeast. Economic disparities also persist among UAE citizens across the seven emirates and between citizens and the noncitizen majority.

United Kingdom

Population: 66,800,000

Capital: London

Freedom Status: Free

Electoral Democracy: Yes

Overview: The United Kingdom (UK)—which includes the constituent countries of England, Scotland, and Wales along with the territory of Northern Ireland—is a stable democracy that regularly holds free elections and is home to a vibrant media sector. While the government enforces robust protections for political rights and civil liberties, recent years have seen concerns about increased government surveillance of residents, as well as rising Islamophobia and anti-immigrant sentiment. In a 2016 referendum, UK voters narrowly voted to leave the European Union (EU), through a process known colloquially as “Brexit,” which will have political and economic reverberations both domestically and across Europe in the coming years.

KEY DEVELOPMENTS IN 2019

- In December’s general election, Prime Minister Boris Johnson’s Conservative Party won a large governing majority, after nearly a decade of coalition governments, slim majorities, or minority support for the center-right. Labour, the largest opposition party, saw its fortunes in long-held seats in northern England reversed as it ceded ground to the Conservatives.
- The UK and EU reached a transitional withdrawal agreement on their separation in October, allowing both sides to begin negotiations on a final settlement due for completion in 2020. Parliament approved the separation agreement between the UK and the EU in December, after Prime Minister Johnson secured his new majority.
- Abortion and same-sex marriage were made legal in Northern Ireland by the national government, in lieu of a suspended power-sharing agreement between the region’s republicans and unionists.

POLITICAL RIGHTS: 39 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

Executive power rests with the prime minister and cabinet, which must have the support of the House of Commons. The leader of the majority party or coalition usually becomes prime minister, and appoints the cabinet. Boris Johnson, who had previously served as foreign secretary, succeeded Theresa May as prime minister after she resigned as the leader of the Conservative Party. Johnson won the internal contest to succeed her in late July 2019. A snap general election was held in December, where a majority Conservative government, led by Prime Minister Johnson, was elected.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The UK has a bicameral Parliament. The more powerful lower chamber, the House of Commons, has 650 members directly elected to serve five-year terms. Members of the upper

chamber, the House of Lords, are appointed by the monarch, and the number of members, who do not have to stand for election, varies with time. As of 2019, there were 780 eligible lords. The body largely plays an oversight role in reviewing legislation passed by the House of Commons.

A general election was not due until 2022, but Prime Minister Johnson, who originally led a minority government after winning the premiership in July 2019, secured a new election from Parliament. The Conservatives, who focused their campaign on their intention to stop further delays to the Brexit process, won 365 seats in the December election, up from 318 in the last Parliament and earned an overall majority of 80 seats. The opposition Labour Party won 203 seats, down from 262 in the last Parliament.

The Scottish National Party (SNP), which campaigned to remain in the EU and advocates for Scottish independence from the UK, remained the third-largest party in the House of Commons, gaining 13 seats over its 2017 result and winning 48 of the 59 seats available in Scotland. The Liberal Democrats, the fourth-largest party in the House of Commons, won 11 nationwide.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

The UK's electoral framework is robust and well implemented, though a limited Organization for Security and Co-operation in Europe (OSCE) mission that observed the 2017 election urged lawmakers to boost transparency surrounding campaign financing, and institute an annual cap on how much a single individual could donate to a party or candidate. No such limit was put in place by the end of 2019, however.

Conservative governments have moved towards requiring voters to produce identification in order to vote, implementing pilot schemes during local elections in England in 2018 and May 2019. Britain's electoral regulatory body, the Electoral Commission, reported that the vast majority of voters were able to provide identification. However, the pilot scheme was also criticized for resulting in a number of voters being turned away from the polls, including more than 700 voters during the 2019 local elections. Some voters also reported confusion over which forms of identification was acceptable in polling stations. Voter identification requirements already exist for elections that take place in Northern Ireland.

The UK's electoral regulators and judiciary have also had to address the ongoing consequences of the Brexit campaign in 2019. In 2018, the Electoral Commission originally reported that Brexit campaign group Vote Leave violated electoral law by coordinating a large donation with another pro-Brexit group, BeLeave, with the ultimate intention of spending beyond its legal limit. In November 2019, the Court of Appeal ruled that the Electoral Commission was allowed to publish its report related to overspending by Vote Leave during the 2016 referendum, rejecting Vote Leave's appeal.

The Brexit Party, led by former financier and longtime Brexit campaigner Nigel Farage, was ordered by the Electoral Commission to overhaul its fundraising methods after it accepted multiple anonymous donations during the 2019 European Parliament (EP) campaign.

The UK's electoral infrastructure has had to contend with Russian interference dating back to the 2016 referendum on EU membership. In November, the British Broadcasting Corporation (BBC) reported that Prime Minister Johnson's office was delaying the publication of a parliamentary report detailing allegations of Russian espionage, subversion, and interference. The prime minister cleared the report after the December election, but its publication relies on the formation of the intelligence and security committee; by year's end, its members had not been selected.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Parties do not face undue restrictions on registration or operation. The Conservative Party and the Labour Party have dominated British politics for decades, though other parties regularly win seats in Parliament and have participated in governing coalitions with either the Conservatives or Labour.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties operate freely, and have a realistic opportunity to increase their support and gain power through elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from domination by powerful groups that are not democratically accountable, including the military, foreign powers, religious hierarchies, and economic oligarchies.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

Under Britain's system of "devolution," the UK Parliament has granted different degrees of legislative power to the Northern Ireland Assembly, the Welsh Assembly, and the Scottish Parliament, augmenting the political representation of regional populations.

Women, LGBT+ people, and members of racial and ethnic minority groups have been able to gain a political voice through their participation in mainstream political parties. After the December 2019 general election, a record 220 members of Parliament (MPs), or 34 percent, are female; women now represent a majority of legislators for Labour and the Liberal Democrats for the first time in either party's history. LGBT+ representation has also improved, with a then-record of 45 LGBT+ MPs winning seats in 2017; that increased to 46 in 2019. The 2019 election also saw a record 62 Black, Asian, and Minority Ethnic (BAME) MPs elected, compared to 4 in 1987.

Despite this progress, a report published in July 2019 revealed the depth of sexual harassment and bullying in British politics, prompting a broadening of the complaints system to investigate historical harassment allegations.

C. FUNCTIONING OF GOVERNMENT: 11 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4**

Britain's freely elected officials can generally make and implement national policy without significant influence from actors who are not democratically accountable.

However, this was tested with Prime Minister Johnson controversially attempted to "prorogue," or suspend, Parliament in September 2019, to lessen the possibility of opposition MPs interfering with his Brexit policy ahead of negotiations with the EU that October. Prorogation, which ends discussion on pending legislation at the end of the parliamentary session, cannot be voted on by MPs. In late September, the Supreme Court found unanimously that "the decision...to prorogue Parliament was unlawful because it had the effect

of frustrating or preventing the ability of Parliament to carry out its constitutional functions without reasonable justification.”

Elections to the Northern Ireland Assembly took place in March 2017, but legislators had failed to form a functioning government by the end of 2019. The initial source of the impasse involved corruption allegations over a renewable energy incentive program, but longstanding disagreements on a number of issues between the two largest parties, the unionist Sinn Féin and the nationalist Democratic Unionist Party (DUP), stymied negotiations to break the deadlock.

As a result, the national government has gradually involved itself in some provincial matters, including the budget, in 2017. In November 2019, the prime minister’s office also warned that direct rule was possible in order to prepare for an abrupt exit from the EU, if the Assembly did not reconvene. The Assembly had not been reestablished by year’s end, though participating parties were attempting to resolve the impasse.

C2. Are safeguards against official corruption strong and effective? 4 / 4

Large-scale corruption is not pervasive in domestic political and governance structures, and anticorruption bodies are generally effective. However, the UK is increasingly coming under scrutiny for the ways in which its banking and financial sectors, property market, and offshore services in overseas territories enable money laundering and facilitate corruption globally.

C3. Does the government operate with openness and transparency? 4 / 4

MPs are required to disclose assets and sources of income, and this information is made available to the public. The country’s freedom of information law is reasonably well implemented, and journalists have been able to access information under its provisions about topics of interest to the public. However, there are growing calls to extend the law’s reach to private companies contracted by government departments and agencies.

CIVIL LIBERTIES: 55 / 60 (+1)

D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16

D1. Are there free and independent media? 4 / 4

Press freedom is legally protected. The media are lively and competitive, and espouse viewpoints spanning the political spectrum. The BBC, which is publicly owned and relies on a dedicated television license fee for the majority of its funding, is editorially independent and competitive with its counterparts in the commercial market. However, Prime Minister Johnson has considered decriminalizing nonpayment of the license fee, and ordered a government review on the matter after his government’s reelection in December.

In March 2018, the culture secretary announced that the controversial Section 40 of the Crime and Courts Act would not be implemented, and ultimately would be repealed. Section 40 stipulates that, in media-related court cases, publishers who are not members of a recognized self-regulator can be ordered to pay their opponents’ legal costs, even if they win. At the end of 2019, the section had not yet been repealed.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is protected in law and practice. A 2006 law bans incitement to religious hatred, with a maximum penalty of seven years in prison. Nevertheless, minority groups, particularly Muslims, continue to report discrimination, harassment, and occasional

assaults. In October 2019, the Home Office released statistics that showed a 10 percent increase in the number of religious hate crimes in England and Wales during its 2018–19 reporting period. The Home Office partly attributed the rise to improved reporting mechanisms, but spikes in hate crimes were also recorded after the EU referendum in 2016 and terrorist attacks in London and Manchester in 2017.

Muslims have also been reluctant to discuss religious subjects or their identity in some settings, especially in the classroom, due to Prevent, a strategy originally designed to divert individuals vulnerable to terrorist or extremist recruitment. Educators and human rights groups have criticized the policy for forcing Muslims to self-censor, for fear of being referred to the program. In January 2019, the government agreed to launch an independent review into Prevent.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected. However, the Counter-Terrorism and Security Act of 2015 requires schools and universities to help divert students from recruitment into terrorist groups, as part of the government’s long-standing Prevent strategy to combat terrorist and extremist recruitment efforts. Educators are increasingly expected to report students suspected of terrorist or extremist sympathies to a local government body, and vet the remarks of visiting speakers, among other obligations.

British human rights organization Liberty criticized the strategy in 2019, saying it stifled open debate and academic inquiry. In March, the Court of Appeal ruled that the government’s guidance to universities violated freedom of speech rights, and ordered the government to rewrite its material.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Concerns about the effects of mass surveillance on free and open private discussion persisted in 2019. The Investigatory Powers Act of 2016 requires communications companies to store metadata on customers’ activity for 12 months and, in some cases, allows this information to be accessed by police and other security officials without a warrant. The law has been subject to consistent opposition since it was promulgated, with the High Court ruling that law as incompatible with EU jurisprudence in April 2018. In response, the government published new regulations, allowing authorities to access metadata only when investigating serious crimes and with the approval of an independent commission. Liberty brought another case in front of the High Court, alleging it violated human rights law; the High Court rejected that claim in July 2019.

The British government has also been advocating for the use of automated facial recognition (AFR), a system that records faces at large public gatherings, builds a “faceprint” model based on those recordings, and compares them to watch lists of suspected criminals. Liberty called for its ban, warning that the system was a form of mass surveillance. It also supported a Welsh plaintiff’s lawsuit over the use of AFR in public places in the city of Cardiff in May 2019. AFR’s propensity for false positives was disclosed during the case; 2,470 potential matches were made since its initial deployment in Wales, but 92 percent of them were inaccurate. The High Court ruled that AFR did not violate the plaintiff’s human rights in September, but the Court of Appeal granted him leave to continue his case in late November.

Weekly newspaper the *Observer* reported in August 2019 that the West Midlands Police, England’s second-largest police force, resisted the Home Office’s efforts to trial the

system in its territory. London's Metropolitan Police ended its trial use of the system in July 2019, leaving Wales as the only area where AFR was in use by year's end. The UK's privacy watchdog, the Information Commissioner's Office (ICO), also opened an investigation into the use of a facial recognition system in the 67-acre King's Cross area of central London in August.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is generally respected, though peaceful protesters have found themselves under police surveillance for attending public events in recent years. In January 2019, the European Court of Human Rights (ECHR) ruled that British police had no justification to maintain a dossier on the activities of John Catt, a peaceful participant in public rallies between 2005 and 2009. The ECHR ruled that while the police were justified in surveilling the group that organized the rallies for its previously violent tendencies, the police were not justified in recording Catt's political opinions, which amounted to state surveillance.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Civic and nongovernmental organizations (NGOs) generally operate freely. However, groups identified as terrorist organizations can be banned, and there are concerns that the relevant legal provisions are broad enough that they could allow the ban or prohibition of legitimate associations and activism.

In recent years, disclosures of surveillance of NGOs and political have drawn criticism. In July 2019, a government inquiry on the matter disclosed that the parents of Stephen Lawrence, a black teenager murdered by a white gang in 1993, were spied on by an undercover police officer when they engaged in political campaigning to solve his murder. In August, police opened an investigation into former undercover officer Mark Kennedy, who allegedly deceived protesters and activists into forming intimate relationships with him during assignments lasting from 2003 through 2011.

A lobbying law adopted in 2014 concerning third-party campaigning was heavily criticized by NGOs for limiting the amount of money they can spend during election years. New guidance was published in September 2019 which keeps limits in place, but makes a clearer distinction between "regulated" and "nonregulated" activity.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Unions in the UK represent 26 percent of British workers, the majority of which are in the public sector. Britain has one overarching confederation, the Trades Union Congress (TUC), which represents the majority of unions and counts at least 5.5 million individual members. The rights to bargain collectively and strike are generally respected.

Unions have maintained an especially close relationship to the Labour Party, with the TUC playing a particularly active role in its founding in 1900; 12 trade unions are currently affiliated to Labour, including the three largest unions in the country.

F. RULE OF LAW: 14 / 16

F1. Is there an independent judiciary? 4 / 4

The judiciary is generally independent, and governmental authorities comply with judicial decisions. A new Supreme Court began functioning in 2009, improving the separation of powers by moving the highest court out of the House of Lords.

F2. Does due process prevail in civil and criminal matters? 4 / 4

While due process generally prevails in civil and criminal matters, rights groups and some figures within the judiciary have criticized severe cuts in legal aid under reforms that took effect in 2013, which left many vulnerable people without access to formal legal counsel. The cuts notably affected those with immigration-related cases, and parties to cases heard in family courts.

The 2015 Counter-Terrorism and Security Act has been criticized for giving excessive powers to police, including the authority to seize travel documents of individuals attempting to leave the country if they are suspected of planning to engage in terrorist-related activities abroad, and to forcibly relocate terrorism suspects within the country up to 200 miles away from their homes. In April 2019, the Counter-Terrorism and Border Security Act came into force, which makes viewing terrorist content online punishable by up to 15 years in prison, and allows law enforcement agencies to keep fingerprints and DNA of terrorism suspects for up to five years, even if no charges are ultimately filed.

Police were given enhanced “stop-and-search” powers in August 2019 when the Home Office rolled back restrictions on the tactic’s use, in response to a marked rise in knife crime in British cities including London. The power to stop and search, which was introduced in 1994, has been disproportionately used against minorities, and specifically against black men, according to a Home Office report in October 2019. The same report warned that more minorities would be impacted by stop-and-search powers, despite committing no offenses, should the historical disparity in the tactic’s use remain. According to Home Office internal data, this tactic is 40 times more likely to be directed at black people in the UK.

The government was also accused of denying due process to Shamima Begum, who left her London home in 2015 at the age of 15 to join the Islamic State and was located in a Syrian refugee camp after its collapse in 2019. Begum was stripped of her citizenship by former home secretary Sajid Javid on national security grounds in February, with the government claiming she was eligible for Bangladeshi citizenship and was therefore not stateless. Begum’s lawyers appealed the move, noting that she did not hold a Bangladeshi passport. Begum’s appeal of the government’s decision was still pending at the end of the year.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Individuals living in the UK are largely free from the illegitimate use of physical force and insurgent campaigns, but acts of terrorism did occur in 2019. In November, two people were killed in a terrorist incident taking place near London Bridge.

Northern Ireland has seen continued paramilitary activity, with three killed and 81 injured as a result of paramilitary violence between July 2018 and June 2019. Journalist Lyra McKee was among those killed, after she was shot by a member of the New IRA, a republican dissident group, in April 2019. Authorities had previously blamed the same group for a bomb attack in front of a Northern Irish courthouse earlier in 2019.

While prisons generally adhere to international guidelines, problems of overcrowding, violence, self-harm, and drugs in prisons have worsened in the 2010s, and were noted by the chief inspector of prisons for England and Wales in his 2018–19 annual report. Conditions in some British prisons have earned recent scrutiny in Parliament. Prison chiefs were questioned over the living conditions in Her Majesty’s Prison (HMP) Liverpool after a 2018 surprise inspection recorded squalid living conditions. The state of HMP Liverpool influenced a Dutch court’s decision to deny a British extradition request in May 2019, with

the court voicing concerns that those conditions violated a European Convention on Human Rights prohibition against inhuman or degrading treatment.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Foreign residents in the UK have been subject to increasing scrutiny throughout the 2010s, as a result of the government's ongoing "hostile environment" policy. This policy was created with the stated goal of persuading illegal immigrants to either leave the UK of their own volition or choose not to immigrate, by strengthening immigration checks for individuals seeking public and private services. However, this policy has been used against individuals with a legal right to reside in the UK. A House of Commons report on the policy, issued in 2018, noted that legal immigrants experienced discrimination from banks, landlords, and other individuals as a result of the policy. The committee itself cited reports from two local charities assisting immigrants and asylum seekers; both noted increased resistance from banks in opening accounts for refugees cleared to reside in the UK.

The Windrush scandal of 2018 continued to spur debate about the treatment of immigrants and minorities. Thousands of people arrived from Caribbean countries including Jamaica, Trinidad and Tobago, and Barbados, at the British government's invitation between 1948 and 1971, and received indefinite leave to remain in 1971. However, many Windrush-era immigrants and their children, who often traveled on their parents' passports, were denied health coverage and housing in recent years, and at least 83 may have been wrongfully deported by late 2018. In addition, Britain's Home Office destroyed the landing card slips for Windrush immigrants in 2010, though that was not revealed until 2018.

While the government introduced a scheme to grant citizenship to members of the "Windrush generation" in 2018, deportations controversially resumed in February 2019, and the Home Office was criticized by a report published in September for continuing to exhibit flaws in their processing of cases.

Asylum seekers and migrants can be detained indefinitely, and there have been persistent reports of poor conditions and abuse in immigration detention centers. Asylum seekers also have reported difficulty finding suitable housing from landlords while their applications are processed. The government also vowed to end reunion rights for minor refugees and asylum seekers living outside the UK with family members living in the country in December 2019.

Citizens of EU member states have also encountered difficulties remaining in the UK. While many in this group of 3.4 million people should be eligible to remain after Brexit, securing this status has proven difficult for some applicants. Much of the settlement system relies on a smartphone application which does not provide a physical document proving status to those who complete the process. The system also suffered a backlog as 2019 continued, with over 525,000 applicants still waiting for an answer on their settlement requests by November. Applicants living in more complicated circumstances, including those with non-EU relatives and those with criminal records, encountered difficulty using the application and voiced reluctance in applying for settled status.

The UK has recorded a sustained rise in hate crimes against LGBT+ residents for much of the 2010s. Homophobic hate crimes in England and Wales have increased by 25 percent during the Home Office's 2018–19 reporting period over the year before, while transphobic hate crimes increased by 37 percent. Between the Home Office's 2014–15 and 2018–19 reporting periods, hate crimes based on sexual orientation increased by 160 percent in England and Wales. Greater London's Metropolitan Police also recorded a consistent rise

in homophobic hate crimes in the capital; 2,016 were recorded in 2015, while 3,111 were recorded in 2019.

The authorities actively enforce a 2010 law barring discrimination on the basis of factors including sexual orientation and gender reassignment. While women receive equal treatment under the law, in practice gender discrimination persists in the workplace and elsewhere in society.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16 (+1)

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

Citizens generally enjoy freedom of travel and choice of residence, employment, and institution of higher education.

As Brexit negotiations continued in 2019, the possibility that a “hard border” between Northern Ireland and the Republic of Ireland, which is a member of the EU, would again be imposed contributed to concerns that the movement of goods and people across the border would be curtailed, and that the tensions that fueled the decades-long conflict in Northern Ireland could resurface with the establishment of border checkpoints. In October, the withdrawal agreement reached between the UK and EU specified that customs checks would take place in the Irish Sea, and not a land border.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Individuals may freely exercise the right to own property and establish private businesses.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4 (+1)

The government generally does not place explicit restrictions on personal social freedoms, but these are governed differently in Northern Ireland, which maintains a distinct legal and political environment. Abortion and same-sex marriage, which became legal in the rest of the UK in 1967 and 2014 respectively, were heavily proscribed or prohibited in Northern Ireland until 2019, when Parliament forced their legalization through the Northern Ireland (Executive Formation) Act.

Score Change: The score improved from 3 to 4 because national legislation that legalized abortion and same-sex marriage took effect in Northern Ireland.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

A 2016 report by a government commission expressed concern about the social and economic isolation of many members of ethnic and religious minorities, and of the poor. According to the Office for National Statistics, income inequality remained stable at 32.5 percent, a trend that was partly the result of a cut in government benefits.

The 2015 Modern Slavery Act increased punishments for human traffickers and provides greater protections for victims. However, its implementation has been weak. This became most apparent in late October 2019, when 39 Vietnamese migrants were found dead in a trailer in Essex. In December, authorities charged two defendants with human trafficking offenses over the incident. Children and migrant workers are among those most vulnerable to forced labor and sex trafficking.

United States

Population: 329,200,000

Capital: Washington, DC

Freedom Status: Free

Electoral Democracy: Yes

Overview: The United States is a federal republic whose people benefit from a vibrant political system, a strong rule-of-law tradition, robust freedoms of expression and religious belief, and a wide array of other civil liberties. However, in recent years its democratic institutions have suffered erosion, as reflected in partisan manipulation of the electoral process, bias and dysfunction in the criminal justice system, flawed new policies on immigration and asylum seekers, and growing disparities in wealth, economic opportunity, and political influence.

KEY DEVELOPMENTS IN 2019

- The administration of President Donald Trump continued to introduce restrictive new policies to limit immigration and reduce the number of refugees and asylum seekers reaching US soil, prompting court challenges and some pushback from Congress. In March and October, the president vetoed congressional resolutions that sought to overturn his February declaration of a national emergency, which he used to reassign appropriated funds to advance construction of a wall along the border with Mexico.
- In August, a gunman apparently motivated by racist and xenophobic ideology carried out the year's deadliest mass shooting, killing 22 people at a store in Texas that was frequented by Mexican and Mexican American customers.
- In December, the opposition-controlled House of Representatives approved articles of impeachment against President Trump, accusing him of abusing his office by attempting to extort a personal political favor from the Ukrainian government, and of obstructing Congress by ordering the executive branch not to cooperate with the House's impeachment inquiry. A trial in the Senate was pending at year's end.

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president, who serves as both head of state and head of government, is elected for up to two four-year terms. Presidential elections are decided by an Electoral College, with electors apportioned to each state based on the size of its congressional representation. In most cases, all of the electors in a particular state cast their ballots for the candidate who won the statewide popular vote, regardless of the margin. Two states, Maine and Nebraska, have chosen to divide their electoral votes between the candidates based on their popular-vote performance in each congressional district. The Electoral College makes it possible for a candidate to win the presidency while losing the national popular vote, an outcome that took place in the presidential elections of 2000 and 2016. Trump, the Republican Party candidate, won the 2016 Electoral College vote, 304 to 227, while finishing nearly three million votes behind Democratic Party nominee Hillary Clinton in the popular ballot.

Although the United States has a long tradition of free elections, the 2016 contest featured a significant amount of interference from a foreign power. The US intelligence community concluded that the Russian leadership carried out a broad campaign to undermine public faith in the democratic process, denigrate Clinton, and aid Trump. It included the hacking of multiple targets, such as both major political parties and some electoral boards; the strategic release of stolen emails meant to embarrass the Democratic Party; and the exploitation of social media platforms to covertly spread disinformation among US voters. In July and October 2019, the Republican-led Senate Intelligence Committee released two reports that confirmed and expanded on the earlier findings, and it issued detailed recommendations on how to protect US elections against ongoing influence operations by hostile states.

The Trump administration took some steps to prevent a repetition of the 2016 interference in 2020, but the White House resisted making the issue a major priority, and Trump himself repeatedly cast doubt on the conclusion that Moscow meddled on his behalf. The president also remained consistently hostile to an investigation into the matter led by Justice Department special counsel Robert Mueller. In March 2019, Mueller issued a report finding that evidence of links between Russian authorities and the Trump campaign was “not sufficient to charge that any member of the Trump Campaign conspired with representatives of the Russian government to interfere in the 2016 election.” However, Mueller charged a number of campaign associates with lying to investigators, and he refused to “exonerate” Trump of obstructing the probe, stating instead that Justice Department rules did not allow him to make a determination that a sitting president had committed crimes. Attorney General William Barr subsequently launched a separate investigation into the propriety of the initial inquiries that evolved into the Mueller probe. A third investigation, by the Justice Department inspector general, found in December 2019 that federal agents had sufficient justification to launch the original inquiry, and that they were not motivated by political bias, but that they made serious procedural errors enabled by lax rules on obtaining court approval for wiretaps.

In September 2019, Democratic leaders in the House of Representatives launched an inquiry into allegations that Trump had misused his authority to benefit his 2020 reelection prospects by pressuring the president of Ukraine to announce investigations into supposed misdeeds by Democratic presidential candidate and former vice president Joseph Biden; Biden’s son, who sat on the board of a Ukrainian energy company that had been scrutinized for possible malfeasance; and an unfounded theory that Ukrainians had framed Russia for the theft of Democratic Party emails in 2016. The House adopted two articles of impeachment against the president in a largely party-line vote in December, determining that Trump had abused his office by withholding a White House visit and duly appropriated military aid from Ukraine with the aim of compelling the Ukrainian leadership to make the requested announcements, and that he had obstructed Congress by ordering the executive branch to withhold documents and testimony from the House investigators even when subpoenaed. A Senate trial on whether to remove Trump from office was pending at year’s end.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

Elections for the bicameral Congress are generally free and competitive. The House consists of 435 members serving two-year terms. The Senate consists of 100 members—two from each of the 50 states—serving six-year terms, with one-third coming up for election every two years. All national legislators are elected directly by voters in the districts or states that they represent.

The capital district, Puerto Rico, and four overseas US territories are each represented by an elected delegate in the House who can perform most legislative functions but cannot participate in floor votes.

In the 2018 midterm elections, the Republican Party retained control of the Senate with 53 seats, a gain of one. Democrats were left with 45 Senate seats, and there are two independent senators who generally vote with the Democrats. In the House, the Democrats gained 41 seats, winning a solid majority of 235 and reducing the Republicans to 199. Turnout exceeded 49 percent of the voter-eligible population, the highest percentage for midterm elections since 1914.

The quality of the voting and counting processes varied, as elections are administered by a patchwork of state and local authorities, but evidence of deliberate fraud was rare. The election in a North Carolina House district was nullified on grounds of fraud committed by the Republican side. In a September 2019 special election, a different Republican candidate won the seat by a narrow margin.

In response to the problems with security and foreign interference in the 2016 elections, a number of measures were taken to safeguard the integrity of the process in 2018. With some assistance from the Homeland Security Department, states attempted to upgrade voting equipment and monitor their systems for potential hacking. Social media companies, which had been criticized for failing to prevent foreign actors from using their platforms to fraudulently influence the political process, made an effort to delete fake accounts and otherwise thwart disinformation campaigns. Additional federal funding for voting-system upgrades was allocated in 2019, and some social media firms announced new limits on political advertising, but many analysts argued that election security provisions remained inadequate ahead of the 2020 elections.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The electoral framework is generally fair, though it is subject to some manipulation. The borders of House districts, which must remain roughly equal in population, are redrawn regularly—typically after each decennial census. In the practice known as gerrymandering, House districts, and those for state legislatures, are crafted to maximize the advantage of the party in power in a given state. The redistricting system varies by state, but in most cases it is overseen by elected officials, and observers have expressed alarm at the growing strategic and technical sophistication of partisan efforts to control redistricting processes and redraw maps. Historically, gerrymandering has also been used as a tool of racial disenfranchisement, specifically targeting black voters, as well as Hispanic and Native American populations. The Voting Rights Act of 1965 prohibits racially discriminatory voting rules, and racial gerrymandering is subject to reversal by federal courts, but it remains a problem in practice, in large part because partisan gerrymandering efforts tend to identify black and other minority voters as likely supporters of the Democratic Party.

In June 2019 the Supreme Court ruled that the federal judiciary has no authority to prevent politicians from drawing districts to preserve or expand their party's power. However, some state courts have struck down partisan-gerrymandered maps based on their own constitutions, and state-level reforms have begun to address the issue. In the 2018 elections, voters in five states approved ballot measures that placed the redistricting process under the control of nonpartisan entities.

Some states have adopted strict voter-identification laws whose documentation requirements can disproportionately limit participation by poor, elderly, or racial minority voters; people with disabilities; and university students. Proponents of such laws argue that

they prevent voter fraud, despite research showing that fraud is extremely rare. Separately, reductions in the number of polling places in several states are thought to have suppressed turnout by groups such as low-income hourly workers, who are less able to travel to distant polling locations or wait in long lines. Restrictions on voter identification and access to polling places tend to affect demographic groups that are seen as likely to support Democratic candidates, and they are typically adopted by Republican state lawmakers.

The 2018 midterm elections drew fresh attention to the fact that voting in many states is administered by elected, partisan officials who may be running for office themselves. The top election official in Georgia, Republican secretary of state Brian Kemp, made a successful run for governor.

Critics have argued that the Electoral College system for presidential elections is undemocratic, as it violates the principle that each citizen's vote should carry equal weight. Similar critiques have been directed at the constitution's allocation of two Senate seats to each state regardless of population. Defenders of these systems argue that they are fundamental to the United States' federal structure, in which the states enjoy a substantial degree of autonomy, and that they ensure due political attention to all parts of the country's territory.

The six-member Federal Election Commission is tasked with enforcing federal campaign finance laws, but vacancies on the panel at the end of 2019 meant that it lacked a quorum to operate as the 2020 election campaign got under way.

B. POLITICAL PLURALISM AND PARTICIPATION: 14 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

The intensely competitive US political environment is dominated by two major parties, the right-leaning Republicans and the left-leaning Democrats. The country's "first past the post" or majoritarian electoral system discourages the emergence of additional parties, as do a number of specific legal and practical hurdles. However, the two parties' primary elections allow for a broad array of views and candidates to enter the political system. The 2018 midterm elections featured participation by ideologically diverse candidates across the country, as did the primary contests that began in 2019 ahead of the 2020 elections.

A number of independent or third-party candidates have influenced presidential races or won statewide office, and small parties—such as the Libertarian Party and the Green Party—have also modestly affected state and local politics in recent years. In 2019, the state of Maine became the first to adopt a system of ranked-choice voting for general elections, which could prove more hospitable to third parties than the majoritarian system.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Power changes hands regularly at the federal level, and while certain states and localities are seen as strongholds of one party or the other, even they are subject to stiff competition and power transfers over time. After the 2018 elections, the Democrats held 23 state governorships, up from 16, while Republicans were reduced to 27; Republicans retained control over a larger majority of state legislatures, though the Democrats made gains. In 2019, the Democrats captured one additional governorship, in Kentucky, and took full control of the Virginia legislature.

In an unusual development following the 2018 midterms, outgoing Republican-led legislatures in Michigan and Wisconsin attempted to strip powers from executive offices

that had just been captured by Democrats. The efforts largely failed in Michigan, due in part to vetoes by the outgoing Republican governor, but the relevant measures were adopted in Wisconsin, where Democrats became governor and attorney general. The Republican-controlled legislature in North Carolina had pioneered such moves after a Democrat won the governorship in 2016.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Various interest groups have come to play a potent role in the nominating process for president and members of Congress, as the influence of traditional party leadership bodies has steadily declined in recent decades. This is partly because the expense and length of political campaigns place a premium on candidates' ability to raise large amounts of funds from major donors, especially at the early stages of a race. While there have been a number of attempts to restrict the role of money in political campaigning, most have been thwarted or watered down as a result of political opposition, lobbying by interest groups, and court decisions that protect political donations as a form of free speech.

The 2018 elections were evidently the most expensive midterms ever. As in other recent elections, much of the spending was routed through special "political action committees," or PACs, and other vehicles designed to minimize restrictions on donor anonymity and on the size and sources of contributions. Small donations made up an increasingly important share of candidates' fundraising, but a few extremely wealthy contributors played an outsized role in overall spending, with the top 10 individual donors accounting for more than \$400 million.

Concerns about undue influence have also focused on lobbyists and other figures working for foreign governments who associate themselves with political campaigns. The Mueller investigation uncovered a number of cases of undisclosed consultant work for foreign powers and led to increased enforcement of the Foreign Agents Registration Act (FARA).

In 2019, one of Trump's personal lawyers, Rudolph Giuliani, continued to work as a paid consultant for various foreign interests even as he represented the president, without compensation, in the Mueller inquiry and played a central role in the effort to pressure the Ukrainian government to announce investigations of Biden and his son. Two of Giuliani's associates were charged in October with illegally funneling foreign donations to US political campaigns, including a pro-Trump PAC.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

A number of important laws are designed to ensure the political rights of racial and ethnic minorities, and the most recent national elections demonstrated increased participation by women and minority candidates. The Congress elected in 2018 included the first Native American women members, the first Muslim women, and record numbers of black, Hispanic, Asian American and Pacific Islander, and women lawmakers.

However, de facto disenfranchisement has persisted among racial and ethnic minority communities, which are disproportionately affected by laws and policies that create obstacles to voting. In 2013 the Supreme Court invalidated portions of the Voting Rights Act of 1965, allowing certain states that previously had to submit legal changes for preclearance by federal authorities to adopt election laws without prior review. In addition to adopting voter-identification restrictions and limiting polling locations, a number of states, including some that were never subject to the preclearance rule, have since rolled back innovations like early voting that contributed to higher rates of minority participation.

Various state election-management policies have also been criticized for having a disparate impact on minority voters. In Georgia in 2018, for example, the registrations of some 53,000 voters—most of them black—were stalled due to applicant information that did not exactly match government records, and hundreds of thousands of other voters had been purged from the rolls for failing to vote in recent elections.

State laws that deny voting rights to citizens with felony convictions continue to disproportionately disenfranchise black Americans, who are incarcerated at significantly higher rates than other populations. All but two states suspend voting rights during incarceration for felonies; the majority provide for automatic restoration, either upon release or after parole or probation, though in some cases financial penalties must also be paid, and 11 states impose additional steps and obstacles to restored suffrage. A growing number of states have eased these restrictions in recent years. In 2019, the newly elected Democratic governor of Kentucky issued an executive order that restored political rights to more than 140,000 people who had completed sentences for nonviolent crimes, and New Jersey enacted legislation that eliminated voting restrictions for those on parole and probation.

The Trump administration abandoned an effort to add a question on citizenship to the 2020 census in July 2019, after the Supreme Court rejected its stated justification for the move as “contrived.” Opponents of the question argued that it would deter participation and threaten the political rights of immigrant communities and their native-born relatives and neighbors. The census is meant to count all US residents, not just citizens, and an undercount would have a range of negative effects, including a distortion of congressional reapportionment and of the allocation of government resources.

C. FUNCTIONING OF GOVERNMENT: 9 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The Trump administration in 2019 frequently clashed with Congress in ways that challenged the legislature’s constitutional authority. For example, in February the president declared a national emergency so as to redirect congressionally appropriated funds to pay for the construction of a wall along the border with Mexico, a project that he had prioritized during his presidential campaign but which had failed to win sufficient financing from lawmakers. In March and October, Trump vetoed two attempts by Congress to roll back the move, though court challenges were ongoing at year’s end as construction proceeded.

The administration also refused, in a departure from past practice, to comply with a host of congressional reporting requirements, information requests, and subpoenas on various oversight matters, culminating in the House impeachment inquiry into Trump’s pressure on the Ukrainian government. In addition to his irregular hold on appropriated military aid and his orders to defy subpoenas, the president used private individuals and improvised diplomatic channels to advance his aims in Ukraine, which effectively circumvented Congress’s constitutional role in approving ambassadors and overseeing foreign policy more generally.

Since taking office in 2017, the Trump administration has consistently left large numbers of vacant positions across the higher levels of government departments and agencies, undercutting Congress’s authority to confirm such appointees and making it difficult for the agencies to operate as intended by law. Roughly 150 of about 700 key posts requiring Senate confirmation remained without a nominee at the end of 2019. The problem is exacerbated by a high rate of departures by senior officials under Trump. Those who announced their resignations or were dismissed by the president in 2019 alone included his labor secretary, his energy secretary, his director of national intelligence, his second homeland security secretary, and his third national security adviser.

C2. Are safeguards against official corruption strong and effective? 3 / 4

The United States benefits from strong safeguards against official corruption, including a traditionally independent law enforcement system, a free and vigorous press, and an active civil society sector. A variety of regulations and oversight institutions within government are designed to curb conflicts of interest and prevent other situations that could lead to malfeasance.

Since 2017, however, the Trump administration has presented a number of challenges to existing norms of government ethics and probity. Anticorruption watchdogs criticized President Trump for shifting management of his real-estate development empire to his children rather than divesting ownership or establishing a stronger structural barrier between himself and his businesses. They argued that without such separation, the president could use his office for personal enrichment or allow his official decisions to be influenced by his private business interests; lawsuits that were ongoing in 2019 focused on a constitutional rule that forbids officeholders from receiving compensation, or “emoluments,” from foreign governments, which Trump was accused of doing through his businesses. The president, his staff, and special interest groups of foreign and domestic origin all frequently visited and held events at Trump-branded properties in the United States during his first three years in office, generating publicity and income; the *Washington Post* reported in December 2019 that Trump had visited such properties on three out of every 10 days of his presidency. Trump’s decision to appoint his daughter and son-in-law as presidential advisers created potential conflicts involving their own business interests and personal relationships.

The Trump administration also notably undercut conflict-of-interest restrictions for White House and executive branch appointees. Although the president issued an executive order in 2017 that limited appointees’ ability to shift to lobbying work after leaving government, the same order eased restrictions on lobbyists moving into government, and the administration initially resisted efforts to disclose waivers allowing appointees to skirt the rules that remained. In practice, many Trump nominees received such waivers. Journalistic and congressional investigations have routinely found conflicts of interest and other ethical violations among nominees and appointees.

An anonymous whistle-blower from the US intelligence community who filed the complaint that touched off the impeachment inquiry in 2019 faced extreme pressure from the president and his allies during the year, including accusations of political bias and regular demands—or actual attempts—to publicize the individual’s identity. The situation cast doubt on the integrity of whistle-blower protection laws and threatened to deter individuals from reporting possible corruption in the future.

C3. Does the government operate with openness and transparency? 3 / 4

The United States was the first country to adopt a Freedom of Information Act (FOIA) over 50 years ago, and the law is actively used by journalists, civil society groups, researchers, and members of the public. While a 2016 reform law was designed to improve government agencies’ responsiveness to FOIA requests, performance has declined during the Trump administration. Nevertheless, reporters and activists in 2019 were able to use FOIA filings to obtain important Ukraine-related documents that congressional investigators could not access through normal oversight requests or subpoenas.

The executive branch includes a substantial number of auditing and investigative agencies that are independent of political influence; such bodies are often spurred to action by the investigative work of journalists. Several inspector general posts across government remained vacant during 2019, though the offices continued to function under acting leaders.

Since assuming office, President Trump and members of his administration have frequently made statements that were either misleading or untrue, and typically failed to correct the record when such statements were challenged by the press and others. The administration also operates with greater opacity than its immediate predecessors, for example by making policy and other decisions without meaningful input from relevant agencies and their career civil servants, removing information on certain issues—such as climate change—from government websites, and denying public access to logs of White House visitors. In a break with presidential tradition, Trump has refused to voluntarily release his personal tax records, and he has resisted formal requests for them under existing law. The Supreme Court agreed in December 2019 to hear arguments in 2020 on three lawsuits by congressional and New York state investigators seeking the president’s tax and business records; in the New York case, Trump made a novel claim of presidential immunity from any criminal investigation.

CIVIL LIBERTIES: 53 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

The United States has a free and diverse press, operating under some of the strongest constitutional protections in the world. The media environment retains a high degree of pluralism, with newspapers, newsmagazines, traditional broadcasters, cable television networks, and news websites competing for readers and audiences. Internet access is widespread and unrestricted. While many larger outlets have prospered, however, independent local sources of news have struggled to keep up with technology-driven changes in news consumption and advertising, contributing to significant ownership consolidation in some sectors, and a number of communities with just one or no local news outlet. News coverage has also grown more polarized, with certain outlets and their star commentators providing a consistently right- or left-leaning perspective. The cable network Fox News in particular has grown unusually close to the Trump administration, with several prominent on-air personalities and executives migrating to government jobs since 2017, and key hosts openly endorsing Republican candidates or participating in campaign rallies.

Trump has been harshly critical of the mainstream media, routinely using inflammatory language to accuse them of bias and mendacity. He has maintained a drumbeat of attacks on individual journalists and established outlets, describing them as—among other things—“fake news” and the “enemy of the American people.” Trump allies have allegedly sought to collect and release embarrassing personal information about critical journalists, and certain reporters or outlets have been excluded from specific government or Trump campaign events. As of 2019 the president had not followed through on threats to strengthen libel laws or review certain outlets’ broadcast licenses, though he has been accused of interfering with the other business interests of critical outlets’ owners. Amazon, whose chief executive Jeff Bezos owns the *Washington Post*, filed a lawsuit in December that claimed Trump had improperly pressured the Defense Department to deny the company a major contract.

Despite increased hostility from political figures and their supporters on social media, the mainstream media—including national television networks and major newspapers—have devoted considerable resources to independent coverage of national politics. Outlets like the *New York Times*, the *Washington Post*, and CNN have conducted investigations into the business affairs of Trump and his associates, closely examined the facts at the heart of the Mueller and impeachment investigations, and regularly assessed the accuracy of the administration’s claims.

A growing number of Americans look to social media and other online sources for political news, increasing their exposure to disinformation and propagandistic content of both foreign and domestic origin. The larger platforms have struggled to control false or hateful material without harming freedom of expression or their own business interests, though they have announced multiple mass removals of accounts linked to Russia, Iran, and China that were being used to spread disinformation. False content from certain far-right sources has also been removed from major platforms.

While violence against journalists in the United States is rare, some journalists entering or returning to the United States have reported harassment by federal authorities, including unusual questioning and warrantless searches of their electronic devices.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The United States has a long tradition of religious freedom. The constitution protects the free exercise of religion while barring any official endorsement of a religious faith, and there are no direct government subsidies to houses of worship. The debate over the role of religion in public life is ongoing, however, and religious groups often mobilize to influence political discussions on the diverse issues in which they take an interest. The Supreme Court regularly adjudicates difficult cases involving the relationship between religion and the state.

Hate crimes based on religion are generally prosecuted vigorously by law enforcement authorities. Federal Bureau of Investigation statistics for 2018, released in November 2019, showed an 8 percent decrease in such crimes from 2017, with the bulk of incidents directed against Jews and Muslims; observers noted that some localities declined to report hate-crime data. In the most high-profile attack of 2019, two assailants—who were later killed themselves—fatally shot three people at a Jewish kosher market in New Jersey in December. Christian churches with predominantly black congregations have also experienced attacks. In March and April 2019, a man was arrested and charged with hate crimes on suspicion of committing arson attacks against three black churches in Louisiana.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

The academic sphere has long featured a high level of intellectual freedom. While it remains quite robust by global standards, this liberty has come under pressure in recent years. University faculty have reported instances of harassment—including on social media—related to curriculum content, textbooks, or statements that some students strongly disagreed with. As a consequence, some professors have allegedly engaged in self-censorship. Students on a number of campuses have obstructed guest speakers whose views they find objectionable. In the most highly publicized cases, students and nonstudent activists have physically prevented presentations by controversial speakers, especially those known for their views on race, gender, immigration, Middle East politics, and other sensitive issues. Separately, the American Association of University Professors has complained that the politicization of climate change and other scientific topics is contributing to a more hostile environment for those working in related fields, including instances of harassment by private individuals.

The Trump administration in 2019 ordered federal agencies to condition certain funding for universities on their protection of free inquiry and debate, but it took similar steps meant to combat antisemitism on campuses and in curriculums, raising concerns that the two priorities could come into conflict.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Americans are generally free to engage in private discussion and air their personal views in public settings, including on the internet, though a number of threats to this freedom exist.

Civil libertarians, many lawmakers, and other observers have pointed to the real and potential effects of the collection of communications data and other forms of intelligence-related monitoring on the rights of US residents, despite the adoption of significant reforms since such activities surged following the terrorist attacks of September 11, 2001. Separately, surveillance programs run by federal and local law enforcement agencies have long raised concerns among civil liberties groups, due in part to allegations of a disproportionate focus on religious, racial, and ethnic minority communities. A growing number of law enforcement and other government agencies are monitoring public social media content, with targets including applicants for US visas and participants in peaceful protests.

A public debate about law enforcement access to encrypted communication services continues, with some officials warning that their technical inability to break encryption even with a judicial warrant posed a threat to the rule of law, and opponents arguing that any weakening of encrypted services' security would expose all users to criminal hacking and other ill effects.

Aside from concerns about government surveillance, internet users in the United States have faced problems such as aggressive disinformation efforts and intimidation on social media that may deter them from engaging in online discussion and expressing their views freely.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12**E1. Is there freedom of assembly? 4 / 4**

In general, officials respect the constitutional right to public assembly. Demonstrations on political and other topics are common and typically proceed without incident. In response to acts of violence committed in the course of some past demonstrations, local authorities often place restrictions on the location or duration of large protests.

Major protests during 2019 included marches on climate change, women's rights, immigration policies, and gun laws, as well as a series of mass demonstrations in July that forced the resignation of Puerto Rico's governor following the revelation of his offensive text messages.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

US laws and practices give wide freedom to nongovernmental organizations and activists to pursue their civic or policy agendas, including those that directly oppose government policies. Organizations committed to the protection of civil liberties, immigrants' rights, equality for women and minority groups, and freedom of speech have become more active since Trump's election, mounting campaigns and filing lawsuits to block actions by the administration that they considered harmful. A number of privately supported projects have also been established in recent years to address deficiencies in the electoral and criminal justice systems.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Federal law generally guarantees trade unions the right to organize and engage in collective bargaining. The right to strike is also protected, though many public employees

are prohibited from striking. Over the years, the strength of organized labor has declined, and just 6.2 percent of the private-sector workforce belonged to unions in 2019. While public-sector unions have higher rates of membership, with 33.6 percent, they have come under pressure from officials concerned about the cost of compensation and pensions to states and municipalities. The overall unionization rate in the United States is 10.3 percent. The country's labor code and decisions by the National Labor Relations Board (NLRB) during Republican presidencies have been regarded as impediments to organizing efforts, but even Democratic administrations have largely failed to reverse the deterioration. Union organizing is also hampered by resistance from private employers. Among other tactics, many employers categorize workers as contractors or use rules pertaining to franchisees to prevent organizing.

A 2018 Supreme Court decision that government employees cannot be required to contribute to unions that represent them in collective bargaining has already led to further losses in union membership. Organized labor did score a modest victory the same year when referendum voters in Missouri overturned a 2017 law that would have similarly allowed private-sector workers who benefit from union bargaining to opt out of paying union dues or fees. That left 27 states with such "right-to-work" legislation in place.

Strike activity proceeded without incident in 2019. A multiyear series of teachers' strikes continued around the country, with unionized educators winning pay raises and other concessions in Los Angeles, Denver, and Chicago. Members of the autoworkers' union conducted a successful nationwide strike against General Motors, reaching agreement on a new contract in October after nearly six weeks on picket lines.

F. RULE OF LAW: 11 / 16

F1. Is there an independent judiciary? 3 / 4

The American judiciary is largely independent. The courts have regularly demonstrated their autonomy during the Trump presidency by blocking or limiting executive actions.

However, judicial appointments in recent years have added to existing concerns about partisan distortion of the appointment and confirmation process. Republican leaders in the Senate had stalled many federal judicial nominations in the final years of Barack Obama's presidency, resulting in an unusually large number of vacancies at the beginning of 2017. The most prominent was a seat on the Supreme Court that the Senate had held open during 2016 by refusing to hold hearings on Obama's nominee. In 2017, the Senate confirmed Trump's nominee for the position, Neil Gorsuch, but only after the Republican leadership changed Senate rules that had required a supermajority to end debate on Supreme Court nominations, allowing the confirmation to proceed with a simple-majority vote. Democrats had enacted a similar rule change for lower court nominations in 2013.

The president filled a new vacancy on the Supreme Court in 2018. Trump's nominee, federal appellate court judge Brett Kavanaugh, narrowly won confirmation after contentious Senate hearings in which a woman came forward to accuse him of having sexually abused her while both were in high school. Kavanaugh denied that and subsequent allegations, and angrily denounced the campaign against him as a "political hit" orchestrated by "left-wing opposition groups."

By the end of 2019, Trump had appointed 187 federal judges in all, a record for the third year of a presidency. The total included 50 judges at the appellate level, meaning one in four federal appeals court judges were Trump appointees—up from one in six a year earlier.

Trump has repeatedly responded to adverse court rulings by verbally attacking the judges and courts responsible and accusing them of political bias, earning a rare rebuke from Chief Justice John Roberts in 2018. Trump has also used his pardon power in an arbitrary

or politicized fashion, bypassing Justice Department processes, overturning the convictions of several individuals whose cases were championed by his political allies, and publicly discussing possible pardons for himself or other individuals caught up in the Mueller investigation. In 2019, the president pardoned or otherwise intervened to protect four military service members who had been charged with or convicted of committing murders while deployed in Iraq or Afghanistan; Trump subsequently appeared with two of the men at a campaign event and reportedly discussed plans for additional appearances.

In many states, judges are chosen through either partisan or nonpartisan elections, and a rise in campaign fundraising for such elections over the last two decades has increased the threat of bias and favoritism in state courts. In addition, executive and legislative officials in a few states have attempted to increase their control over state supreme courts, including through impeachments and constitutional changes.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The United States has a strong rule-of-law tradition, and legal and constitutional protections for due process are widely observed. However, the criminal justice system suffers from a number of chronic weaknesses, many of which are tied to racial discrimination and contribute to disparities in outcomes that disadvantage black and Hispanic people. Media reports and analyses in recent years have drawn new attention to the extensive use of plea bargaining in criminal cases, with prosecutors employing the threat of harsh sentences to avoid trial and effectively reducing the role of the judiciary; deficiencies in the parole system; long-standing funding shortages for public defenders, who represent low-income defendants in criminal cases; racial bias in risk-assessment tools for decisions on pretrial detention; and the practice of imposing court fees or fines for minor offenses as a means of raising local budget revenues, which can lead to jail terms for those who are unable to pay.

These problems and evolving enforcement and sentencing policies have contributed to major increases in incarceration over time. The population of sentenced state and federal prisoners soared from about 200,000 in 1970 to some 1.5 million as of 2017. The incarceration rate based on such counts rose from around 100 per 100,000 people in 1970 to a peak of more than 500 in the 2000s, then slipped to 440 as of 2017. There are also hundreds of thousands of pretrial detainees and short-term jail inmates behind bars. Despite gradual declines in the number of black prisoners, black and Hispanic inmates continue to account for a majority of the prison population, whereas black and Hispanic people account for roughly a third of the US population. Lawmakers, elected state attorneys, researchers, activists, and criminal justice professionals have reached a broad consensus that the current level of incarceration is not needed to preserve public safety. Civil liberties organizations and other groups have also argued that prison sentences are often excessive and that too many people are incarcerated for minor drug offenses.

In 2018, under pressure from a bipartisan coalition advocating for reforms to curb mass incarceration, Congress passed and the president signed a law that eased federal mandatory-minimum sentencing rules, among other modest changes. A majority of states have also passed laws in recent years to reduce sentences for certain crimes, decriminalize minor drug offenses, and combat recidivism. Some states have restricted the use of cash bail, which can unfairly penalize defendants with fewer resources and enlarge pretrial jail populations.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

Mass shootings remained a concern during 2019, though the overall US homicide rate, 5.0 per 100,000 inhabitants as of 2018, is relatively low by regional and historical standards,

and crime rates have declined since the 1990s. The year's deadliest shooting was an August attack at a Walmart store in El Paso, Texas, that killed 22 people. The perpetrator, who was arrested, was apparently influenced by racist and xenophobic conspiracy theories and deliberately targeted a store frequented by Mexican and Mexican American customers. As a result of the El Paso attack and other recent shootings, federal authorities have reportedly placed a new emphasis on countering domestic terrorism, including violence inspired by white nationalist ideologies.

The increased policy focus on reforming the criminal justice system in recent years has coincided with a series of widely publicized incidents in which police actions led to civilian deaths. Many of these prominent cases involved black civilians, though Native Americans are reportedly killed by police at a higher rate per capita than any other group. Only a small fraction of fatal police shootings lead to criminal charges; when officers have been brought to trial, the cases have typically ended in acquittals or sentences on reduced charges. The Trump administration has pulled back from previous Justice Department policies aimed at imposing reforms on troubled local police departments through court-approved agreements.

Use of the death penalty has declined significantly in recent years. There were 22 executions across seven states in 2019—down from 25 in 2018 and a peak of 98 in 1999. The death penalty has been formally abolished by 21 states, with New Hampshire joining the list in 2019; in another 18 states where it remains on the books, executions have not been carried out for the past five years or more. The most recent federal execution was in 2003, though Attorney General Barr has called on prison officials to resume the practice. Factors encouraging the decline of the death penalty include clear racial disparities in its application, with death sentences far more likely in cases involving white murder victims than black murder victims; a pattern of exonerations of death-row inmates, often based on new DNA testing; states' inability to obtain chemicals used in lethal injections due to objections from producers, as well as legal challenges to the constitutionality of the prevailing methods of lethal injection; and the high costs to state and federal authorities associated with death penalty cases. The US Supreme Court has effectively ruled out the death penalty for crimes other than murder and in cases where the perpetrator is a juvenile or mentally disabled, among other restrictions.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

An array of policies and programs are designed to protect the rights of individuals against discrimination based on race, ethnicity, gender, and other categories, including in the workplace. However, women and some minority groups continue to suffer from disparities on various indicators, and a number of recent government policies have infringed on the fundamental rights of refugees, asylum seekers, and immigrants.

Although women constitute almost half of the US workforce and have increased their representation in many professions, the average compensation for female workers is roughly 80 percent of that for male workers, a gap that has remained relatively constant over the past several decades. Meanwhile, the wage gap between white and black workers has grown in recent decades, meaning black women, who are affected by both the gender and racial components of wage inequality, made about 61 cents for every dollar earned by white male workers as of 2017. Women are also most often affected by sexual harassment and assault in the workplace. A popular social media campaign that began in late 2017, the #MeToo movement, encouraged victims to speak out about their experiences. The phenomenon has led to the sudden downfall of many powerful men in the worlds of politics, business, news, and entertainment, while underscoring the scale of the problem in American society.

In addition to structural inequalities and discrimination in wages and employment, racial and ethnic minorities face long-running and interrelated disparities in education and housing. De facto school segregation is a persistent problem, and the housing patterns that contribute to it are influenced by factors such as mortgage discrimination, which particularly affects black and Hispanic homeowners. Black homeownership has fallen steadily from a peak in 2004, despite gains for other groups in recent years. This in turn influences overall gaps in wealth and social mobility. For example, the median wealth of white families is 12 times the median wealth of black families.

Federal antidiscrimination legislation does not explicitly include LGBT+ people as a protected class, though many states have enacted such protections. The Trump administration has sought to roll back its predecessors' moves to expand the rights of LGBT+ people through executive actions and rulemaking for federal agencies and contractors. Among numerous other changes and proposals, the administration has argued that existing legal protections against sex discrimination do not cover sexual orientation or gender identity, as some courts and government agencies have claimed. The Supreme Court was considering linked cases on that topic in late 2019, with a decision expected in 2020. Trump announced a ban on transgender people serving in the military in 2017, and it took effect in 2019 even as court challenges continued; existing service members who had already transitioned or begun the process would be allowed to remain, but others, including new recruits, must adhere to their "biological sex."

The Trump administration in 2019 intensified its efforts to reduce the number of refugees, asylum seekers, and undocumented immigrants entering and residing in the country, usually citing exaggerated security concerns as justification. The moves have in many cases been hasty, uncoordinated, and underfunded, leading to implementation problems as well as conflicts with existing laws, constitutional protections, and international human rights standards.

Beginning soon after his inauguration in 2017, the president issued a series of three executive orders barring travel from a group of Muslim-majority countries on security grounds, twice revising the original order in response to lawsuits claiming that the bans were blatantly discriminatory. In 2018 the Supreme Court upheld the third version, which banned most entries by citizens of Iran, Syria, Yemen, Libya, Somalia, and one non-Muslim country, North Korea. These orders, combined with other administration changes, helped to reduce the number of refugees admitted to the United States for resettlement to its lowest point since the program began in 1980. The refugee resettlement cap for the 2020 fiscal year was slashed to 18,000 people, down from 30,000 in fiscal 2019 and a then-historic low of 45,000 for fiscal 2018. These reductions since 2017 have been accompanied by precipitous drops in the share of admitted refugees who are Muslim. In a September 2019 executive order, the president required states and localities to provide written consent for refugee resettlement to proceed, effectively allowing them to veto resettlement, though most states and dozens of localities had provided consent by year's end.

A succession of other Trump administration policies have focused on curbing the arrival of asylum seekers at the southern border, most of whom have come from Central America in recent years. The policies consistently drew legal challenges on the grounds that they denied asylum seekers basic due process, violated statutory rules on asylum applications, and breached international prohibitions on returning asylum seekers to unsafe countries, among other objections. In January 2019, the administration unveiled a new program allowing border authorities to force non-Mexican asylum seekers to wait in Mexico while their claims are adjudicated in the United States; tens of thousands of people had been returned to

Mexico under the program by year's end, often living in difficult and dangerous conditions there. Earlier Trump administration restrictions had already contributed to large backlogs of would-be applicants on the Mexican side of the border. In July, the administration announced that individuals generally could not seek asylum in the United States if they passed through a third country without seeking and being denied asylum in that country, effectively blocking claims from Central Americans who travel through Mexico; the Supreme Court in September allowed the rule to take effect as legal challenges proceeded. Also in July, Barr ruled that asylum could not be granted solely on the grounds that a family member had faced persecution. A new regulation introduced in August, if it survived court challenges, would allow families that cross the border irregularly to be detained indefinitely while their cases are heard, replacing past rules that required either the release of the family or the separation of children from detained adults. Separately that month, the Justice Department used expedited procedures to appoint judges with a high rate of asylum denials to an expanded immigration court appeals board. In December, the administration proposed a new rule expanding the list of crimes that could lead to denial of asylum to include misdemeanor offenses. Over the course of 2019, the United States signed agreements with Guatemala, El Salvador, and Honduras—all poor countries with high crime rates that have generated large numbers of migrants—allowing US authorities to deport asylum seekers there if they passed through without applying for asylum; deportations to Guatemala began in late 2019.

The administration has attempted to ramp up arrests and deportations of both undocumented immigrants, regardless of whether they had committed crimes, and legal immigrants or refugees who committed crimes in the United States, even if they had long since completed their sentences. The previous practice had been to focus deportation efforts on the most dangerous criminal aliens with the weakest ties to American communities. In September 2019, a judge suspended a policy unveiled in July that allowed expedited deportation—without a court hearing—of undocumented immigrants detained anywhere in the country if they could not show more than two years of residence in the United States. The administration's enforcement drive has added to an existing backlog of cases in immigration courts; as of December 2019 there were more than a million pending cases, nearly double the number pending when Trump took office. The number of people in immigration detention was at record levels in 2019, with more than 52,000 people in custody as of May; there have been multiple reports of inadequate living conditions in immigration detention facilities, as well as reports of solitary confinement of detainees with mental illnesses. In November, the Supreme Court heard a case on the administration's effort to end the Deferred Action for Childhood Arrivals (DACA) program, which prevents the deportation of undocumented immigrants who were brought to the United States as children. A decision was expected in 2020.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

There are no significant restrictions on freedom of movement within the United States, and residents are generally free to travel abroad without undue obstacles.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

Property rights are widely respected in the United States. The legal and political environments are supportive of entrepreneurial activity and business ownership.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Men and women generally enjoy equal rights in divorce and custody proceedings, and there are no undue restrictions on choice of marriage partner, particularly after a 2015 Supreme Court ruling that all states must allow same-sex marriage. The practice had already become legal in most states through court decisions, legislative action, or referendums. In recent years, a growing number of states have passed laws to eliminate exemptions that allow marriages of people under age 18 in certain circumstances. Rape and domestic or intimate-partner violence remain serious problems. The applicable laws vary somewhat by state, though spousal rape is a crime nationwide. Numerous government and nongovernmental programs are designed to combat such violence and assist victims. In the past several years, a series of new state laws have reduced women's access to abortion without overtly breaching prior Supreme Court decisions on the issue, and some have survived judicial scrutiny, adding to state-by-state variation in access.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

The “American dream”—the notion of a fair society in which hard work will bring economic and social advancement, regardless of the circumstances of one's birth—is a core part of the country's identity, and voters tend to favor government policies that they believe will enhance equality of opportunity. In recent decades, however, studies have shown a widening inequality in wealth and a narrowing of access to upward mobility. Inequality remained a major problem in 2019 even as the national unemployment rate remained below 4 percent for a second consecutive year, its lowest level in decades.

One key aspect of inequality is the growing income and wealth gap between Americans with university degrees and those with a high school degree or less; the number of well-compensated jobs for the less-educated has fallen over time as manufacturing and other positions are lost to automation and foreign competition. These jobs have generally been replaced by less remunerative or less stable employment in the service and retail sectors, where there is a weaker tradition of unionization. Meanwhile, the inflation-adjusted national minimum wage has fallen substantially since the 1960s, with no nominal increase for a decade, even if many states and localities have enacted increases in recent years. Other obstacles to gainful employment include inadequate public transportation and the high cost of living in economically dynamic cities and regions. The latter has also contributed to an overall rise in homelessness in recent years.

Uruguay

Population: 3,500,000

Capital: Montevideo

Freedom Status: Free

Electoral Democracy: Yes

Overview: Uruguay has a historically strong democratic governance structure and a positive record of upholding political rights and civil liberties while also working toward social inclusion. Although all citizens enjoy legal equality, there are still disparities in treatment and political representation of women, transgender people, Uruguayans of African descent, and the indigenous population.

KEY DEVELOPMENTS IN 2019

- Luis Lacalle Pou, a member of the center-right Partido Nacional (National Party), was elected president in a narrow run-off in November, ending 15 years of executive rule by the leftist Frente Amplio (Broad Front) coalition.
- With no single party holding a majority in either house of Parliament, the National Party in November forged a coalition with four other parties.
- Efforts to overturn a 2018 law protecting the rights of transgender people failed in August.

POLITICAL RIGHTS: 40 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is directly elected to a five-year term, and may hold nonconsecutive terms. The most recent general elections were held in two rounds, in October and November 2019. The ticket of Luis Lacalle Pou and Beatriz Argimón of the center-right Partido Nacional captured the presidency and vice presidency after a close runoff decided by approximately 37,000 votes. Lacalle Pou—a senator and son of a former president—defeated Daniel Martínez, the former mayor of Montevideo, of the center-left Frente Amplio in the runoff. Lacalle Pou was scheduled to be sworn into office in early 2020. The election took place peacefully and stakeholders accepted their results, even with the razor-thin margin.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral General Assembly consists of the 99-member Chamber of Representatives and the 30-member Senate, with all members directly elected for five-year terms. No single party achieved a majority in the October 2019 elections. The Frente Amplio retained the most representatives but saw a drop in numbers; the party went from 50 seats in the Chamber of Representatives to 42, and saw representation in the Senate reduced from 15 to 13. Meanwhile, Lacalle Pou's Partido Nacional in November 2019 built a predominantly center-right coalition with four other parties—the Partido Colorado (Colorado Party), the newly formed Cabildo Abierto (Open Cabildo), the Partido de la Gente (People's Party), and the Partido Independiente (Independent Party)—that together won 57 seats in the Chamber of Representatives and 17 seats in the Senate. There are currently 9 women senators and 21 women serving in the Chamber of Representatives. The elections took place peacefully, and stakeholders accepted their results.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Uruguay's Electoral Court serves as the highest authority on elections and supervises the National Electoral Office, which oversees voter registration and has one office in each of the country's regional departments. Electoral laws are generally fair, and the Electoral Court, whose nine members are elected by both houses of Parliament with a two-thirds majority, is generally viewed as impartial. Voting is compulsory.

B. POLITICAL PLURALISM AND PARTICIPATION: 16 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Uruguay's multiparty system is open and competitive. The major political groupings are the Colorado Party, the Frente Amplio coalition, the Independent Party, and the Partido Nacional (also known as Blanco). Partido Nacional, with its coalition partners, was to take power in early 2020.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

Opposition parties are regularly competitive in the national elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

People's political choices are generally free from undue influence from undemocratic actors.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 4 / 4

The Afro-Uruguayan minority, which accounts for approximately 8 percent of the population, is significantly underrepresented in government and professional jobs. Indigenous peoples are also severely underrepresented, although there is a currently a grassroots campaign that aims to gain formal government recognition of the indigenous Charrúa people.

Representation of women in national, regional, and local government is low. Twenty-one percent of people elected to Parliament in 2019 were women, a slight decrease from the number elected in 2014. A gender quota system was implemented for the first time in the 2014 national elections to increase the participation of women as candidates.

C. FUNCTIONING OF GOVERNMENT: 12 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 4 / 4

The head of government and national legislature determine the policies of the government without undue interference.

C2. Are safeguards against official corruption strong and effective? 4 / 4

The level of corruption in Uruguay is relatively low by regional standards. There were investigations into Frente Amplio politicians during the last few years that resulted in several charges and resignations from positions, including the former Vice President, Raúl Sendic, in 2017.

C3. Does the government operate with openness and transparency? 4 / 4

Government institutions have established a robust record of accountability to the electorate. Enforcement of the Transparency Law, which prohibits a range of offenses related to abuse of office, is relatively strong at the national level.

CIVIL LIBERTIES: 58 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 16 / 16

D1. Are there free and independent media? 4 / 4

Constitutional guarantees regarding free expression are generally respected. The press is privately owned; the broadcast sector includes both commercial and public outlets. There are numerous daily and weekly newspapers, some of which are connected to political parties. A study of media in Uruguay released in December 2017 by a coalition of international

and local researchers found that ownership of outlets was heavily concentrated among three main media groups.

Despite the relatively open media environment, there have been some reports of intimidation against journalists.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Freedom of religion is legally protected and broadly respected.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is upheld.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Private discussion is generally open and robust. However, the government operates an electronic surveillance system, and the circumstances under which it may be deployed remain opaque.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 12 / 12

E1. Is there freedom of assembly? 4 / 4

Freedom of assembly is protected by law, and the government generally respects this right in practice. Protests are frequent.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

A wide array of community organizations and national and international human rights groups are active in civic life, and do not face government interference.

E3. Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

Workers are free to exercise the right to join unions, bargain collectively, and hold strikes. Unions are well organized and politically powerful.

F. RULE OF LAW: 15 / 16

F1. Is there an independent judiciary? 4 / 4

Uruguay's judiciary is generally independent.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The courts in Uruguay remain severely backlogged. However, new criminal procedures have reduced pretrial detention.

Efforts to seek justice for human rights violations committed under the military regime that ended in 1985 have been slow and inconsistent. The government created a special prosecutor's office to investigate unresolved cases; however, there has not been movement on any cases and victims' groups are not optimistic. Many have pulled out of collaborating directly with the government's Working Group on Truth and Justice due to their lack of faith in the proceedings. Human rights investigators have reported receiving death threats. Remains found in a military barrack in August 2019 were identified in October as those of Eduardo Bleier, a well-known *desaparecido*, or disappeared person, renewing calls for trials to resume.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Uruguay is free from large-scale violence and civil strife. However, prisons are over capacity, and conditions in many facilities are inadequate.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 4 / 4

Transgender people have historically been discriminated against in Uruguay. However, in October 2018 lawmakers approved, and the executive promulgated, a law allowing transgender people to change relevant information on their identification documents. The law also allows minors to have gender confirmation hormone therapy without parental or guardian permission, and set aside funds to help ensure that transgender people have access to education and health care, and to provide a pension for transgender people who were persecuted by the country's 1973–85 military dictatorship. A challenge to the law failed in August 2019, when a pre-referendum failed to muster enough voter participation to hold a full referendum on the issue.

The Afro-Uruguayan minority continues to face economic and social inequalities. A 2013 affirmative action law included incentives to increase their graduation rates and an 8 percent quota in government employment. The law has seen some success in raising the enrollment rate of Afro-Uruguayans, but other mandates have not been fully implemented. The government has initiated additional programs aimed at seeing it realized, and also celebrated the first Afro-descendent month in July 2018, which recognized the cultural contributions of Afro-Uruguayans in the country.

Women enjoy equal rights under the law but face discriminatory attitudes and practices, including a persistent wage gap.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 15 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

Freedom of movement is protected, and individuals are free to change their residence, employment, and institution of higher education without interference.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 4 / 4

The right to own property and establish private business is respected.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Violence against women remains a serious concern, but authorities are making efforts to combat gender-based violence. The Parliament in 2017 voted to make femicide a special circumstance that can increase sentences, and has begun confiscating guns from policemen who have been convicted of domestic violence. However, levels of violence, including gender-based violence, are up overall around the country, which has sparked calls for stronger protections. In December 2019, President Vázquez issued a resolution declaring a national emergency on gender-based violence, which would expand monitoring of convicted offenders, and offer them programs to discourage future such offenses.

The Parliament voted overwhelmingly to legalize same-sex marriage in 2013. Abortion for any reason during the first trimester has been legal since 2012. However, many women,

especially in rural areas, lack access to legal abortions. Stigma connected to the procedure continues to impede full access for women.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Individuals generally enjoy equality of opportunity. The monthly minimum wage was increased in July 2019 from 15,000 pesos (\$430) to 15,650 (\$450), and is expected to increase again to 16,300 pesos (\$465) in 2020, which would be the highest monthly minimum wage in Latin America.

According to reports, the government is not doing enough to combat transnational trafficking, and laws do not prohibit internal trafficking.

Uzbekistan

Population: 33,500,000

Capital: Tashkent

Freedom Status: Not Free

Electoral Democracy: No

Overview: While ongoing reforms under President Shavkat Mirziyoyev have led to improvements on some issues, including a modest reduction in media repression and reforms that mandated more female legislative candidates, Uzbekistan remains an authoritarian regime with little movement toward democratization. No opposition parties operate legally. The legislature and judiciary effectively serve as instruments of the executive branch, which initiates reforms by decree, and the media remains tightly controlled by the state. Reports of torture and other ill-treatment remain common, although highly publicized cases of abuse continue to result in dismissals and prosecutions for some officials and small-scale corruption has been meaningfully reduced.

KEY DEVELOPMENTS IN 2019

- The government introduced electoral reforms in February that allowed ex-felons to vote, allowed voters to add their names to multiple party rolls, and introduced a gender quota to guarantee female representation in the legislature.
- In September, a blogger was arrested and jailed after calling on Mirziyoyev to investigate corruption by local officials. A second journalist was forced into a psychiatric institution in October after documenting a protest, and was threatened with permanent institutionalization before she was released in December.
- Mirziyoyev continued purging prosecutors and the security service throughout the year. The prosecutor general was dismissed in June and put on trial in September over accusations of graft, while a former prosecutor was imprisoned over corruption charges in June. The security services chief was also handed a long prison sentence for bribery in September.
- Despite Mirziyoyev's calls for international nongovernmental organizations (NGOs) to return to Uzbekistan, the American Councils for International Education was denied accreditation in 2019 and remained unregistered.

POLITICAL RIGHTS: 2 / 40 (+1)**A. ELECTORAL PROCESS: 1 / 12 (+1)****A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4**

The president, who holds most executive power, is directly elected for up to two five-year terms. Longtime prime minister Mirziyoyev was named acting president through an irregular parliamentary process in 2016, after Islam Karimov, who had held the presidency since Uzbekistan's independence from the Soviet Union in 1991, suffered a stroke and died. The constitution called for the Senate chairman to serve as acting president, but the chairman declined the post. Mirziyoyev won a special presidential election at the end of 2016, taking a reported 88.6 percent of the vote and defeating nominal challengers whose parties in some cases openly campaigned for the incumbent. Election monitors from the Organization for Security and Co-operation in Europe (OSCE) concluded that "the dominant position of state actors and limits on fundamental freedoms undermine political pluralism and led to a campaign devoid of genuine competition."

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Uzbekistan has a bicameral legislature. The lower house is comprised of 150 seats, with its members directly elected in single-member constituencies. The 100-member upper house, or Senate, has 84 members elected by regional councils and 16 appointed by the president. All members of the parliament serve five-year terms.

The December 2019 lower house election again offered voters no meaningful choice, as all participating parties supported the government. Initial results closely mirrored the previous lower house election and indicated that the president's party, the Liberal Democratic Party of Uzbekistan (UzLiDeP), took the largest share with 43 of 150 seats. Milliy Tiklanish (National Revival) won 35, the Adolat (Justice) Social Democratic Party won 21, and the People's Democratic Party (UXDP) won 18. The Ecological Party of Uzbekistan, which directly competed for the first time after previously having its seats automatically allocated, lost 3 seats and returned with 11. Runoff elections were scheduled for early 2020 to resolve 22 races where no candidates secured a majority.

OSCE election monitors noted numerous irregularities during the December 2019 election, including procedural violations, the use of multiple ballots by voters, and ballot box stuffing.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4 (+1)

The electoral laws and framework are implemented in ways that offer no opportunities for independent political actors or parties to participate in elections at any level. Election management bodies are closely controlled by the government, though Mirziyoyev has shepherded some reforms to the country's electoral framework during his tenure as president. In 2017, he signed legislation allowing the election of 11 district councils within Tashkent, in addition to the existing council for the city as a whole; Tashkent has the status of a region, and districts in the country's other regions already had elected councils.

In February 2019, the government enacted another set of electoral reforms that ended indirect representation for the Ecological Party, removed voting restrictions on ex-felons, and allowed voters to add their names to more than one party roll; these lists are required for political parties to participate in elections.

Score Change: The score improved from 0 to 1 because December's legislative election was conducted under new electoral laws that introduced modest reforms.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Only five political parties are registered—UzLiDep, the UXDP, Adolat, Milliy Tiklanish, and the Ecological Party. They indulge in mild criticism of one another and occasionally of government ministers, but all are effectively progovernment.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

No genuine opposition parties operate legally. Unregistered opposition groups function primarily in exile. Domestic supporters or family members of exiled opposition figures have been persecuted, and they are barred from participating in elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Regional alliances of political elites hold the levers of government at all levels, creating economic oligarchies and patronage networks that stifle political competition. There is some intra-elite competition, but without the patronage of the established networks, political and economic advancement is all but impossible.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

No registered party represents the specific interests of ethnic or religious minority groups, and no other parties or actors have the opportunity to achieve political representation. Women formally enjoy equal political rights, but they are unable to organize independently to advance their political interests in practice, and they remain underrepresented in leadership positions.

However, a gender quota was introduced as part of an electoral reform package enacted in 2019; 30 percent of legislative candidates must be women. Women now hold 32 percent of the seats in lower house, which was elected after these reforms were enacted. Women held 17 percent of the seats in the Senate in 2019, which was last elected before these reforms took effect. No women ran for president in 2016.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The country's leadership is not freely elected, and the legislature serves as a rubber stamp for the executive branch.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is pervasive. Graft and bribery among low- and mid-level officials remain common and are at times conducted overtly and without subterfuge. Low-level and everyday corruption among traffic police and officials granting identification documents and registrations has been notably reduced by pilot programs to introduce video surveillance and traffic cameras, however.

In 2019, President Mirziyoyev continued purging the notoriously corrupt security and law enforcement services. In June, prosecutor general Otabek Murodov was dismissed over accusations of graft and was detained in September; his case was still in progress at the end of 2019. One of Murodov's predecessors as prosecutor general, Rashid Kadirov, was also sentenced to 10 years in prison on charges of corruption in June. Ikhtiyor Abdullayev, who directly preceded Murodov as prosecutor general before becoming head of the powerful State Security Service (SSS), was removed from his security post in February and was charged with bribery in June. In September, Abdullayev was sentenced to 18 years in prison for crimes including bribery, extortion, and for the use of illegal wiretaps to gain political influence.

Analysts contend that the purge is largely intended to neutralize security officials from the Karimov era and shift power to the president's personal security service and to the reformed National Guard, both of which are overseen by Mirziyoyev's in-laws.

Media discussion of corrupt practices has cautiously expanded since Karimov's death, but in some cases the journalists and commentators involved—rather than the corrupt officials—have come under pressure.

C3. Does the government operate with openness and transparency? 1 / 4

Government operations remain mostly opaque, but one of Mirziyoyev's first acts as president in late 2016 was the creation of new online mechanisms that offered citizens the opportunity to file complaints, report problems, and request services. The initial program was overwhelmingly popular and was quickly expanded to all ministries and local government offices, requiring local officials to interact with citizens and demonstrate responsiveness. The innovations contributed to a cultural change in governance, though they frequently encountered resistance at the local level.

CIVIL LIBERTIES: 8 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? 0 / 4

Despite constitutional guarantees, press freedom remains severely restricted. The state controls major media outlets and related facilities, and independent outlets were mostly shuttered or blocked under Karimov. Domestic media, including news websites and live television programs, now cautiously discuss social problems and criticize local officials, reflecting a slight reduction in media repression since Mirziyoyev took power. However, even privately-owned media outlets still avoid openly criticizing Mirziyoyev and the government.

While the presence of independent international outlets is limited, several foreign reporters have been granted press passes since 2017. This trend continued in 2019, when a journalist working for the British Broadcasting Corporation's (BBC) Uzbek Service was given accreditation. However, a radio journalist working for Radio Free Europe/Radio Liberty (RFE/RL) was denied entry into the country in June, after the state information agency accused the news outlet of violating journalistic ethics.

The government reduced its reliance on internet blackouts against media outlets in 2019; the websites of 11 news organizations and nongovernmental organizations (NGOs), including the BBC and Eurasianet, were made accessible in May. Access to popular social media sites like YouTube and Facebook became more reliable in early 2019, after the government stopped blocking those sites at the end of 2018.

Under Mirziyoyev, a number of journalists have been released from prison, and 2018 marked the first year in two decades that no journalists were imprisoned. However, one blogger received a jail sentence in 2019. In September, police in eastern Uzbekistan arrested

Nodirbek Hojimatov and sentenced him to 10 days' imprisonment after he posted an open letter calling on the president to investigate local officials for corruption. The state also used the Soviet-era practice of forced psychiatric hospitalization against journalist Nafosat Olloshukurova in October 2019, after she covered a protest held by another journalist the month before. Olloshukurova claimed she was forced into a psychiatric facility after refusing to lie about an opposition lawyer's involvement in the protest and engaging in a hunger strike; she was threatened with rape and permanent institutionalization before her release at the end of 2019.

In November 2019, an audio recording that captured powerful Tashkent mayor Jahongir Ortikhhojaev threatening a journalist with physical harm was distributed, prompting an investigation by the General Prosecutor's office. While prosecutors noted that the mayor's statements violated ethics rules for civil servants, they cleared Ortikhhojaev and instead warned news outlet Kun.uz that recording public officials without their permission was illegal.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

The government permits the existence of approved Muslim, Jewish, and Christian denominations, but treats unregistered religious activity as a criminal offense. Suspected members of banned Muslim organizations and their relatives have faced arrest, interrogation, and torture. Arrested believers are frequently accused of founding previously unknown religious organizations, a charge that carries high penalties. In most cases, little evidence of the existence of such organizations is presented at the closed trials. In 2017, Mirziyoyev announced that some 16,000 individuals had been removed from a blacklist of roughly 17,000 people who had been suspected or previously convicted of religious extremism. Individuals who were placed on the blacklist were kept under close surveillance or on probation.

In 2019, Islamic activists and bloggers faced fewer arrests; many of the country's most prominent activists were already arrested or jailed on administrative charges in 2018 after criticizing a state decision to effectively ban the hijab in schools and universities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The government has long limited academic freedom, in part by controlling contacts between universities or scholars and foreign entities. Universities in Uzbekistan expanded their cooperation with foreign counterparts in 2019, but the government also denied accreditation to staff for the American Councils for International Education, an academic exchange organization based in the United States. The staff members were originally encouraged to return to Uzbekistan during Mirziyoyev's first state visit to the United States.

Presidential monographs that glorify the late former president Karimov are no longer required reading at universities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The freedom of private discussion has long been limited by *mahalla* committees, traditional neighborhood organizations that the government has transformed into an official system for public surveillance and control. The government also engages in extensive surveillance of electronic communications. However, through its various reforms since 2016, the Mirziyoyev administration has signaled a greater tolerance for public criticism, modestly improving the climate for expression of personal views on sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12**E1. Is there freedom of assembly? 0 / 4**

Despite constitutional provisions for freedom of assembly, authorities severely restrict this right in practice, breaking up virtually all unsanctioned gatherings and detaining participants.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Unregistered NGOs face severe repression and harassment. A new organization designed to oversee the activities of registered NGOs, the Center for the Development of Civil Society (CDCS), was formed in 2019. As the year ended, the government drafted legislation that would mandate NGOs to cooperate with the CDCS and other agencies to facilitate government work, as opposed to their own programs.

The government remained unwilling to register local or international NGOs that address human rights issues in 2019. Huquqiy Tayanch (Legal Support), which works to address the rights of prisoners, saw its application rejected in March. Human Rights Watch (HRW), which has been active in Uzbekistan since 2017, also remained unregistered.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

The Federation of Trade Unions is controlled by the state, and no genuinely independent union structures exist. Organized strikes are extremely rare.

F. RULE OF LAW: 1 / 16**F1. Is there an independent judiciary? 0 / 4**

The judiciary is subservient to the president. In 2017, however, a number of judicial reforms were enacted through constitutional and legislative amendments, establishing specific terms in office for judges and creating a Supreme Judicial Council (OSK) to oversee appointments and disciplinary action, among other changes. The council, whose chairperson is approved by the Senate on the president's recommendation, replaced a commission that was directly subordinate to the president.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Due process guarantees remain extremely weak. Law enforcement authorities have routinely justified the arrest of suspected religious extremists or political opponents by planting contraband, filing dubious charges of financial wrongdoing, or inventing witness testimony. The Lawyers' Chamber, a regulatory body with compulsory membership, serves as a vehicle for state control over the legal profession. The judicial reforms adopted in 2017 gave judges rather than prosecutors the authority to approve certain investigative steps, such as exhumations and some forms of surveillance.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

A 2016 law on police prohibits torture, and a 2017 presidential decree that bars courts from using evidence obtained through torture took effect in 2018. Despite the reforms, reports of physical abuse against detainees remained continued to appear on social media in 2019.

HRW also documented one case of psychological torture during the year. Former diplomat Kadyr Yusupov was arrested in late 2018 and was held on trial for treason throughout 2019. According to HRW, Yusupov was regularly threatened with his rape, the rape of his

wife and daughter, and the arrest of family members by security personnel for a period spanning from December 2018 to March 2019.

Prisons suffer from severe overcrowding and shortages of food and medicine. As with detained suspects, prison inmates—particularly those sentenced for their religious beliefs—are often subjected to torture and other ill-treatment. Jaslyk (Youth) prison, a correctional facility where torture was especially widespread, was ordered closed by President Mirziyoyev in August 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Although racial and ethnic discrimination are prohibited by law, the belief that senior positions in government and business are reserved for ethnic Uzbeks is widespread. Women's educational and professional prospects are limited by discriminatory cultural and religious norms. Women are also barred from certain jobs under the labor code.

Sex between men is punishable with up to three years in prison. The law does not protect LGBT+ people from discrimination, and social taboos deter the discussion of LGBT+ issues.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Permission is required to move to a new city, and bribes are commonly paid to obtain the necessary documents. Bribes are also frequently required to gain entrance to and advance in exclusive universities. The government took steps to ease travel within the country and to neighboring states beginning in 2017, when it removed police checkpoints at internal borders, resumed direct flights to Tajikistan, and opened border crossings as part of an agreement with Kyrgyzstan. The Mirziyoyev administration abolished exit visas in January 2019, ending a system that was used to proscribe travel beyond other member states of the Commonwealth of Independent States (CIS).

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Widespread corruption and extensive state control over the economy limit private business opportunities and make property rights tenuous in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Victims of domestic violence are discouraged from pressing charges against perpetrators, who rarely face prosecution. Rape is also seldom reported or prosecuted, and spousal rape is not explicitly criminalized. Extralegal child marriage is reportedly practiced in some areas.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Economic exploitation remains a serious problem, as does the trafficking of women abroad for prostitution. A 2009 law imposed stronger penalties for child labor, and in 2012, Mirziyoyev, then the prime minister, pledged to end the practice completely. In 2017, the president issued a decree to formally ban forced agricultural labor by students, health workers, and teachers. During the subsequent cotton harvests, the government increased incentives for voluntary labor and granted access to international observers. In 2018, the

International Labor Organization (ILO) noted that 93 percent of cotton workers were voluntarily employed for that year's harvest, while child labor was not an issue. Nevertheless, local officials still faced pressure to meet government quotas, and reports of adult forced labor and abuse of workers persisted. Some local officials who employed forced labor were prosecuted and fined during 2019.

In October 2019, President Mirziyoyev dismissed Deputy Prime Minister Zoyir Mirzayev after photographs of cotton farmers being forced to stand in cold irrigation ditches as punishment for a poor harvest were widely condemned on social media. Mirzayev was present during the incident, and reportedly insulted the farmers as they stood in the knee-deep water.

Vanuatu

Population: 300,000

Capital: Port Vila

Freedom Status: Free

Electoral Democracy: Yes

Overview: Vanuatu conducts democratic elections but suffers from a pattern of unstable coalition governments that do not complete their terms. Although political corruption is a problem, the largely independent judiciary has been able to hold elected officials accountable in high-profile cases. Other persistent problems include domestic violence and societal discrimination against women.

KEY DEVELOPMENTS IN 2019

- In June, the government of Prime Minister Charlot Salwai survived a no-confidence attempt that was supported by lawmakers in Vanua'aku Pati, a member of the governing coalition. After the opposition withdrew the motion, Salwai dismissed Deputy Prime Minister Bob Loughman and Agriculture Minister Hosea Nevu of Vanua'aku Pati.
- In July, Viran Molisa Trief was sworn in as Vanuatu's first female Supreme Court justice.
- In November, the government rejected a work-permit renewal request from newspaper publisher Dan McGarry and barred him from returning to Vanuatu later that month. McGarry, who alleged that the government retaliated against him for reporting on Chinese activity in Vanuatu, was allowed to return in December, after the Supreme Court revoked the travel ban against him.

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 10 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The prime minister, who holds most executive authority and appoints his own cabinet, is chosen by Parliament from among its members. Prime ministerial elections and votes of no confidence often feature improprieties, as rival coalitions seek to entice members to shift

alliances with offers of cash or ministerial portfolios. Charlot Salwai of the Reunification of Movements for Change (RMC) party was elected to the post in 2016 and formed a governing coalition consisting of 11 of the 17 parties and more than two-thirds of the members in Parliament.

The largely ceremonial president is elected to serve a five-year term by an electoral college consisting of Parliament and the heads of the country's provincial councils. A two-thirds majority is required, and multiple rounds of voting can be held to reach this threshold. In 2017, Presbyterian pastor Tallis Obed Moses was elected to replace President Baldwin Lonsdale, who died in office.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The 52-seat unicameral Parliament is directly elected for four-year terms in 18 constituencies ranging from one to seven members in size. The last election was held in early 2016 after the president dissolved Parliament, citing the conviction of 14 sitting lawmakers on corruption charges and the remaining members' inability to form a new governing majority. Eight independents and 17 parties won seats. The largest groups were the Vanua'aku Pati, the Union of Moderate Parties, and the Graon mo Jastis Pati (Land and Justice Party), each with six seats, though the totals fluctuated after the initial count due to party switching and by-elections. Vanuatu's next election is scheduled for early 2020.

The Vanatu Leaders Party held a parliamentary seat in a September 2019 by-election, after the incumbent died in office in June. The Electoral Commission reported a turnout of 23 percent in the contest.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The electoral framework is generally fair, and elections are administered without bias, but international observers have noted problems including an inaccurate voter roll and understaffing of election management bodies. Moreover, the use of the single-nontransferable-vote system, particularly in larger multimember constituencies, is believed to weaken political parties and encourage fragmentation. It is also especially unfair at by-elections, when voters may be filling only one vacant seat in a multiseat district.

B. POLITICAL PLURALISM AND PARTICIPATION: 15 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4

Numerous political parties operate without restrictions in Vanuatu. A total of 29 parties and dozens of independents contested the 2016 election. Politicians frequently switch allegiances. In mid-2018, the government withdrew proposed constitutional reforms that were meant in part to address party switching and political instability, having failed to reach consensus with the parliamentary opposition. Government plans to put these reform proposals to a referendum in 2019 were abandoned in early May.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

The country has a record of frequent democratic transfers of power between rival parties.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 4 / 4

There are no major undue constraints on the choices of voters or candidates from outside the political system. Traditional chiefs—represented by the National Council of Chiefs, a consultative body for customary and language matters—exert some influence, but they do not control electoral decisions.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ethnic minorities enjoy equal political rights. Political groupings have traditionally been divided in part along linguistic lines, with an Anglophone majority and a Francophone minority. However, Prime Minister Salwai is from the Francophone community and leads a coalition of mostly Anglophone parties.

Women's political participation is impaired by customary biases, and they are badly underrepresented in elected offices. No women were elected to Parliament in 2016. Some seats are reserved for women at the municipal level, and women's rights groups have lobbied for a quota at the national level as well.

C. FUNCTIONING OF GOVERNMENT: 8 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4**

The elected prime minister and cabinet are able to determine and implement government policies without improper interference, and the legislature serves as a check on executive power. However, party fragmentation and frequent no-confidence votes have long disrupted governance. No government since 1995 has completed a full four-year term.

The Salwai government survived a sixth attempted no-confidence motion in June 2019, with Vanua'aku Pati lawmakers reportedly supporting the opposition motion in an attempt to secure more cabinet seats for their party. After the motion was withdrawn in Parliament, Vanua'aku leader and Deputy Prime Minister Bob Loughman was dismissed, along with Agriculture Minister Hosea Nevu; their successors were chosen from the Vanuatu Leaders Party.

The opposition has also accused the Salwai government of inappropriately strengthening its grip on Parliament through a law that formalized the role of parliamentary secretaries. In July 2019, the Supreme Court ruled that law unconstitutional.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Abuse of office and corruption are serious problems, but prosecutors, the ombudsman, and other independent institutions are sometimes effective in combating them. The most dramatic corruption scandal in recent years occurred in 2015, when then deputy prime minister Moana Carcasses was convicted of bribing fellow lawmakers to help bring down the previous government. One of those found guilty, Parliament speaker Marcellino Pipite, attempted to pardon himself and 13 others while serving as acting head of state during an overseas trip by former president Lonsdale, who the pardons after his return. The 14 lawmakers in question, including Carcasses, were all released on parole in 2017, but would remain barred from public office until 2025. In March 2019, President Moses announced his intention to pardon the lawmakers. One was pardoned on health grounds in July, but the others remained unpardoned at year's end.

In April 2019, former aid negotiator Victor Rory was convicted of charges including money laundering for using his position to siphon foreign aid for personal use in 2016. Rory was handed an effective eight-year prison sentence in July.

C3. Does the government operate with openness and transparency? 3 / 4

The government largely operates with transparency. Parliament sessions are streamed live on the internet, and elected officials are required to submit financial disclosure reports that can be investigated by the ombudsman's office, but the documents are not made public.

A new freedom of information law that was adopted in 2016 took effect in 2017, and the government issued an order on implementation later that year. The law was widely welcomed as a positive step, though observers remained concerned about the establishment of fees and other potential obstacles to timely fulfillment of information requests.

There is growing concern about opaque government borrowing from China to fund infrastructure and other projects. In 2018, the Australian media reported that China planned to build a military base on the island of Espiritu Santo, prompting firm denials from the Vanuatu government. In March 2019, Foreign Minister Ralph Regenvanu warned that Chinese investment was fueling corruption in Vanuatu.

CIVIL LIBERTIES: 49 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 14 / 16 (-1)****D1. Are there free and independent media? 2 / 4 (-1)**

The government generally respects freedom of the press, though elected officials have sometimes been accused of threatening journalists for critical reporting. Publicly and privately owned newspapers publish in English and French. There are a small number of private broadcasters, but the state-owned broadcaster has a dominant position in the sector. Foreign news services are also available, and about a quarter of the population has access to the internet.

In November 2019, the government rejected a work-permit renewal request from journalist Dan McGarry, publisher of the *Daily Post* newspaper, and barred him from returning to the country later that month. McGarry claimed that the government retaliated against the newspaper's coverage of Chinese influence in Vanuatu, which the government denied; the Supreme Court revoked the travel ban in December, allowing McGarry to return to Vanuatu. His work permit remained unrenewed at year's end.

Score Change: The score declined from 3 to 2 due to the government's attempted expulsion of a Canadian journalist and longtime Vanuatu resident who had reported on Chinese influence in the country.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution's preamble states that the republic is founded on "Christian principles," but there is no official religion, and adherents of other faiths can worship freely. Authorities do not enforce a legal registration requirement for religious groups.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

There are no constraints on academic freedom.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

The government does not monitor personal communications, and individuals are able to discuss politics and other matters without interference.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12**E1. Is there freedom of assembly? 4 / 4**

The law provides for freedom of assembly, and the government typically upholds this right in practice. Public demonstrations generally proceed without incident.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

There are no significant constraints on the formation and operations of nongovernmental organizations (NGOs), which are not required to register with authorities. In 2017, the government intervened to bring about the reestablishment of the Vanuatu Association of Non-Government Organisations (VANGO), which had not held an annual meeting since 2014. A new board of directors was elected that year. The government explained that the independent association could help individual NGOs to improve their work and provide important services to the public.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers can join unions, bargain collectively, and strike. The right to strike is somewhat impaired by notification rules and the government's ability to bar such actions in essential services; violations can draw criminal penalties. The umbrella Vanuatu Council of Trade Unions (VCTU) is an affiliate of the International Trade Union Confederation (ITUC). Union leaders have raised concerns about antiunion pressure on seasonal workers who travel to New Zealand, including from recruiting agents within Vanuatu.

F. RULE OF LAW: 13 / 16 (+1)**F1. Is there an independent judiciary? 4 / 4**

The judiciary is largely independent, but a lack of resources hinders the hiring and retention of qualified judges and prosecutors. The president appoints the chief justice after consulting with the prime minister and the opposition leader. Other judges are appointed by the president on the advice of the Judicial Service Commission (JSC); judges cannot be removed arbitrarily. Tribal chiefs and island courts empowered to hear customary law cases adjudicate local disputes.

Vanuatu's courts have demonstrated impartiality in recent years through their adjudication of cases involving senior political figures. In 2018, then Deputy Prime Minister Joe Natuman received a two-year suspended prison sentence after he pleaded guilty to interfering with a police inquiry when he was prime minister in 2014. Natuman resigned from his post that May, and the speaker ejected him from Parliament, declaring his seat vacant. Natuman challenged that move, but the Court of Appeal confirmed his ouster and a by-election was held that September to fill the seat.

Vanuatu appointed its first female Supreme Court judge, Viran Molisa Trief, in July 2019.

F2. Does due process prevail in civil and criminal matters? 3 / 4 (+1)

Due process rights are guaranteed by law. However, police do not always uphold legal safeguards against arbitrary arrest and detention. Long periods of pretrial detention are not uncommon, largely due to case backlogs in the courts. However, Vanuatu's pretrial population is relatively low for the region.

Score Change: The score improved from 2 to 3 because Vanuatu maintains a comparatively low rate of pretrial detention as a percentage of the overall prison population.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The police paramilitary unit, the Vanuatu Mobile Force (VMF), has a reputation for heavy-handed treatment of citizens. Civilian authorities have not been effective in punishing and preventing cases of police brutality. Natuman's 2018 conviction stemmed from interference with an investigation regarding high-ranking officers charged with mutiny. In his defense, Natuman claimed he was seeking to bring unity to the troubled police force.

Prisons have suffered from overcrowding, violence, poor living conditions, and lax management that contributes to frequent escapes. A new correctional facility funded by New Zealand's government opened in 2017, but escapes from the site were reported later in the year.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women are guaranteed legal equality, but in practice they continue to face societal discrimination that affects their access to employment and economic opportunity. LGBT+ people are not protected by antidiscrimination laws.

The rapid expansion of Chinese-owned businesses has sometimes fueled resentment toward Chinese residents. Certain occupations are reserved for ni-Vanuatu as part of a policy to boost employment for the native population.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4

The constitution protects freedom of movement, which is also respected in practice.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The legal framework is generally supportive of property rights and private business activity. However, irregularities surrounding land deals, and corruption in the Lands Ministry, are persistent problems. Legislation adopted in 2017 was designed to strengthen oversight for the leasing of customary land.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence is widespread. Social stigma and fear of reprisal inhibits reporting, particularly in more remote rural areas, and police and courts rarely intervene or impose strong penalties. Government and civil society efforts to combat the problem are inadequately funded. Spousal rape is not specifically criminalized. Women pursuing civil cases related to personal status matters face difficulties paying the required court fees. Only fathers can automatically pass citizenship to their children at birth.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Poverty is extensive, and more than three-quarters of the population rely on subsistence agriculture. The government does not properly enforce health and safety standards, leaving employees in construction, logging, and other industries exposed to hazardous working conditions. Children often perform agricultural work at the family level, and laws on child labor do not meet international standards.

Venezuela

Population: 28,500,000

Capital: Caracas

Freedom Status: Not Free

Electoral Democracy: No

Overview: Venezuela's democratic institutions have deteriorated since 1999, but conditions have grown sharply worse in recent years due to the continued concentration of power in the executive and harsher crackdowns on the opposition. The authorities have closed off virtually all channels for political dissent, restricting civil liberties and prosecuting perceived opponents without regard for due process. The country's severe humanitarian crisis has left millions struggling to meet basic needs, and driven mass emigration. Government corruption is pervasive, and law enforcement has proven unable to halt violent crime.

KEY DEVELOPMENTS IN 2019

- The Supreme Tribunal of Justice (TSJ) swore in Nicolás Maduro as president in January, following his victory in a snap 2018 election that failed to meet minimum international standards and was widely condemned as illegitimate.
- In January, Venezuela's democratically elected National Assembly declared its head, Juan Guaidó, to be Venezuela's interim president as a constitutional response to Maduro's reelection in the previous year's flawed poll. Guaidó has since received the backing of more than 50 countries, including the United States. Maduro, who has consolidated power over most Venezuelan institutions, and is backed by the country's powerful military and international patrons including Cuba and Russia, has refused to relinquish power.
- The first half of 2019 saw mass demonstrations by those who backed Guaidó's presidential proclamation, notably in January and May. Security forces and allied armed groups responded with violence, and dozens of protest-related deaths were reported. Mass arbitrary detentions of demonstrators took place at the larger protests.
- In September, Maduro's United Socialist Party of Venezuela (PSUV) announced that it would end a three-year boycott of the National Assembly, and that its legislators would take their seats. Analysts suggested that the move was a sign that Maduro might seek to win control of the body by calling for new congressional elections in 2020. The National Constituent Assembly, the progovernment body effectively created by Maduro to supplant the opposition-controlled National Assembly, continued to function as a parallel legislative body serving to empower Maduro.

POLITICAL RIGHTS: 2 / 40 (-1)

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president serves six-year terms. Since 2009, neither the president nor other elected officials have been subject to term limits.

In January 2019, incumbent president Nicolás Maduro was sworn in for a new term after winning the 2018 snap presidential election. The poll saw record-low turnout, with

only 46 percent of voters participating—a sharp decline from the nearly 80 percent who participated in the 2013 presidential election. The poll had been initially planned for December 2018, but was moved up to April and then ultimately to May by the National Constituent Assembly, the progovernment body elected through an undemocratic process that in 2017 supplanted the opposition-controlled National Assembly elected two years before. The decision to hold the poll early was widely criticized as a move to benefit Maduro by leaving a crippled and divided opposition little time to coalesce around a unity candidate, and by holding the vote before already dire economic conditions could worsen. Leading opposition figures, including Leopoldo López and Henrique Capriles, were barred from competing. Maduro sought to intimidate voters by insisting that they present the so-called Fatherland ID card—the special identity card required to receive subsidized food and other services—at government-run booths near polling places. This drove a perception that those who did not vote could see aid revoked. By most international accounts, the election lacked even a veneer of competitiveness.

In January 2019, Venezuela's democratically elected National Assembly declared its head, Juan Guaidó, to be Venezuela's interim president as a constitutional response to Maduro's reelection via a poll that failed to meet minimum international standards and was widely condemned as illegitimate. Guaidó has since received the backing of more than 50 countries, including the United States. At year's end, Maduro—who holds widespread support among the country's military and has maintained tight control of the country's institutions—remained in power.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The unicameral, 167-seat National Assembly is popularly elected for five-year terms, using a mix of majoritarian and proportional-representation voting. Three seats are reserved for indigenous representatives. In the 2015 elections, the opposition Democratic Unity Roundtable (MUD) coalition won 109 seats, while the United Socialist Party of Venezuela (PSUV) took 55. Subsequent government challenges against certain opposition victories deprived the MUD of a two-thirds majority.

The TSJ repeatedly nullified legislation passed by the National Assembly during 2016, and in 2017 the Maduro administration effectively replaced it with the National Constituent Assembly, a new body elected through an undemocratic process and comprised entirely of regime loyalists. Elections to the new assembly did not give voters the option to reject its establishment, were widely derided as unconstitutional, and were dismissed by the opposition, which boycotted the vote.

The National Constituent Assembly is formally tasked with drafting a new constitution, but in practice has functioned as a parallel legislative body serving to empower Maduro. Its continued operations in 2019 reinforced its de facto replacement of the legitimate National Assembly.

In September 2019, the PSUV announced that it would end a three-year boycott of the National Assembly, and that its legislators would take their seats. Analysts suggested that the move was a sign that Maduro might seek to win control of the body by calling for new congressional elections in 2020.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Venezuela's electoral system is subject to political manipulation and institutional interference in favor of the ruling party. The National Electoral Council (CNE) consists of five

members, four of whom are openly aligned with the PSUV. The CNE rarely finds that the ruling party has violated any rules, leading to a system in which the opposition is heavily regulated, while the government is unconstrained. After the National Constituent Assembly was created in 2017, it assumed the National Assembly's constitutional role of selecting and confirming members of the CNE. In addition, the National Constituent Assembly has taken over certain CNE functions, including setting election dates. In May 2019, Maduro indicated a desire to hold elections to the weakened National Assembly—headed by opposition leader Juan Guaidó—in 2019 instead of 2020, but ultimately backed away from the idea.

Recent polls have been characterized by authorities' failure to uphold internationally recognized standards for free and fair elections. Presidential and legislative contests alike have seen disqualifications of prominent opposition candidates, government abuse of public resources, uneven access to the state-dominated media, the diminished presence of international observers, intimidation of state employees, and gerrymandering in favor of the ruling party.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16 (-1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

Opposition leaders are harassed, attacked, imprisoned, and otherwise impeded from participating in political processes or leading political parties in peaceful activities. Since 2015, at least 30 of the 112 elected opposition deputies of the National Assembly, including its current president, have been stripped of their parliamentary immunity or have suffered other legal retaliation, with most such instances taking place in 2018 and 2019.

In 2019, the government cracked down on Guaidó's allies following the democratically elected National Assembly's declaration that Guaidó would serve as Venezuela's interim president. In March, his chief of staff, Roberto Marrero, was arrested at his home; accused of terrorism, he remained in custody at year's end. Edgar Zambrano, vice president of the National Assembly, was among 17 people arrested in May for alleged participation in an attempt to oust Maduro. His family was denied permission to visit him, though were eventually permitted after Zambrano launched a hunger strike that lasted 10 days. Zambrano was eventually released in September, but the charges against him stand.

Additionally, six military and police officials were detained in June on allegations of participating in another plot against Maduro. One of them, navy officer Rafael Acosta, died in custody in late June, with Guaidó, the US State Department, and journalists who had viewed autopsy records attributing his death to torture. In late December 2019, Maduro ordered the arrest of two opposition deputies, Janet Fernández and Fernando Orozco, for being part of an alleged conspiracy against his presidency.

Separately, Leopoldo López, founder of two opposition parties, remained in effective confinement at year's end, having taken refuge in the house of the Spanish ambassador to Venezuela after escaping from house arrest in April 2019.

From June 19 to June 21, 2019, the UN high commissioner for human rights, Michelle Bachelet, was permitted to visit Venezuela. The resulting report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) stated that the Venezuelan government and institutions, over the last decade, had implemented a strategy "aimed at neutralizing, repressing, and criminalizing political opponents and people critical of the government." It added that "as of 31 May 2019, 793 people remained arbitrarily deprived of their liberty," and concluded that government forces employed torture or cruel, inhuman or degrading treatment or punishment against political prisoners to "extract information and

confessions, intimidate, and punish.” The report added that “these practices include electric shocks, suffocation with plastic bags, waterboarding, beatings, sexual violence, water and food deprivation, stress positions, and exposure to extreme temperatures.”

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

While discontent with the Maduro administration remains widespread, the government has cut off virtually all avenues for political change. After pushing through the de facto replacement of the National Assembly with the National Constituent Assembly in 2017, Maduro in 2018 ensured that no publicly known opposition figure would be able to challenge him in the 2018 presidential election. Opposition parties that had boycotted the 2017 municipal elections due to the unjust conditions were banned by the National Constituent Assembly from competing under their names in the presidential election, prompting the opposition MUD coalition to declare a boycott of the process. Opposition parties also boycotted the December 2018 municipal elections, in which just 27 percent of voters participated. In 2019, Maduro maintained his grip on power following the democratically elected National Assembly’s decision to name Guaidó interim president.

Both Lopez and Henrique Capriles, a prominent opposition figure and former governor of Miranda State, remain banned from holding public office.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4 (-1)

The Maduro regime increasingly relies on the military, paramilitary forces, and opaque support from foreign states in order to retain political power.

Military leaders have taken control of numerous offices and have increased their own political and economic power, evolving into one of the most important groups inside of Maduro’s coalition of power. In addition, in 2019 Maduro continued to strengthen the Bolivarian Militia, a civilian militia group established by the late president Hugo Chávez Frías in 2008 to support the military; the group had over 3 million members in 2019, according to the government. In August, a contingent of the group was incorporated into the National Guard, one of the four components of Venezuela’s National Armed Forces, and in November, Maduro announced the distribution of more than 321,000 rifles to militia members tasked with patrolling the streets as part of the government’s Christmas security plan. In December, the government announced that the National Constituent Assembly would discuss legislation to officially consider the militia the fifth component of the military. Meanwhile, the OHCHR report released following Bachelet’s visit to Venezuela warned that “state institutions have been steadily militarized over the past decade.”

Separately, irregular, state-affiliated armed groups known as *colectivos* routinely commit acts of violence against civilians, particularly at antigovernment protests, and carry out government efforts to intimidate voters. The OHCHR attributed a number of deaths that occurred during protests between January and May 2019 to *colectivos*.

Maduro’s government has become increasingly dependent on foreign allies to keep power, particularly Russia and Cuba. In 2019, Russian media outlets reported planned government investments of over \$1 billion into Venezuela’s oil and mining industries, providing critical support to the regime during a time of severe economic crisis.

Cuba has significant influence over the military. In August 2019, a Reuters report revealed that Chávez and late Cuban president Fidel Castro had signed agreements in 2008 to allow Cuba’s armed forces to “train soldiers in Venezuela, review and restructure parts of the Venezuelan military, train Venezuelan intelligence agents in Havana, and change the

intelligence service’s mission from spying on foreign rivals to surveilling the country’s own soldiers, officers, and even senior commanders.” The revelations indicated that Cuban influence is prominent in Venezuela’s Directorate General of Military Counterintelligence, which has been accused of torture, political espionage, and arbitrary detentions. Security experts interviewed by Reuters called the agreements crucial in establishing the military backing for Maduro that has helped him survive challenges to his power.

Score Change: The score declined from 1 to 0 because the Maduro regime has increasingly relied on the military, paramilitary forces, and opaque support from foreign states in order to retain political power in recent years.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

While several women hold senior positions in government, the general underrepresentation of women in politics contributes to a lack of policy discussions about issues that primarily affect women, such as gender-based violence. Discrimination against LGBT+ Venezuelans impacts their ability to engage in political and electoral processes. The government has professed support for the rights of indigenous people, but in practice they too lack meaningful political representation. Some indigenous leaders have been impeded from running for office and others have been targeted by government stigmatization campaigns.

The de facto replacement of the National Assembly with the progovernment National Constituent Assembly in 2017 effectively erased constitutional protections designed to ensure political representation for indigenous and other groups.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Venezuela does not function as a representative democracy. The opposition-controlled legislature has had no practical ability to carry out its constitutional mandate since the 2015 elections, and since August 2017 has been supplanted by a body packed with regime loyalists who were elected under undemocratic conditions. While the National Assembly was never formally dissolved, the new National Constituent Assembly granted itself sweeping legislative powers, essentially leaving the old assembly with no functional role.

Military officials, many of them in active service, occupy a number of top positions in government ministries and state-level administrations, and the armed forces perform routine government duties.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is rampant in Venezuela. The government’s economic policies—particularly its currency and price controls—offer significant opportunities for black-market activity and collusion between public officials and organized crime networks, while exacerbating the effects of the economic crisis for poor and middle-class Venezuelans.

The United States, Canada, Panama, the European Union (EU), and others continue to sanction Venezuelan officials for corruption and other offenses that go uninvestigated in Venezuela. For example, in July 2019, three stepsons of Maduro and 13 companies were sanctioned by the United States for skimming funds from “overvalued contracts.” Among them were contracts involving the state food distribution program, a critical lifeline for the millions of Venezuelans affected by food shortages, which officials often exploit for political ends.

C3. Does the government operate with openness and transparency? 0 / 4

There is virtually no transparency regarding government spending. Maduro's regime has consistently failed to publish vital economic data, including monthly inflation statistics. In 2017, President Maduro fired the health minister after the ministry published data confirming a dramatic rise in maternal and infant mortality.

CIVIL LIBERTIES: 14 / 60 (-2)**D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16 (-1)****D1. Are there free and independent media? 1 / 4**

Venezuela's independent journalists operate within a highly restrictive regulatory and legal environment, and risk arrest and physical violence in connection with their work. By the end of 2019, most of the country's independent newspapers had shut down or moved to an exclusively digital format, where they are subject to frequent blocking, often at times of heightened political tension. (Venezuelan journalists have pointed to the government's control over newsprint as hastening the decline of print publications in the country.)

Restrictions on online news outlets are mainly implemented by CANTV, the state-run telephone and internet service provider that owns most communications infrastructure, but also by private internet service providers (ISPs). Independent media outlets such as El Pitazo, NTN24, VIVOplay, VPItv, and La Patilla are among those recently subject to blocking.

Obstruction, intimidation, physical attacks, confiscations of equipment, and detentions and arrests of media workers continued in 2019. There were more than 35 arbitrary detentions of journalists in the first two months of the year alone, according to the National Press Workers' Union. Among those arrested was Luis Carlos Díaz, arrested for "instigation to commit crimes" in an investigation related to severe blackouts the country suffered in March. He was released under the condition to appear before court every eight days.

A 2017 hate-speech law approved by the National Constituent Assembly mandates fines and up to 20 years' imprisonment for anyone who disseminates information deemed "intolerant" via traditional or social media. The law also allows authorities greater legal grounds to block digital content deemed to be in violation.

The Maduro government maintains a state communications infrastructure used to propagate its political and ideological program. By August, Maduro had made 146 televised appearances in 2019, accumulating more than 1,900 since he took office in 2013. (In contrast, live-streamed speeches by Guaidó were frequently blocked.)

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Constitutional guarantees of religious freedom are generally respected, though tensions between the government and the Roman Catholic Church remain high. Government relations with the small Jewish community have also been strained at times.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4 (-1)

Academic freedom has come under mounting pressure since *chavismo* arrived to power. A school curriculum developed by Chávez government emphasizes socialist concepts. Budget cuts and other funding problems have undermined universities' autonomy and prompted an exodus of academics from the country. The number of students abandoning their studies has increased in turn. In March 2019, the government refused to transfer funds to pay the teachers of public universities if their institutions failed to formally recognize Maduro as president.

In August 2019, the Supreme Court of Justice suspended the head of the Central University of Venezuela (UCV), the biggest and highest-ranked university in the country, changed the voting rules, and ordered elections at nine public universities considered opposition strongholds. Under the directive, if elections are not held within six months of the decision, the court will choose the new authorities. The same month, Maduro assigned César Trómpiz, a close ally, to lead the cabinet bureau responsible for university education; Trómpiz, was tasked with putting the education system “at the service of the greater interests of the nation.”

Students and faculty perceived as holding antigovernment views face harassment and attacks. In February, when the government started to collect signatures against US intervention and in support of chavismo, a group of students of the University of the Armed Forces were threatened with expulsion if they failed to sign. The nongovernmental organization Aula Abierta in a June 2019 report documented at least 15 attacks, including threats and instances of physical assault, against students and professors who sought to defend human rights at their institutions. The body of student Ali Domínguez was found in March after he had denounced corruption at the Bolivarian University of Venezuela, where many faculty members are government supporters. The Venezuelan Education–Action Program on Human Rights (PROVEA) reported that his body showed skull trauma and a nasal septum fracture, and some of his teeth were missing.

Score Change: The score declined from 2 to 1 because the Maduro regime has intensified its interference with the operations of the country's universities, including by replacing their leaders, and because activism at universities has become increasingly unsafe.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Authorities' monitoring of citizens' behavior via their use of the Fatherland ID card and through scrutiny of content posted on social media platforms has created a climate of fear. Social media users have been subject to arrest in response to comments posted online, with at least 18 individuals detained since 2014 for opinions expressed on Twitter alone. In June 2019, Karen Palacios, a clarinetist with the National Philharmonic Orchestra, was arrested for 46 days over tweets critical of the government.

With guidance from Chinese company ZTE, authorities have reportedly developed a sophisticated monitoring system linked to the Fatherland ID card that not only allows them to withhold food aid and other services from political opponents, but also enables them to gather vast troves of data on individuals' voting patterns, medical history, and other activity.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is guaranteed in the constitution, but is not protected in practice. Protesters can be charged with serious crimes under various laws, and demonstrations perceived as directly challenging Maduro's rule are met with violence by police and state-affiliated armed groups. More than 1,900 people were injured and 136 were killed in 2017, when widespread antigovernment protests in the spring and summer gave way to violent clashes with security forces; at least 102 people were apparently killed directly by security forces or state-affiliated colectivos. The first half of 2019 saw mass demonstrations by those who backed Juan Guaidó's presidential proclamation, notably in January and May. State and municipal police and armed colectivos responded with violence, and dozens of protest-related deaths were recorded. Mass arbitrary detentions accompanied larger

protests, with Amnesty International reporting the arbitrary arrest of 770 demonstrators on a single day in January.

Despite the risk of injury and even death, thousands of protests took place throughout the year, most of which focused on discontent with deteriorating economic and social conditions.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Activists and nongovernmental organizations (NGOs) are routinely harassed, threatened, and subject to legal and administrative sanctions for their work. Dozens of civil society activists have been physically attacked in recent years. In recent years, the government has focused mainly on attempting to delegitimize these organizations by accusing them of conspiring with foreign governments.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Workers are legally entitled to form unions, bargain collectively, and strike, with some restrictions on public-sector workers' ability to strike. Control of unions has shifted from traditional opposition-allied labor leaders to new workers' organizations that are often aligned with the government. The competition has contributed to a substantial increase in labor violence as well as confusion and delays during industry-wide collective bargaining.

In December 2018, Ruben González, head of the union for workers at the public company Ferrominera de Orinoco, was arrested after a protest on allegations of violating the union's collective bargaining agreement. His case was heard by a military tribunal, in violation of human rights norms; the court sentenced him to almost six years in prison.

F. RULE OF LAW: 1 / 16

F1. Is there an independent judiciary? 0 / 4

Politicization of the judicial branch increased dramatically under Chávez and has progressed further under Maduro. High courts generally do not rule against the government. Political control of the judiciary was reinforced through the appointment of new, regime-loyal judges in 2010 and again in 2015, just before the opposition-controlled National Assembly took office.

In recent years, the TSJ has issued numerous decisions that have bolstered Maduro's power. These include rulings that permitted security forces to break up unsanctioned protests, denied the opposition a supermajority after the 2015 elections by barring three new lawmakers from taking their seats, nullified most legislation passed by the opposition-controlled legislature, and ultimately stripped the National Assembly of its powers, replacing it with a National Constituent Assembly that was elected through a profoundly undemocratic process and is composed entirely of regime loyalists.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Opponents of the government and ruling party are routinely detained and prosecuted without regard for due process. In recent years, the Bolivarian National Intelligence Service (SEBIN) has increasingly carried out policing functions and arrested opposition politicians and journalists without informing the Public Ministry or presenting official charges. The military has also assumed roles previously reserved for civilian law enforcement institutions, and foreign governments allege that the military has adopted a permissive attitude toward drug trafficking. According to Venezuelan human rights groups, hundreds of civilians have been tried in military court proceedings since 2017.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Venezuela's violent crime rates rank among the highest in the world. Statistics for 2018 released by the Venezuelan Violence Observatory (OVV) placed the country's homicide rate at 81.4 per 100,000 people. The investigative organization Insight Crime, which collects regional crime statistics, said that figure made Venezuela the most dangerous country in Latin America by a wide margin. Venezuela also ranked second-to-last of all countries surveyed in Gallup's 2019 Global Law and Order report, with only 26 percent of Venezuelan respondents saying they felt safe walking at night.

Prison conditions in Venezuela remain among the worst in the Americas. *Pranes*, or gang leaders who operate from prisons, freely coordinate criminal networks throughout Venezuela.

The police and military have been prone to corruption, torture, and extrajudicial killings. The OHCHR, in its July 2019 report on Venezuela, said there had been at least 2,124 deaths during security operations in the first five months of 2019. It further asked the government to dissolve the special forces unit known as FAES, whose members, it said, stand accused of a "shockingly high" number of extrajudicial executions during security operations.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The rights of indigenous people, who make up 2.5 percent of the population, are upheld by the constitution but poorly protected by authorities. The July 2019 OHCHR report said the economic and social rights of indigenous people had been disproportionately affected by the humanitarian situation. The report singled out as particularly troubling mining activities in the state of Bolivar, which have brought about violations of collective rights, including the right to maintain customs, traditional ways of life, and a spiritual relationship with their land. The OHCHR also documented seven instances of deadly violence against indigenous people in the first five months of 2019. These included at least three deaths during a military operation in a community populated largely by members of the Pemón indigenous group. These events prompted an exodus of more than 900 Pemón to Brazil, with most of those who fled indicating that they would not return to Venezuela due to the fear of persecution.

Although discrimination based on sexual orientation is barred, LGBT+ Venezuelans face widespread intolerance and are occasionally subjected to violence. Segments of the population that were already disadvantaged or marginalized have suffered disproportionately from Venezuela's economic and health crises. People living with HIV/AIDS have suffered due to the government's decision to stop subsidizing antiretroviral drugs.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16 (-1)**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4**

The country's currency controls and other economic policies, combined with an enormous decline in the number of flights to and from Venezuela, and periodic border closures, have made it extremely difficult for Venezuelans to travel abroad. Nevertheless, Venezuelans of all social classes continued to flee the country in massive numbers in 2019. In June, UNHCR, the UN Refugee Agency, and the International Organization for Migration (IOM) announced that the total number of emigrants had surpassed 4 million, with 1 million of those having left since November 2018.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Property rights have been affected by years of price controls, nationalizations, over-regulation, and corruption. Accusations of mismanagement, underinvestment, graft, and politicized hiring practices within state-owned enterprises are common.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4 (-1)

Individuals enjoy broad freedom in their interpersonal and romantic relationships and in their personal appearance.

The politically driven economic collapse in Venezuela has reduced the availability of reproductive health care. Maternal and infant mortality has increased due to a lack of skilled birth attendants and medical supplies, and to poor hospital conditions. While data on the matter is limited, a contraceptives shortage is likely related to an increase in pregnancies among young women and teenage girls. Due to restrictive legislation on abortion, many women and girls resort to clandestine abortions that are frequently unsanitary and unsafe. Those with means must travel abroad to access legal and safe abortions.

Women relatives of political prisoners are subjected to sexual and gender-based violence and humiliation during visits in detention centers, security operations, and house raids. Women who have been political prisoners have referred to attacks by security forces including sexual violence, threats of rape, and forced nudity.

A 2007 law was designed to combat violence against women, but domestic violence and rape remain common and are rarely punished in practice. Same-sex marriage still is not legal in Venezuela.

Score Change: The score declined from 3 to 2 because the combination of restrictive abortion laws and a politically driven economic collapse have led to sharp increases in maternal and infant mortality in recent years, and because dissidents and their relatives have been subjected to sexual violence by security forces.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Venezuelan women and children are increasingly vulnerable to sex trafficking within Venezuela and in neighboring countries, as well as in Europe, with the problem exacerbated by worsening economic conditions. Migrants to Venezuela have also been subjected to forced labor and sex trafficking. The government has reportedly done little to combat human trafficking.

With job opportunities growing scarce and wages not keeping up with hyperinflation, more citizens have turned to jobs in the informal economy, where they are more exposed to dangerous or exploitative working conditions. Among businesses that are legally registered, sanctions for labor law violations, when levied, generally target private-sector operations, and not those that are state-run.

Vietnam

Population: 95,700,000

Capital: Hanoi

Freedom Status: Not Free

Electoral Democracy: No

Overview: Vietnam is a one-party state, dominated for decades by the ruling Communist Party of Vietnam (CPV). Although some independent candidates are technically allowed to run in legislative elections, most are banned in practice. Freedom of expression, religious freedom, and civil society activism are tightly restricted. The authorities have increasingly cracked down on citizens' use of social media and the internet.

KEY DEVELOPMENTS IN 2019

- Arrests, criminal convictions, and physical assaults against journalists, bloggers, and human rights activists continued during the year. Amnesty International reported that the number of prisoners of conscience in Vietnam was up by roughly 33 percent over 2018.
- A new, tough cybersecurity law that could seriously restrict online speech came into effect in January. The measure forces companies like Facebook and Google to store information about Vietnamese users in Vietnam, potentially making it accessible to state authorities. It also allows the government to block access to content deemed dangerous to national security.
- Vietnam continued to make some strides in fighting corruption, which has been endemic in the past. The government reported that in 2019 that it had disciplined over 53,000 officials and CPV members for graft, and that multiple senior officials, including two members of the Central Committee, had faced discipline including jail time. However, enforcement of anticorruption measures remains politicized and selective.
- President and party general secretary Nguyễn Phú Trọng enjoyed more centralized, personalized power than any recent Vietnamese leader. Vietnam specialists have expressed concern that Trọng could create a personalized and sustained autocracy, like Xi Jinping, though he has not consolidated power on anywhere near that level.

POLITICAL RIGHTS: 3 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is elected by the National Assembly for a five-year term, and is responsible for appointing the prime minister, who is confirmed by the legislature. However, all selections for top executive posts are predetermined in practice by the CPV's Politburo and Central Committee.

In 2016, nominees for president and prime minister were chosen at the CPV's 12th Party Congress, which also featured the reelection of Nguyễn Phú Trọng as the party's general secretary. In April of that year, the National Assembly formally confirmed Trần Đại Quang as president and Nguyễn Xuân Phúc as prime minister.

President Trần Đại Quang died in September 2018, and the National Assembly confirmed Nguyễn Phú Trọng as his replacement in October; Trọng retained the post of party general secretary.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Elections to the National Assembly are tightly controlled by the CPV, which took 473 of the body's 500 seats in the 2016 balloting. Candidates who were technically independent but vetted by the CPV took 21 seats. More than 100 independent candidates, including many young civil society activists, were barred from running in the elections.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral laws and framework ensure that the CPV, the only legally recognized party, dominates every election. The party controls all electoral bodies and vets all candidates, resulting in the disqualification of those who are genuinely independent.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The CPV enjoys a monopoly on political power, and no other parties are allowed to operate legally. Members of illegal opposition parties are subject to arrest and imprisonment.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The structure of the one-party system precludes any democratic transfer of power. The Vietnam Fatherland Front (VFF), responsible for vetting all candidates for the National Assembly, is ostensibly an alliance of organizations representing the people, but in practice it acts as an arm of the CPV.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The overarching dominance of the CPV effectively excludes the public from any genuine and autonomous political participation.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Although ethnic minorities are nominally represented within the CPV, they are rarely allowed to rise to senior positions, and the CPV leadership's dominance prevents effective advocacy on issues affecting minority populations. While Vietnam has enacted policies and strategies aimed at boosting women's political participation, in practice the interests of women are poorly represented in government.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The CPV leadership, which is not freely elected or accountable to the public, determines government policy and the legislative agenda.

C2. Are safeguards against official corruption strong and effective? 1 / 4

CPV and government leaders have acknowledged growing public discontent with corruption, and there has been an increase in corruption-related arrests in recent years. The government reported that in 2019 that it had disciplined over 53,000 officials and other party members for graft. Multiple senior officials, including two members of the Central Committee, have faced discipline including jail time.

Despite the crackdown, enforcement of anticorruption laws is generally selective and often linked to political rivalries. Many top officials who have been detained or jailed belonged to a different political faction than Trọng.

C3. Does the government operate with openness and transparency? 1 / 4

The CPV leadership operates with considerable opacity. The National Assembly passed an access to information law in 2016, but its provisions are relatively weak. Information can also be withheld if it is deemed to threaten state interests or the well-being of the nation.

CIVIL LIBERTIES: 17 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16****D1. Are there free and independent media? 1 / 4**

Although the constitution recognizes freedom of the press, journalists and bloggers are constrained by numerous repressive laws and decrees. Those who dare to report or comment independently on controversial issues risk intimidation and physical attack.

The criminal code prohibits speech that is critical of the government, while a 2006 decree prescribes fines for any publication that denies revolutionary achievements, spreads “harmful” information, or exhibits “reactionary ideology.” Decree 72, issued in 2013, gave the state sweeping new powers to restrict speech on blogs and social media. The state controls all print and broadcast media.

In June 2018, the National Assembly approved a restrictive cybersecurity law that will, among other provisions, force companies like Facebook and Google to store information about Vietnamese users in Vietnam, making it potentially more accessible to state authorities. The law, which also allows the government to block access to a broad range of content that could be defined as dangerous to national security, came into force in January 2019.

New arrests, beatings, criminal convictions, and cases of mistreatment in custody involving journalists and bloggers continued to be reported throughout 2019, with dozens arrested during the year. At a human-rights dialogue with Vietnam in May, US diplomats expressed concern over the rising number of prosecutions of writers and activists in Vietnam. In July, Trương Duy Nhất, blogger for Radio Free Asia, was charged with “abusing his position.” He had been apparently abducted from Thailand earlier in the year by Vietnamese agents. Blogger and activist Lê Anh Hùng was involuntarily committed to a mental hospital, and, according to reports, forced to take a range of medicines. In August, state media produced a documentary that portrayed writers and activists as spreading “fake news” designed to overthrow the ruling party. In November, the security forces arrested six bloggers and writers in one day. In December, a Vietnamese activist serving a 13-year jail sentence in connection with Facebook postings died in jail, and was quickly buried.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Religious freedoms remain restricted. All religious groups and most individual clergy members are required to join a party-controlled supervisory body and obtain permission for most activities. A 2016 Law on Belief and Religion, which has been gradually rolled out, reinforced registration requirements, will allow extensive state interference in religious groups’ internal affairs, and gives authorities broad discretion to penalize unsanctioned religious activity. In its annual report for 2019, the US Commission on International Religious Freedom recommended that Vietnam be placed back on the US State Department’s list of countries that are the worst abusers of religious freedom in the world, since conditions have not measurably improved since the country was taken off the list 13 years previously.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academic freedom is limited. University professors must refrain from criticizing government policies and adhere to party views when teaching or writing on political topics. In March 2019, a prominent Vietnamese historian, Ông Trần Đức Anh Sơn, was kicked out of the Communist Party, a major punishment, for questioning Vietnam's policies toward China.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Although citizens enjoy more freedom in private discussions than in the past, authorities continue to attack and imprison those who openly criticize the state, including on social media. The government engages in surveillance of private online activity.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is tightly restricted. Organizations must apply for official permission to assemble, and security forces routinely use excessive force to disperse unauthorized demonstrations. After nationwide anti-China protests in June 2018, during which dozens of participants were assaulted and arrested, the courts convicted well over a hundred people of disrupting public order, and many were sentenced to prison terms. In June 2019, a court sentenced a man who had become known during the 2018 protests for bringing bread and water to demonstrators to eight years in jail for "disrupting public security."

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

A small but active community of nongovernmental organizations (NGOs) promotes environmental conservation, land rights, women's development, and public health. However, human rights organizations are generally banned, and those who engage in any advocacy that the authorities perceive as hostile risk imprisonment.

Criminal prosecutions and violence against activists persisted in 2019. Among other incidents, in July 2019, seven activists were sentenced to jail for protesting a new toll road plan. The same month, family members of activists who tried to visit a jail in Nghệ An Province were beaten by a mob of assailants. Earlier, in June, a Vietnamese court sentenced an American activist to 12 years in jail for allegedly trying to overthrow the Vietnamese government, and also sentenced two Vietnamese activists who had been trying to recruit antigovernment protestors.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

The Vietnam General Conference of Labor (VGCL) is Vietnam's only legal labor federation and is controlled by the CPV. The right to strike is limited by tight legal restrictions.

In November 2019, the National Assembly voted to change the Labor Code. These changes, demanded by Vietnam's free trade deals, will theoretically allow workers to form independent unions and hold strikes.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

Vietnam's judiciary is subservient to the CPV, which controls the courts at all levels. This control is especially evident in politically sensitive criminal prosecutions, with judges sometimes displaying greater impartiality in civil cases.

F2. Does due process prevail in civil and criminal matters? 1 / 4

Constitutional guarantees of due process are generally not upheld. Defendants have a legal right to counsel, but lawyers are scarce, and many are reluctant to take on cases involving human rights or other sensitive topics. Defense lawyers do not have the right to call witnesses, and often report insufficient time to meet with their clients. In national security cases, police can detain suspects for up to 20 months without access to counsel.

Amendments to the penal code that took effect in 2018 included a provision under which defense lawyers can be held criminally liable for failing to report certain kinds of crimes committed by their own clients.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

There is little protection from the illegitimate use of force by state authorities, and police are known to abuse suspects and prisoners, sometimes resulting in death or serious injury. Prison conditions are poor. In May 2019, Amnesty International reported that Nguyễn Văn Hoá, a former Radio Free Asia blogger serving a seven-year jail sentence for reporting on protests over a toxic waste spill, had been tortured in prison.

The new penal code reduced the number of crimes that can draw the death penalty, though it can still be applied for crimes other than murder, including drug trafficking. In June 2019, the public security minister suggested the government was considering making drug use a crime again, rather than treating drug users via rehab. In the past, detention centers for drug users were criticized by rights groups as brutal labor camps.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Ethnic minorities face discrimination in Vietnamese society, and some local officials restrict their access to schooling and jobs. Minorities generally have little input on development projects that affect their livelihoods and communities. Members of ethnic and religious minorities also sometimes face monitoring and harassment by authorities seeking to suppress dissent and suspected links to exile groups.

Men and women receive similar treatment in the legal system. Women generally have equal access to education, and economic opportunities for women have grown, though they continue to face discrimination in wages and promotions.

The law does not prohibit discrimination based on sexual orientation or gender identity, and societal discrimination remains a problem. Nevertheless, annual LGBT+ pride events were held across the country for an eighth year in 2019.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4**

Although freedom of movement is protected by law, residency rules limit access to services for those who migrate within the country without permission, and authorities have restricted the movement of political dissidents and ethnic minorities on other grounds. Vietnamese citizens who are repatriated after attempting to seek asylum abroad can face harassment or imprisonment.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

All land is owned by the state, which grants land-use rights and leases to farmers, developers, and others. Land tenure is one of the most contentious issues in the country, and is the subject of regular protests. The seizure of land for economic development projects is often accompanied by violence, accusations of corruption, and prosecutions of those who protest.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The government generally does not place explicit restrictions on personal social freedoms. Men and women have equal rights pertaining to matters such as marriage and divorce under the law. In 2015, Vietnam repealed a legal ban on same-sex marriage, but the government still does not grant such unions legal recognition.

Domestic violence against women remains common, and the law calls for the state to initiate criminal as opposed to civil procedures only when the victim is seriously injured.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Human trafficking remains a problem in Vietnam, although the government has made some efforts to boost antitrafficking efforts. Internationally brokered marriages sometimes lead to domestic servitude and forced prostitution. Male and female migrant workers are vulnerable to forced labor abroad in a variety of industries. Enforcement of legal safeguards against exploitative working conditions, child labor, and workplace hazards remains poor.

Yemen

Population: 29,200,000

Capital: Sanaa

Freedom Status: Not Free

Electoral Democracy: No

Overview: Yemen, home to a long-running series of smaller internal conflicts, has been devastated by a civil war involving regional powers since 2015. Saudi Arabia and its allies intervened that year to support the government of President Abd Rabbu Mansur Hadi against the Houthis, a rebel movement rooted in the Zaidi Shiite community, which forms a large minority in Yemen. The civilian population has suffered from direct violence by both sides, as well as from hunger and disease caused by the interruption of trade and aid. Elections are long overdue, normal political activity has halted, and many state institutions have ceased to function.

KEY DEVELOPMENTS IN 2019

- A fragile truce around the Red Sea port of Hodeidah, negotiated in Stockholm in December 2018, largely remained intact during the year, but progress on implementing the other terms of the agreement was slow. The United Arab Emirates (UAE), a key Saudi ally, began pulling back from Hodeidah in June 2019 as part of a broader redeployment of its forces in Yemen.
- The UN special envoy for Yemen warned in August that the country risked “fragmentation” after the Southern Transitional Council, a separatist group backed by the UAE, sought to seize control of Hadi government institutions through armed

clashes in Aden and other southern cities. A Saudi-brokered agreement in October appeared to end the infighting.

- Yemen's humanitarian crisis worsened during the year, with new cases of cholera, growing malnutrition, and severe fuel shortages that followed the Hadi government's imposition of additional regulatory requirements on commercial imports through Hodeidah.

POLITICAL RIGHTS: 1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Under the existing constitution, the president is elected for seven-year terms. In 2011, after sustained pressure from the United States, the United Nations, and the Gulf Cooperation Council, longtime president Ali Abdullah Saleh signed a Saudi-brokered agreement that transferred his powers to then vice president Hadi in exchange for immunity from prosecution for his role in a violent crackdown on antigovernment protests. In 2012, Yemeni voters confirmed Hadi, who ran unopposed, as interim president with a two-year term. In 2014, the multiparty National Dialogue Conference (NDC), a months-long initiative in which more than 500 delegates aimed to reach agreement on Yemen's political future, concluded with a plan to transform the country into a federated state of six regions. The NDC also extended Hadi's term for one year so that the proposed reforms could be finalized in a new constitution.

However, the constitutional drafting process and election schedule were thrown into disarray by the Houthis, an armed rebel movement known formally as Ansar Allah (Supporters of God) that is rooted in the Zaidi Shiite population of northwestern Yemen. Houthi forces took over large swaths of the country, eventually occupying Sanaa in September 2014. The Houthis subsequently refused to evacuate the capital as part of a tentative power-sharing agreement, leading Hadi and his cabinet to flee into exile in early 2015. Meanwhile, the Houthis assumed control of state institutions in the areas they held. Hadi retained international recognition as president but had no clear mandate and little control over the country.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

According to the constitution, the president selects the 111 members of the largely advisory upper house of Parliament, the Majlis al-Shura (Consultative Council). The 301 members of the lower house, the House of Representatives, are elected to serve six-year terms. The original six-year mandate of the last Parliament expired in 2009, and elections were put off again in 2011 amid the popular uprising against Saleh. In January 2014, the NDC declared that parliamentary elections would occur within nine months of a referendum on the new constitution then being drawn up. The constitutional drafting committee completed its work in January 2015, but due to the outbreak of the civil war and the Saudi-led intervention in March of that year, no vote has yet taken place. The incumbent Parliament was disbanded after the Houthis seized control of the capital.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

Presidential and legislative elections are now many years overdue, and no side in the civil war has been able to assert enough territorial control to implement any electoral framework.

B. POLITICAL PLURALISM AND PARTICIPATION: 1 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Political parties continue to exist in Yemen, but they face severe repression by different authorities and armed groups across the country.

The Houthis have harshly suppressed political dissent in areas under their control since 2015. In July 2019, the Houthi-controlled Specialized Criminal Court in Sanaa issued death sentences against 30 academics and political figures associated with opposition groups after trial proceedings that Amnesty International described as a “sham.” Security forces associated with the UAE have used arbitrary arrests, detentions, and enforced disappearances to persecute certain political groups, including members of Al-Islah, an offshoot of the Muslim Brotherhood in Yemen.

In August 2019, after clashes broke out in the southern city of Aden between the Saudi-backed Hadi government and the southern separatist movement, an ally of convenience against the Houthis that enjoys UAE support, the separatist forces detained dozens of progovernment politicians, clerics, and activists. The infighting was apparently resolved through a Saudi-brokered agreement in October.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Parliamentary elections have not been held in Yemen since 2003 and were last due in 2009. The most recent presidential election, in 2012, featured only one candidate. No date has been set for future elections, and peaceful political opposition has been suppressed in the context of the civil war.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Ordinary political activity is impeded by the presence of multiple armed groups throughout Yemen, including Houthi-led rebel forces, Sunni extremist groups, southern separatists, foreign troops from the Saudi-led coalition, Hadi government troops, and local or partisan militias.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

All segments of the population lack political rights under current conditions in Yemen. Thirty percent of the NDC’s delegates were women, and its final agreement called for similar representation in all branches of government under a new constitution, but the draft constitution has been on hold since the outbreak of war. Only one woman won a seat in the last parliamentary elections. A caste-like minority group with East African origins, known as the Akhdam or Muhamasheen, accounts for as much as 10 percent of the population but has long been marginalized in politics and in society. The group had one representative at the NDC.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Yemen has no functioning central government, and any state institutions that continue to operate are controlled by unelected officials and armed groups. The Hadi government is

largely dependent on its foreign patrons, particularly Saudi Arabia and the UAE, which also have relationships with other anti-Houthi groups. The Houthis receive at least some support from Iran.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Government transparency and accountability were minimal even before the outbreak of war in 2015, as a network of corruption and patronage established under Saleh remained entrenched in public institutions, and formal anticorruption mechanisms were largely ineffective. The disruption to legal commerce caused by the civil war has increased the role of the black market and created further opportunities for graft. Food aid is often stolen and sold on the black market by officials on all sides of the conflict, including Houthis and armed forces linked to the Saudi military coalition, exacerbating a food-security crisis that has left millions at risk of malnutrition.

C3. Does the government operate with openness and transparency? 0 / 4

The only truly national institution that had initially continued to function during the civil war, the central bank, has been split between a government-backed version in Aden and a rebel-backed version in Sanaa since 2016. This has caused politicized disruptions to public-sector salaries, aid, and commerce, and further reduced the transparency of state finances and monetary policy.

CIVIL LIBERTIES: 10 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

The state has historically controlled most terrestrial television and radio, though there have been several privately owned radio stations. Since the outbreak of the war, the belligerents have either taken over or enforced self-censorship at any surviving media outlets in the country. Houthi-backed authorities reportedly block certain news websites, online messaging and social media platforms, and satellite broadcasts. The Saudi-led coalition and Hadi government forces have also harassed and arrested reporters.

The war has made Yemen more dangerous for journalists, who endure violent attacks and enforced disappearances from all sides in the conflict. In May 2019, the Committee to Project Journalists reported that it had received documentation indicating a pattern of mistreatment and torture of journalists in the custody of Houthi forces; some had been held since 2015 without trial. Among other new press freedom violations during the year, Abdul Hafiz al-Samadi, a former journalist whose political analysis was critical of corruption in Yemeni politics, was seized by Houthi forces in Sanaa in July and taken to an unknown location.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Islam is the official religion, and the constitution declares Sharia (Islamic law) to be the source of all legislation. Yemen has few non-Muslim religious minorities; their rights have traditionally been respected in practice, though conversion from Islam and proselytizing to Muslims is prohibited. The civil war has inflamed sectarian tensions between the Shiite Houthis and Sunni militant groups. Members of Yemen's Baha'i community in the north have reported increased persecution by Houthi-controlled rebel forces, which they see as a sign of growing Iranian influence. Legal proceedings in the case of 24 Baha'i members who

were arrested by Houthi forces in 2018 and charged with apostasy and espionage continued during 2019.

Attacks on clerics have increased since the war's outbreak. In 2017 and 2018 up to 27 clerics were killed in the Aden area; many were members of an Islamist group favored by Saudi Arabia but viewed as an extremist organization by the UAE. No suspects had been identified as of 2019.

Combatants on both sides of the conflict have destroyed many religious sites and mosques across the country.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Strong politicization of campus life, including tensions between supporters of Saleh's General People's Congress (GPC) party and the opposition party Al-Islah, historically infringed on academic freedom at universities. Since 2015, Houthi forces have detained scholars as part of their crackdown on dissent. The civil war has also caused damage to educational facilities across the country, suspension of classes and other activities at schools and universities, and deaths of children caught in either errant or deliberate military attacks on schools. Millions of students no longer attend school due to the war, and thousands have been recruited by armed groups.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Freedom of personal expression and private discussion is severely limited as a result of intimidation by armed groups and unchecked surveillance by the Houthi authorities.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12

E1. Is there freedom of assembly? 1 / 4

Yemenis have historically enjoyed some freedom of assembly, with periodic restrictions and sometimes deadly interventions by the government. Demonstrations against both the Hadi government and Houthi authorities occurred in 2019. Houthi officials have arrested dozens of people for protesting over declining living standards and high commodity prices in Sanaa, and the demonstrators have been violently attacked in some cases. In August, thousands of people assembled in Aden to express support for the southern separatist movement.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

A number of nongovernmental organizations (NGOs) work in the country, but their ability to function is restricted by interference from armed groups. Houthi forces have closed or raided NGO offices and detained activists, and both sides in the civil war have blocked or seized humanitarian aid. Human rights defenders risk arrest and detention by both Saudi-backed and Houthi forces. Among other cases during 2019, Houthi authorities arrested two human rights advocates—Awfa al-Na'ami, director of Saferworld's Yemen office, and her colleague Alhassan al-Qawtari—in January and held them without charge for two weeks before releasing them.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The law acknowledges the right of workers to form and join trade unions, but in practice these organizations have had little freedom to operate. Virtually all unions belong to

a single labor federation, and the government is empowered to veto collective bargaining agreements. Normal union activity has been disrupted by the civil war and the related breakdown of the economy.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary, though nominally independent, is susceptible to interference from various political factions. Authorities have a poor record of enforcing judicial rulings, particularly those issued against prominent tribal or political leaders. Lacking an effective court system, citizens often resort to tribal forms of justice and customary law—practices that have increased as state institutions continue to deteriorate.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Arbitrary detention is common, with hundreds of cases documented in recent years. Many amount to enforced disappearances, with no available information about the victims' status or location. Detainees are often held at unofficial detention sites. As with other state institutions, security and intelligence agencies like the Political Security Organization have been split into parallel Houthi- and Hadi-controlled structures, with each operating in territory controlled by its side in the civil war. In areas that lie within the UAE's sphere of influence in southern Yemen, Emirati special forces have been accused of operating a network of secret prisons and detention centers where torture is said to be rife.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The civil war has included periods of acute violence across the country. Saudi-led coalition air strikes have failed to distinguish between military and civilian targets, and artillery fire from Houthi forces has been similarly indiscriminate. A Saudi-led strike on a market in the northern province of Saada killed 14 civilians in July 2019, while in September more than 60 people were killed in a Saudi-led attack on a university in Dhamar that had been repurposed by Houthi forces to serve as a prison. A number of other armed factions, including foreign military units and extremist groups like Al-Qaeda in the Arabian Peninsula (AQAP), operate in the country with impunity for any abuses. According to the Armed Conflict Location & Event Data Project, as of June 2019 more than 91,000 people had been killed in the conflict since the beginning of 2015.

In December 2018, representatives of the main belligerents meeting in Stockholm agreed to a cease-fire covering the strategic port city of Hodeidah. The pact also called for a prisoner exchange and facilitation of the movement of humanitarian aid. In July 2019, the UN special envoy for Yemen, Martin Griffiths, urged faster implementation of the agreement to prevent the fragile truce around Hodeidah from unraveling. The UAE had begun pulling back from Hodeidah and redeploying its troops across southern Yemen in June, significantly reducing its direct military involvement by year's end, though it continued to support local proxies.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Despite the growing sectarian rift between the Sunni Muslim majority and the large Zaidi Shiite minority, Yemen is relatively homogeneous in terms of language and ethnicity. However, the Muhamasheen face severe social discrimination and poverty. Women also continue to face discrimination in many aspects of life, and their testimony in court is

equivalent to half that of a man. Same-sex sexual activity is illegal, with possible penalties including lashes, imprisonment, and death. Due to the severe threats they face, few LGBT+ Yemenis reveal their identity.

Migrants and refugees fleeing war and poverty in the Horn of Africa continue to arrive in Yemen. Roughly 280,000 refugees and asylum seekers remained in Yemen in 2019, according to UN data. Many of those entering were seeking work in the Gulf states but faced harsh conditions, violence, and barriers to further travel once in Yemen.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

More than three million people were internally displaced in Yemen as of 2019, according to the Office of the UN High Commissioner for Refugees. Movement within the country is impaired by combat, damage to infrastructure, and checkpoints at which a variety of armed groups engage in harassment and extortion.

Even in peacetime, a woman must obtain permission from her husband or father to receive a passport and travel abroad.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Property rights and business activity have been severely disrupted by the civil war and unchecked corruption, as well as the retreat of state authorities from large areas of Yemen and the division of the country into spheres of influence controlled by different armed groups. Women do not have equal rights in inheritance matters.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Women face disadvantages in divorce and custody proceedings, and require a male guardian's permission to marry. Child marriage is a widespread problem. There are some restrictions on marriage to foreigners; a woman can confer citizenship on a child from a foreign-born spouse if the child is born in Yemen. The penal code allows lenient sentences for those convicted of "honor crimes"—assaults or killings of women by family members for alleged immoral behavior. Although female genital mutilation is banned in state medical facilities, it is still prevalent in some areas. Extremist groups have attempted to impose crude versions of Sharia in territory under their control, harshly punishing alleged violations related to sexual activity, personal appearance, and other matters.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

The war has increased the risk of human trafficking, and after 2015 the government was no longer able to pursue antitrafficking efforts it had previously begun. Migrants, refugees, and the internally displaced are especially vulnerable to exploitation. Border controls and naval blockades imposed by the Saudi-led coalition have contributed to shortages of food, medicine, fuel, and other essential imports, leaving the public more exposed to famine and disease as well as coercion and deprivation by armed groups and black-market traders. In December 2018, the United Nations reported that 20 million people were going hungry in Yemen. A cholera outbreak continued in 2019 and resulted in more than 900 deaths in the first nine months of the year. Fuel shortages worsened in September as new Hadi government regulations appeared to hamper commercial imports through Hodeidah.

Zambia

Population: 17,900,000

Capital: Lusaka

Freedom Status: Partly Free

Electoral Democracy: No

Overview: Zambia's political system features regular multiparty elections, and some civil liberties are respected. However, opposition parties face onerous legal and practical obstacles to fair competition, and the government regularly invokes restrictive laws to curb freedom of expression and ban peaceful demonstrations and meetings. Political violence remains a problem.

KEY DEVELOPMENTS IN 2019

- Three opposition party supporters were killed in political violence over the course of the year, and opposition leaders continued to face harassment and arrests.
- The Constitutional Court in September reaffirmed its 2016 decision requiring 64 ministers from the ruling Patriotic Front (PF) to repay the government salaries they had received while improperly remaining in office during the 2016 election campaign.
- In November, the Constitutional Court turned back a challenge in which civil society organizations sought to halt the PF's attempt to introduce constitutional amendments that would give additional powers to the president.
- Both public figures and ordinary individuals continued to risk arrest for social media posts and other commentary that is critical of the government.

POLITICAL RIGHTS: 22 / 40

A. ELECTORAL PROCESS: 6 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4

The president is directly elected to serve up to two five-year terms. In 2016, Edgar Lungu of the PF was narrowly reelected with 50.35 percent of the vote, defeating Hakainde Hichilema of the United Party for National Development (UPND), who took 47.67 percent. The 2016 polls were marred by election-related violence between PF and UPND supporters, restrictions on opposition-aligned media, misuse of public resources by the ruling PF, and invocation of the Public Order Act to restrict opposition rallies. While expressing serious concern over these problems, international election monitors deemed the results credible.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The unicameral National Assembly comprises 156 elected members, up to 8 members appointed by the president, and 3 seats allocated for the vice president, the speaker, and a deputy speaker. The 2016 legislative polls were held concurrently with the presidential election and featured the same problems, though international monitors found the outcome generally credible. The PF won 80 seats, followed by the UPND with 58; independents and smaller parties took the remainder.

A number of Lungu's cabinet members in 2016 drew legal complaints over their failure to vacate their government posts while running for parliament seats. Election monitors and other critics said that by remaining in office during the campaign period, the ministers had improperly retained access to government resources. The Constitutional Court that year ordered them to surrender pay for the three months they were deemed to have been illegally in office, and reaffirmed its decision in September 2019, but the order was apparently ignored through the end of 2019.

In an April 2019 by-election, the PF lost a parliament seat to the National Democratic Congress (NDC) party, led by former information minister Chishimba Kambwili. Political violence during the election period resulted in the death of an NDC youth leader.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Some elements of the 2016 electoral law were not fully applied during that year's presidential and legislative polls, in part because stakeholders did not have enough time to thoroughly review the law's provisions, and due to discrepancies between its contents and elements of the constitution.

The Electoral Commission of Zambia (ECZ) is responsible for managing the election process but lacks capacity. The US-based Carter Center, which was among groups that monitored the 2016 polls, criticized the ECZ for "ineffective" management of vote tabulation and verification.

In November 2019, the Constitutional Court rejected a legal challenge in which civil society groups sought to block the PF's introduction of constitutional amendments that would give the president greater control over changes to the electoral system, the appointment of judges and ministers, and monetary policies currently managed by the Central Bank. The court argued in part that it could not rule on the legislation before it had been adopted. The bill, which required a two-thirds majority to pass, was still under consideration at year's end.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Political parties are registered under the Societies Act and do not regularly face onerous registration requirements; independent candidates may also run for office. However, in August 2019, the Registrar of Societies deregistered the opposition NDC on the grounds that it did not have a party constitution. The action was challenged in court and temporarily halted pending judicial review.

Opposition parties continued to face harassment, arrests, and other significant obstacles to their activities during 2019. Supporters of the ruling party disrupted private television and radio broadcasts and attacked media outlets that scheduled appearances by opposition members. Police repeatedly blocked UPND leader Hakainde Hichilema from holding party events in and around the capital city, Lusaka, while other opposition leaders encountered intimidation or prosecution for alleged defamation of the president. In one incident in April, PF supporters attacked NDC leader Chishimba Kambwili during an interview on a Kabwe radio station, damaging studio equipment.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Zambia had experienced only one democratic transfer of power between rival groups before the PF captured the presidency in 2011. The current opposition has regularly won seats in the legislature, and the UPND nearly doubled its representation in the 2016 elections, but its ability to compete was impeded by intense pressure on the private media, use of the Public Order Act to restrict opposition events, and political violence.

Laws against election-related violence are poorly enforced. In 2019, political violence involving the PF and opposition groups continued with impunity, especially in the run-up to parliamentary and local by-elections. An NDC supporter and two others from the UPND were killed in separate clashes with the PF in April and October. The opposition won both of the polls in question despite the violence.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

The people's political choices are for the most part free from domination by groups that are not democratically accountable, though the ruling party has at times been accused of undemocratic tactics including vote buying and political pressure on public employees to ensure election victories.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Suffrage in Zambia is universal for adult citizens. Women have equal political rights according to the constitution, but only 30 women secured parliament seats in 2016, and few hold key positions in government. A requirement that elected officials be educated at least through high school effectively prevents many women from declaring political candidacies.

Presidents since independence have failed to honor the 1964 Barotseland Agreement, which promised the Western Province, which is home to the Lozi ethnic group, limited local self-governance. Several people accused of leading a separatist movement there remained in prison for treason at the end of 2019. One leading separatist was granted a presidential pardon in November, but his release was rescinded, and he remained in detention.

Criminalization of sexual activity between members of the same sex poses a major barrier to the ability of LGBT+ people to advocate for their interests through the political system.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

Flawed elections undermine the democratic legitimacy of both the president and the National Assembly, and the executive exhibits excessive dominance over the legislature. A third of the PF's lawmakers hold positions in the cabinet, and the ruling party is able to push legislation through the National Assembly with little effective resistance from the opposition.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption in government is widespread, and impunity is common. Prosecutions and court decisions on corruption charges, when they do occur, are often thought to reflect political motivations. In a sign of the scope of the problem, the United Kingdom, Ireland, Finland, and Sweden decided in 2018 to withdraw aid to Zambia amid allegations that \$4.7 million in donor funds had been embezzled by government ministries. Lungu subsequently dismissed the minister of community development and social welfare and a senior Education Ministry

official for their alleged roles in the scandal. Charges of abuse of office were filed against the former minister, and a trial was pending at the end of 2019.

Limited funding and enforcement restrict the efficacy of institutional safeguards against corruption, and PF leaders and the government sometimes undermine the work of anticorruption bodies. The Financial Intelligence Centre (FIC), a government anticorruption watchdog, came under pressure over the May 2019 publication of its 2018 *Money Laundering/Terrorist Financing Trends Report*, which found that corruption cost the government 6.1 billion kwacha (US\$474 million) in 2018, up from 4.5 billion kwacha (US\$350 million) in 2017. In June 2019, FIC staff reported receiving death threats. By September, the existing FIC board had been replaced with a more progovernment panel.

C3. Does the government operate with openness and transparency? 2 / 4

Zambia continues to struggle with government accountability. There is no law guaranteeing public access to information, and while the Anti-Corruption Act requires some public officeholders to make financial declarations, it is only loosely enforced.

However, government ministers in recent years have made more unprompted disclosures to the parliament, and according to the Extractive Industries Transparency Initiative (EITI), transparency in the mining sector has improved.

CIVIL LIBERTIES: 32 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16

D1. Are there free and independent media? 1 / 4

Freedom of the press is constitutionally guaranteed but restricted in practice. Self-censorship remains common. Public media largely provide government points of view and neglect coverage of the opposition, though some private outlets carry sharp criticism of the government. Outlets that are perceived as aligned with the opposition are subject to arbitrary closure by authorities, while critical journalists risk damage to equipment, frivolous lawsuits, arrest, and harassment by the government and political party supporters.

In March 2019, the broadcast regulator suspended Prime TV's license for nearly a month after a PF leader accused it of bias. In October, police shot and wounded a journalist covering the funeral of an opposition supporter. In November, Derrick Sinjela, editor in chief of *Rainbow Newspaper*, received a presidential pardon after serving 327 days of an 18-month prison sentence for contempt of court, having published allegations of corruption in the Lusaka High Court.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Constitutional protections for religious freedom are generally respected. However, the constitution declares Zambia to be a Christian nation, and the government has been criticized for increasingly engaging in activities that blur the separation of church and state, including backing an annual National Day of Prayer and building an interdenominational church. Religious groups must belong to approved umbrella bodies and are subject to regulations imposed by the Ministry of National Guidance and Religious Affairs.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

The government generally does not restrict academic freedom. However, authorities do place pressure on student unions in response to protests, and student demonstrators risk arrest and violent dispersal by the police.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

There is some freedom of private discussion and personal expression in Zambia, though the government appears to monitor citizens' speech on live radio call-in shows and social media, at times resulting in legal penalties. In March 2019, Sean Tembo of the opposition group Patriots for Economic Progress was arrested for allegedly defaming the president on social media. In May, a Luanshya man was arrested on similar charges for comments he made on a local radio station.

In 2018, the cabinet approved the vaguely worded draft Cyber Security and Cyber-crime Bill. Though the legislation had yet to be adopted at the end of 2019, in February the government established a Special Joint Cybercrime Crack Squad (SJCCS), which was seen as the forerunner of an agency that would be created by the proposed law. Rights activists warned that it could be used to monitor and punish legitimate expression on social media.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12**E1. Is there freedom of assembly? 2 / 4**

Freedom of assembly is guaranteed under the constitution but is not consistently respected by the government. Peaceful protests against the government and political meetings organized by the opposition are frequently restricted under the Public Order Act. Police must receive advance notice before all demonstrations and often assert that such events do not have permission to proceed.

In September 2019, the Lusaka High Court awarded monetary damages to PEP leader Sean Tembo after police prevented the group from peacefully protesting against a case of alleged state corruption involving the purchase of fire trucks at inflated prices. At a subsequent protest in November that received police approval, Tembo was assaulted and robbed; he identified two of the attackers as PF cadres.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Nongovernmental organizations (NGOs) operate in a restrictive environment and are required to register every five years under the 2009 NGO Act. Throughout 2019, an NGO Technical Working Group continued to advance efforts to repeal and replace the existing law.

In December 2019, police detained activist and musician Fumba "Pilato" Chama for holding a youth meeting at a Catholic church in the southern city of Livingstone. Two other activists were arrested when they attempted to negotiate Pilato's release with police. All three were later freed on bail.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

The law generally provides for the right to join unions, strike, and bargain collectively, though workers in essential services do not have the right to strike, and the category is defined to include the mining industry. Historically, Zambia's trade unions were among Africa's strongest, but their leading bodies, including the Zambia Congress of Trade Unions (ZCTU), have faced interference and marginalization under PF rule.

F. RULE OF LAW: 8 / 16**F1. Is there an independent judiciary? 2 / 4**

Judicial independence is guaranteed by law, but in practice the judiciary is subject to political pressure. In November 2018, for example, Lungu warned that chaos would erupt

if the Constitutional Court attempted to block his bid to run for a third term in 2021. In December of that year, the court, composed entirely of Lungu appointees, ruled unanimously that the president was eligible to run in 2021 without violating the two-term limit, because his first term had lasted only one year and six months and represented the completion of the term of Michael Sata, who died in office in 2014.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Pretrial detainees are sometimes held for years under harsh conditions, and many of the accused lack access to legal aid, owing to case backlogs and limited resources. Bail is frequently denied to detainees. In rural areas, customary courts of variable quality and consistency—whose decisions often conflict with the constitution and national law—decide many civil matters.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Allegations of police brutality, including the use of torture to extract confessions, are widespread, and security forces generally operate with impunity. Conditions in pretrial detention facilities and prisons are poor, with reports of forced labor, abuse of inmates by authorities, and deplorable health conditions.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Women are constitutionally guaranteed the same rights as men, but gender-based discrimination and sexual harassment are prevalent in practice.

Same-sex sexual activity is illegal and can be punished with between 15 years and life in prison. The law is actively enforced. In June 2019, the religious affairs minister barred South African gay entertainer Somizi Mhlongo from entering Zambia for a scheduled appearance at a Lusaka fashion event on the grounds that he would harm Zambian Christian morals. In November, two men convicted of “acts against the order of nature” in 2018 were sentenced to 15 years in prison.

Refugees are protected under local and international law, and there were about 85,000 refugees in Zambia as of 2019. However, they often suffer from limited access to basic services and particular vulnerability to gender-based violence.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 8 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The government generally respects the constitutionally protected right to free internal movement and foreign travel. However, internal movement is often impeded by petty corruption, such as police demands for bribes at checkpoints.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Most agricultural land is administered according to customary law. However, the president retains ultimate authority over all land and can intercede to block or compel its sale or transfer. Women frequently experience discrimination in matters involving property and inheritance rights. The process of meeting regulatory requirements for starting and operating businesses can be lengthy and opaque.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Personal status issues such as marriage and divorce are governed by either statutory or customary law, with customary practices varying among different ethnic groups. Due in large part to a government-backed strategy in place since 2016, the rate of child marriage has decreased significantly in recent years, though more than 30 percent of women aged 20 to 24 were married before age 18, according to 2017 data from the UN Children's Fund..

Domestic abuse is common, and traditional norms inhibit many women from reporting assaults. Rape can draw a maximum penalty of life in prison with hard labor, but the problem is widespread, and the law is not frequently enforced.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Labor exploitation, child labor, and human trafficking remain prevalent despite laws meant to prevent them. The authorities have struggled to sustain efforts to identify trafficking victims and prosecute perpetrators. Most human trafficking in the country reportedly entails the exploitation of women and children from rural areas in economic pursuits ranging from domestic work to mining and agriculture.

Zimbabwe

Capital: Harare

Population: 14,600,000

Freedom Status: Partly Free

Electoral Democracy: No

Overview: The Zimbabwe African National Union–Patriotic Front (ZANU-PF) has dominated Zimbabwean politics since independence in 1980, in part by carrying out severe and often violent crackdowns on the political opposition, critical media, and other sources of dissent. President Emmerson Mnangagwa took power in 2017 after the military intervened to remove longtime president Robert Mugabe amid factional divisions within the ruling party. However, the new administration has largely retained the legal, administrative, and security architecture it inherited from the Mugabe regime, and it has stepped up repression to consolidate its authority. Endemic corruption, weak rule of law, and poor protections for workers and land rights remain among Zimbabwe's critical challenges.

KEY DEVELOPMENTS IN 2019

- In January, the government announced a 150 percent increase in fuel prices. Mass protests against the country's worsening economic situation soon followed, and the police and military responded with deadly gunfire, arrests, torture of detainees, and a week-long internet shutdown.
 - Abductions and arrests of opposition figures, civil society activists, and trade union leaders were reported over the course of the year. Human rights groups documented at least 22 cases in which activists were charged with treason or subversion.
 - In November, President Mnangagwa signed the Maintenance of Peace and Order Act (MOPA) into law. While it was meant to replace the repressive Public Order and Security Act (POSA), the new law retained heavy restrictions on freedom of assembly.
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POLITICAL RIGHTS: 12 / 40**A. ELECTORAL PROCESS: 3 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4**

The president is directly elected and limited to two five-year terms under the 2013 constitution. President Mugabe was forced to resign after 37 years in power as a result of the 2017 coup. ZANU-PF then selected Mnangagwa, whom Mugabe had recently dismissed as vice president, to become the new president, and he was quickly inaugurated.

A presidential election, alongside parliamentary and local polls, was held as planned in late July 2018. Mnangagwa was credited with 50.8 percent of the vote, followed by Nelson Chamisa of the opposition Movement for Democratic Change Alliance (MDC Alliance) with 44.3 percent and Thokozani Khupe of Movement for Democratic Change–Tsvangirai (MDC-T) with 9 percent.

International and local observation groups found that campaign activities generally proceeded without interference and that the polls were peaceful and relatively well organized, but they raised concerns about the overall conduct and integrity of the elections. The Southern African Development Community observer mission noted challenges including parties having difficulty accessing voter rolls, progovernment bias by the state media, contested postal voting, and the denial of the diaspora's right to vote. A European Union mission noted similar bureaucratic challenges and problems with state media, as well as numerous reports of assisted voting, and of inducements and intimidation meant to aid the ruling party.

Vote-tallying irregularities and delays led to tensions after election day. The MDC Alliance leadership moved to declare victory in the presidential election before the official results were released and accused ZANU-PF of attempting to rig the vote during the delay. Opposition protests erupted in Harare, and the military was deployed to disperse them, leading to several deaths. The Zimbabwe Electoral Commission (ZEC) ultimately declared Mnangagwa the winner of the presidential election. However, the MDC, whose factions reunited after the elections, refused to recognize the legitimacy of Mnangagwa's victory.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

Zimbabwe has a bicameral legislature. In the lower chamber, the 270-seat National Assembly, 210 members are elected through a first-past-the-post system with one member per constituency, and 60 women are elected by proportional representation. The 80-seat Senate includes six members from each of Zimbabwe's 10 provinces who are elected through proportional representation. Eighteen traditional leaders and two senators representing people with disabilities are appointed. Members in both houses serve five-year terms.

ZANU-PF won 180 of the 270 National Assembly seats in the 2018 parliamentary elections. The MDC Alliance won 87, and the MDC-T captured one seat via proportional representation. An independent former ZANU-PF member and the National Patriotic Front, a ZANU-PF splinter faction, each took one seat. In the Senate, ZANU-PF secured 34 elected seats, the MDC Alliance took 25, and the MDC-T took a single seat.

The bureaucratic irregularities and media bias that affected the presidential election also marred the parliamentary elections. Traditional leaders intimidated rural voters and acted in partisan ways, despite a constitutional ban on their participation in partisan politics.

ZANU-PF won most local and national by-elections held during 2019. Election observers continued to raise concerns about interference by traditional leaders in rural areas, and there were also reports of violence, intimidation, alleged ballot-box stuffing, and the distribution of food and medicine to secure votes.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The ZEC is responsible for election management and oversight, but its independence from ZANU-PF has long been questioned. The body faced criticism from international election monitors for aspects of its management of the 2018 polls, including its stewardship of the vote count, lack of transparency in its procurement processes, and the irregular arrangement of the ballots themselves, which appeared to favor certain candidates. Political parties and civil society had difficulty accessing the voter rolls, affecting audit and verification processes envisioned by the Electoral Act.

The introduction of biometric voter registration since 2017 has been problematic, and on election day in 2018 there was no biometric voter authentication. Separately, there was a noticeable decline in voter registration in Harare and Bulawayo, possibly due in part to fewer registration kits having been allocated there.

Weeks ahead of the 2018 elections, the Constitutional Court ruled that Zimbabweans abroad must return to the country in order to register to vote if they wished to participate in the polls. The ruling effectively contravened constitutional provisions guaranteeing every citizen the right to vote.

In July 2019, the ZEC appointed a former military figure as its chief elections officer. The opposition criticized the move, noting that the official had a long history of overseeing flawed elections and had served as chief elections officer in an acting capacity during the 2018 balloting.

B. POLITICAL PLURALISM AND PARTICIPATION: 6 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Political parties may generally form without interference. However, state media tend not to cover opposition parties, limiting their ability to compete. Authorities have often suppressed opposition gatherings. While opposition groups were able to hold most meetings with limited disruption in the run-up to the 2018 elections, the postelection violence prompted raids, arrests, and prosecutions targeting the MDC and its supporters.

Groups such as Mthwakazi Liberation Front (MLF) have been blocked from conducting memorial meetings for victims of Gukurahundi massacres in the 1980s. The MLF is regarded by the government as a secessionist political party, and its leaders have faced persecution.

In August 2019, police banned assemblies organized by the MDC to protest the government's economic mismanagement. A court upheld the ban, and police used force to disperse those who had already gathered in the capital.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

ZANU-PF has dominated the government without interruption since the country's independence, though the MDC held the post of prime minister as part of a power-sharing deal with President Mugabe between 2009 and 2013.

The MDC managed to increase its share of parliament seats in the 2018 elections despite the uneven playing field, and Chamisa secured almost a million more votes in the 2018 presidential contest than the MDC candidate had in 2013. However, the postelection violence and the ongoing crackdown that followed have limited the opposition's ability to operate and gain support, as reflected in the by-election results during 2019.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The military has continued to play a critical role in political affairs since Mugabe's ouster in 2017, participating in election preparations and the suppression of opposition activities. Many senior military officials have migrated to leadership positions in ZANU-PF and the government.

Traditional leaders, who wield important influence over public resources such as food aid, have intimidated villagers, restricted opposition access to their areas, and issued political statements in support of the ruling party, despite constitutional provisions and court orders requiring them to abstain from partisan politics. The president of the National Council of Chiefs, Fortune Charumbira, publicly supported Mnangagwa and ZANU-PF ahead of the 2018 elections, and he defied a court order to retract his statements.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Zimbabwe's ethnic Shona majority dominates ZANU-PF, and members of the Ndebele minority have at times complained of political marginalization by both ZANU-PF and the MDC.

Women and their interests are underrepresented in the political system. The 2018 elections featured a slight decline in the number of women elected outside proportional representation. After the vote, women made up 34 percent of the parliament, down from 35 percent following the elections in 2013. The proportional representation quota expires in 2023, raising concerns about whether progress in women's representation will be sustained. Four of 23 presidential candidates in 2018, or 17 percent, were women.

LGBT+ advocacy groups exist, but severe discrimination limits their ability to advance their interests in the political sphere.

C. FUNCTIONING OF GOVERNMENT: 3 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4**

The president and parliament generally determine policies and legislation, but they lack strong electoral legitimacy, and the parliament does not serve as an effective check on executive power. In October 2019, after MDC lawmakers staged a walkout during Mnangagwa's state of the nation address, the speaker imposed heavy financial penalties.

The military continues to play an outsized role in civilian governance. Some leading officers were appointed to the cabinet following the 2017 coup, and a series of senior commanders were rewarded with prominent ambassadorships during 2019.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is endemic, and past revelations of large-scale graft have not been followed by successful prosecutions. The Zimbabwe Anti-Corruption Commission (ZACC) was disbanded in January 2019, with the president declaring that it was "rotten." In May, he appointed High Court judge Loice Matanda-Moyo—the wife of a former general who played a leading role in the 2017 coup and then became foreign minister—as the body's new chair. The other new commissioners included a retired major, civil society leaders, and former opposition members of parliament.

Immediately after its composition in July, the new ZACC indicated that it was pursuing several cases involving senior government officials. Environment Minister Prisca Mupfumira was arrested that month for allegedly misusing US\$95 million while overseeing

pension funds in a previous cabinet post. In August, former vice president Phelekezela Mphoko was also arrested on corruption charges. The arrests drew mixed reactions, with some arguing that they were linked to factional differences within the ruling party. ZANU-PF Youth League leaders had accused more than a dozen officials and businesspeople of corruption in June, prompting similar claims in the media that the move was part of a political purge.

In September, the Reserve Bank of Zimbabwe reportedly froze the trading accounts of companies owned by Kudakwashe Tagwirei, an influential businessman and member of Mnangagwa's Presidential Advisory Council. He was accused of illegal currency trading, and his companies had allegedly received millions of dollars in public funds through an agriculture program without parliamentary approval.

The need to import massive amounts of grain in the face of domestic food shortages has created opportunities for corruption. *Africa Confidential* reported in October 2019 that 17,000 tons of grain had been imported from Tanzania through state-led procurement deals at a cost of US\$600 per ton, compared with a global market price of about US\$240 per ton, raising suspicions of graft.

C3. Does the government operate with openness and transparency? 1 / 4

Government processes are generally opaque. While the constitution protects the right to access information, a number of restrictive laws make it very difficult for the media and citizens to obtain information from state institutions. The government suspended publication of official annualized inflation data for the second half of 2019.

In October 2019 the president urged passage of a new freedom of information bill, but civil society groups identified serious shortcomings in the draft measure, and it had yet to pass at year's end.

CIVIL LIBERTIES: 17 / 60 (-2)

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16 (-1)

D1. Are there free and independent media? 1 / 4

The constitution protects media freedom, but restrictive laws undermine this guarantee in practice. The possibility of harsh penalties, including prison sentences, for violations of laws like the Criminal Law (Codification and Reform) Act (CLCRA) contributes to self-censorship among journalists. The government pledged during 2019 to repeal and replace other problematic laws, such as the Access to Information and Protection of Privacy Act (AIPPA), which includes provisions on media regulation. However, the relevant bills remained under consideration at year's end.

The state-controlled Zimbabwe Broadcasting Corporation (ZBC), which favors ZANU-PF in its coverage, dominates broadcast media. In a country where many people rely on radio for information, media diversity is limited by authorities' sustained refusal to grant licenses to community radio stations. Commercial radio licenses have generally gone to state-controlled companies or individuals with close links to ZANU-PF. The government also controls the two main daily newspapers, though there are several independent print outlets. In June 2019, a High Court judge upheld accusations of bias in the state media and ordered both the ZBC and state-owned newspapers to exercise impartiality and present dissenting views in their content.

Journalists continued to face brief detentions and assaults by police during 2019, particularly while covering protests. Media operations were also disrupted by the internet shutdown imposed in January to suppress protest activity.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

Freedom of religion is generally respected in Zimbabwe. However, congregations perceived to be critical of the government have faced harassment.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

The Ministry of Higher Education supervises education policy at universities, and Mnangagwa, as president, serves as the chancellor of all eight state-run universities. The government has the authority to discipline students and faculty at state-run universities. Students have at times faced violent police responses to campus protests.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4 (-1)

Zimbabweans have enjoyed some freedom and openness in private discussion, but of official monitoring of public gatherings, prosecution of offenses like insulting or undermining the president, and the threat of political violence all serve as deterrents to unfettered speech. Individuals have been arrested for critical posts on social media, prompting self-censorship online.

Crackdowns on dissent after the 2018 elections, during the January 2019 protests, and throughout 2019 included scores of incidents in which individuals were abducted and beaten in apparent reprisal for their political expression. The victims included, but were not limited to, political and civic activists. In one high-profile case in August, Samantha Kureya, a popular comedian and actor known as Gonyeti, was abducted by armed men who stripped and assaulted her and forced her to drink sewage before releasing her.

Score Change: The score declined from 2 to 1 because the continuing persecution of dissidents and activists has encouraged greater self-censorship among ordinary people.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12 (-1)

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is guaranteed in the constitution but poorly upheld in practice. MOPA, a new measure meant to replace the highly restrictive POSA, was signed into law in November 2019. However, MOPA still grants police broad authority to prohibit and regulate assemblies, requires advance notice of public gatherings, and holds organizers responsible for any damage or injury caused by an illegal assembly, among other problematic provisions.

In January 2019, the government deployed the police and military to quash protests triggered by a 150 percent hike in fuel prices, along with other economic woes. In February, the Zimbabwe Human Rights NGO Forum reported extensive human rights violations during the crackdown, documenting 17 extrajudicial killings, 17 cases of rape and sexual assault, 26 cases of abduction, 61 displacements, 81 gunshot injuries, at least 586 cases of assaults, torture, and inhuman and degrading treatment including dog bites, and 954 arrests. The government's response also included a weeklong shutdown of internet service and social media access.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4 (-1)

Nongovernmental organizations (NGOs) are active, but they remain subject to restrictions under laws such as the CLCRA and the Private Voluntary Organisations Act, despite rights laid out for them in the constitution.

The civil society sector suffered an increase in repression in 2019. In March 2019, a provincial administrator in Masvingo issued a directive banning the work of a local youth organization that was accused of dabbling in politics and failing to register under the PVO Act. The government in December 2018 had threatened to deregister organizations accused of pursuing political objectives. However, the ban on the youth group was reversed by the High Court later in March. The director of the organization was among at least 22 individuals—including NGO and labor activists—who were charged with treason or subversion over the course of the year. Civic activists were also frequently the targets of extralegal abductions, physical abuse, and other forms of intimidation during 2019.

Score Change: The score declined from 2 to 1 due to persistent harassment of civil society groups and activists, including via deregistration threats and arrests on serious charges such as subversion and treason.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The Labour Act gives the government broad authority to veto collective bargaining agreements it deems harmful to the economy, and to regulate trade unions' internal operations. Strikes are banned in "essential" industries and subject to procedural restrictions, though they occur in practice. Due to the unemployment and heightened informal employment that have accompanied Zimbabwe's economic crisis, trade unions are grossly underfunded.

Worsening economic conditions in 2019 led to strikes and labor protests by doctors, teachers, and civil servants. While the authorities appeared to tolerate some of these actions, leaders of the Zimbabwe Congress of Trade Unions and the Amalgamated Rural Teachers' Union of Zimbabwe were charged with subversion, partly for their role in organizing mass protests in January. Striking workers also faced dismissal in some cases. Labor leaders were among those who faced extralegal abductions and physical abuse during the year. For example, in September the leader of a doctors' union was reportedly abducted by unidentified men, detained and abused for four days, then released outside the capital.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 1 / 4

Pressure on the courts to endorse executive actions and generally protect the interests of the ruling party has substantially eroded judicial independence. While judges occasionally rule against the government even in politically sensitive cases, such decisions are increasingly rare. The High Court ruling to uphold a police ban on opposition-led protests in August 2019 was seen as an indicator of this trend, as courts had often reversed police bans on demonstrations in the past, and permitted assemblies by other groups later in the year.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Due process protections stipulated in the constitution are not enforced. Police and other security personnel frequently ignore basic rights regarding detention, searches, and seizures, and accused persons are often held and interrogated for hours without legal counsel or explanation of the reason for their arrest. Perceived opponents of the regime faced arbitrary arrests and detentions throughout 2019.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Security forces backed by ZANU-PF have long engaged in acts of extralegal violence, including against opposition supporters, and impunity is the norm for such abuses. Detainees and protesters often face police brutality, sometimes resulting in death. The security crackdown associated with the January 2019 protests included 17 fatalities and hundreds of cases of torture or other forms of egregious physical abuse.

Despite some improvements in recent years, prison conditions are harsh and at times life-threatening. Overcrowding, poor sanitation, and food shortages have contributed to the spread of HIV/AIDS, tuberculosis, and other illnesses among inmates.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

While discrimination on the basis of a broad range of characteristics is prohibited under the 2013 constitution, discrimination on the basis of sexual orientation or gender identity is not expressly prohibited. Sex between men is a criminal offense and can be punished with a fine and up to a year in prison. The country's land and indigenization policies have been criticized for discriminating against the white Zimbabwean minority. Despite legal protections against gender discrimination, women face significant disadvantages in practice, including in employment and compensation.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Movement within the country is impaired by extensive use of police roadblocks, which have reappeared in recent years as authorities seek to suppress protests. In August 2019, police at roadblocks around the capital conducted identity checks and forced passengers without documents to leave buses and other vehicles and continue their journeys on foot, in apparent violation of the law. The restrictions formed part of the government's enforcement of a ban on planned opposition protests.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Land rights in Zimbabwe are poorly protected, and in rural areas, the nationalization of land has left both commercial farmers and smallholders with limited security of tenure. Controversies persist over efforts to enact new land reforms. Mnangagwa has stated that his administration will not reverse Mugabe's land reforms, but his administration has also indicated that the interests of remaining white farmers will be protected. A Land Commission tasked with auditing farm ownership and use finally began work in October 2018.

Women face discrimination in terms of access to and ownership of land, particularly communal or family land controlled by traditional leaders or male relatives.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Laws on personal status matters such as marriage and divorce are generally equitable, but customary practices put women at a disadvantage. Domestic violence is a problem, and sexual abuse is widespread, especially against girls. Child marriages are illegal, but factors such as poverty, certain religious views, and lack of strong enforcement mechanisms have

sustained the practice; nearly a third of girls are married by age 18. The Termination of Pregnancy Act makes abortion illegal except in very limited circumstances. Same-sex marriages are prohibited by the constitution.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Due to an ongoing economic crisis, many workers are not adequately compensated, and some have gone for months without pay. Inflation was estimated at about 300 percent as of late 2019, when the government attempted to introduce a new currency to ease a cash shortage, and it continued to rise through the end of the year. A 2019 assessment by the International Trade Union Confederation (ITUC) Global Rights Index categorized Zimbabwe as one of the worst countries to work in. A previous assessment said that just 15.5 percent of workers in 2017 had formal contracts, leaving the majority of workers vulnerable to exploitation and abuse.

The government has continued efforts to combat human trafficking, though it remains a serious problem. Men, women, and children can be found engaged in forced labor in the agricultural sector, forced begging, and forced domestic work. Women and girls remain particularly vulnerable to sex trafficking.

Territory Reports

Abkhazia

Population: 243,000

Freedom Status: Partly Free

Note: The numerical scores and status listed here do not reflect conditions in Georgia, which is examined in a separate report. Territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Abkhazia, a breakaway region of Georgia, has maintained de facto independence since the end of a civil conflict in 1993. The government is financially dependent on Russia, which has a military presence in Abkhazia and is one of a handful of states that recognizes the territory's independence. The tumultuous political environment features significant opposition and civil society activity. Ongoing problems include a flawed criminal justice system, discrimination against ethnic Georgians, and a lack of economic opportunity.

KEY DEVELOPMENTS IN 2019

- Raul Khajimba was narrowly reelected as Abkhazia's president in September, defeating former Sukhumi mayor Alkhas Kvitsinia. The contest was postponed after candidate and former security chief Aslan Bzhania was hospitalized in April; in May, Bzhania claimed he was poisoned with mercury.
- Border crossings between Abkhazia and Georgian-controlled territory were shut at least twice during the year. In January, authorities claimed that an outbreak of swine flu mandated the closure of the border; crossings were again closed in late June as major street protests took place in the Georgian capital of Tbilisi, and were not fully reopened until October.
- In December, the parliament adopted criminal code revisions that punish "actions against the sovereignty of Abkhazia" and related offenses with prison terms, despite fears that the new code would discourage speech regarding the territory's status.

POLITICAL RIGHTS: 17 / 40 (-1)

A. ELECTORAL PROCESS: 5 / 12 (-1)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 2 / 4 (-1)

Abkhazia's 1999 constitution established a presidential system, in which the president and vice president are elected for five-year terms.

President Khajimba, who was originally elected in 2014, was reelected in a two-round contest that ended in September 2019. The contest was originally scheduled for June, but was postponed after candidate Bzhania was hospitalized in April; in May, Bzhania reported that he was diagnosed with mercury poisoning. Bzhania ended his candidacy in favor of former Sukhumi mayor Kvitsinia. Nine candidates participated in the first round, but none were able to win the needed 50 percent to avoid a runoff. President Khajimba won the second round with 47 percent of the vote, while Kvitsinia won 46 percent.

While most established election monitors do not assess Abkhazia's elections, informal observations indicated that the balloting and campaign were largely free. However, local observers also noted that President Khajimba used state resources to support his reelection

campaign. Kvitsinia sued to overturn the results, alleging that the Central Electoral Commission (CEC) misinterpreted electoral law when verifying them; his lawsuit was rejected by the Supreme Court in late September.

The prime minister and cabinet are appointed by and accountable to the president. Valeriy Bganba, who became prime minister in 2018, was reappointed in October 2019 by Khajimba.

Score Change: The score declined from 3 to 2 because the apparent poisoning of Aslan Bzhania, who was expected to compete in the year's presidential election, cast doubt on the contest's overall credibility.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The parliament, or People's Assembly, comprises 35 members elected for five-year terms from single-seat constituencies. The 2017 parliamentary election was marred by instances of intimidation, with violent attacks on two candidates. The voting was voided and rescheduled in one district due to ballot irregularities. Independent deputies dominated the new legislature, and many were oriented toward the opposition. However, about 20 legislators were considered supporters of the president, as was the new speaker, Valeriy Kvarchia.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The legal framework does not support fully democratic elections. Eight members of the CEC are chosen by the parliament, and seven are appointed by the president. While the 2019 presidential election was competitive, all elections are predicated on the exclusion of ethnic Georgians.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

A large number of parties and social organizations participate in Abkhazia's fractious political system, and these movements generally enjoy freedom of association. Organizations representing veterans of the 1992–93 war with Georgia are particularly influential.

However, corruption within parties hampers their democratic functions, and a 2009 law forbids the formation of parties catering to the interests of any particular ethnic, religious, racial, or professional group. Parties are relatively weak as electoral vehicles and as forces within the parliament, with most candidates campaigning and serving as independents. In the 2017 parliamentary contest, 112 of 137 candidates ran as independents.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Although independent candidates are not able to draw on the sort of support or infrastructure typically associated with membership in an established political party, those running against incumbents have enjoyed some success. For example, while no candidates for the opposition groups Amsakhara or United Abkhazia were elected in 2017, most incumbent legislators—including government ministers—lost their seats. In addition, despite initial fears that the CEC would refuse to register his candidacy, ousted president Aleksandr Ankvab returned to politics and gained a seat in the parliament.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

While the people's choices influence domestic politics, the functioning of Abkhazia's political institutions is almost entirely dependent on economic and political support from Moscow.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Under the constitution, only a person of Abkhaz nationality who is a citizen of Abkhazia can be elected to the presidency. The Armenian and Russian communities traditionally have an informal agreement whereby parties nominate ethnic minority candidates in districts where they predominate. Ethnic Abkhaz dominate the political sphere; of the 35 members of the parliament, 32 have Abkhaz surnames and 3 are Armenian. The ethnic Georgian population is routinely excluded from elections and political representation. In 2019, authorities argued that the majority of Gali's residents were Georgian citizens and therefore not permitted to vote.

A handful of cabinet-level positions and parliamentary seats have been held by women, but norms discourage women from running for office.

C. FUNCTIONING OF GOVERNMENT: 4 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4**

While Abkhazia's president sets the tone for most domestic policy, the overall ability of elected authorities to determine and implement policies is limited by the economic and political influence of Moscow. The Russian government supplies most of the state budget, though its contributions have started to decline.

Several thousand Russian troops are permanently stationed in the territory. However, there has been significant pushback against a 2014 Russian-Abkhaz treaty, with critics arguing that some of its provisions threaten Abkhazia's autonomy. Russia remains influential in Abkhazia's security apparatus; the territory's State Security Service (SGB) includes a representative of the Russian government in its leadership.

In addition to foreign influence, Abkhazia's government has been affected by a pattern of political instability in recent years. Prime Minister Bganba, who was first appointed in 2018, was the territory's fifth premier in four years.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is believed to be extensive and is tolerated by the government, despite promises to combat it. In recent years, Russian officials have voiced concern at the large-scale embezzlement of funds provided by Moscow. In April 2019, auditors sent a report alleging 10 cases of misuse of a Russian investment initiative to Abkhazian prosecutors, but no progress was reported on these cases at year's end.

C3. Does the government operate with openness and transparency? 2 / 4

Legal amendments from 2015 allow citizens to request information about any government decisions not classified as state secrets, and to receive a response within a month. Nevertheless, the territory's political culture is nontransparent, and social stigmas prevent citizens from requesting information. Government officials are not required to provide declarations of income.

In February 2019, the parliament completed the first reading of a bill that would have required public officials to prove the legality and origin of their property and that of their close relatives. The bill, which was also intended to improve the transparency of recruitment for local positions, was ultimately unadopted by year's end.

CIVIL LIBERTIES: 23 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 8 / 16

D1. Are there free and independent media? 2 / 4

Broadcast media are largely controlled by the government, which operates the Abkhaz State Television and Radio Company (AGTRK). Abkhaz journalists have criticized AGTRK for failing to air material that could be perceived as unflattering to the government. The internet and social media have become increasingly popular sources of information. Major Russian television stations broadcast into Abkhazia, and residents of the Gali district have access to Georgian channels. Some legal restrictions apply to both traditional and online media, including criminal libel statutes.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Orthodox Christianity is the dominant religion in Abkhazia, but the Georgian Orthodox Church faces discrimination and restrictions. Most practicing Christians adhere to one of two branches of the Abkhazian Orthodox Church.

Muslims are allowed to practice freely, though some community leaders have been attacked in the past. There are no widely reported restrictions on the minority who identify with Abkhazia's traditional pre-Christian religion. Jehovah's Witnesses are banned by a 1995 decree.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The education system is affected by the separatist government's political priorities. Schools providing instruction in Russian and Armenian generally operate without interference. However, Georgian-language schools in Gali have been undergoing reorganization since 2015 with the aim of replacing Georgian with Russian.

Universities in the capital have recently become more lenient about the enrollment of Gali Georgians, who are educated in Russian and lack Abkhaz passports. Nevertheless, bureaucratic complications still arise with respect to obtaining a diploma, and some argue that requiring aspiring university students to take Abkhaz-language proficiency exams as part of their graduation from secondary school disadvantages ethnic minorities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Social media platforms host vibrant for discussion on political and other topics in Abkhazia. However, there is some self-censorship on sensitive subjects, especially those relating to Georgians in Abkhazia and relations with Tbilisi, or discussions related to the families of senior officials or local businessmen. In October 2019, a local blogger was severely beaten after posting critical comments regarding the wedding of a prominent businessman's son.

In December 2019, the parliament adopted criminal code amendments that prescribe up to 15 years' imprisonment for "actions against the sovereignty of Abkhazia." The code

also mandates prison sentences for the discussion of “anticonstitutional agreements” on the political status of Abkhazia. Some local observers expressed concerns that the bill could have negative repercussions for freedom of speech.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of assembly is largely respected, and opposition and civil society groups regularly mount protests. While violent confrontations between police and protesters have occurred in the past, protests were largely held without incident in 2019. In April, a local anticorruption nongovernmental organization (NGO) held a rally outside the parliament, accusing it of delaying its consideration of transparency legislation. In May, supporters of presidential candidate Bzhanias held a rally calling for the election to be postponed. In September, Bzhanias supporters marched in Sukhumi to protest the CEC’s endorsement of second-round results that showed President Khajimba in the lead.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Civil society organizations, particularly groups representing Abkhazia’s war veterans, exert influence on government policies. Around 300 nongovernmental organizations (NGOs) are registered, though only a fraction of these are active. Many groups struggle to secure sustainable funding, in part because partnerships with foreign or international NGOs are complicated by Abkhazia’s disputed status. NGOs that receive funding from governments or entities that do not recognize Abkhazia’s independence face criticism from local journalists and authorities.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Trade unions exist, but unions and labor activists have struggled to effectively defend the rights of workers. In recent years the territory’s federation of independent trade unions has clashed with the government over distribution of social insurance funds; in February 2019, the federation claimed that the government did not allocate a tranche of social insurance funds.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

Nepotism and corruption, often based on clan and ethnic ties, reportedly have a significant impact on Abkhazia’s judiciary. Implementation of judicial decisions remains inconsistent.

The 2017 pardon of Giorgi Lukava, a Georgian guerrilla leader who fought separatist authorities and was serving a 20-year prison sentence imposed in 2013, raised questions about respect for judicial rulings and judicial independence. Critics said the pardon was illegal, as Khajimba made the decision without the approval of the pardons commission. In 2018, a parliamentary commission examining the matter declined to make any legal assessment and referred it to the Constitutional Court. In March 2019, the court ruled the pardon constitutional.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The criminal justice system is undermined by limited defendant access to qualified legal counsel, violations of due process, and lengthy pretrial detentions.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Isolated acts of criminal and political violence occur in Abkhazia. In March 2019, however, the government reported a 9 percent fall in the overall crime rate for 2018 when compared to 2017.

In contrast to previous years, there were no reported attacks against Russian tourists visiting Abkhazia in 2019, though one ethnic Russian resident was killed in January.

Organized crime remains a problem in Abkhazia. In March 2019, interior minister Harry Arshba announced a bill that would mandate stricter punishment for leaders of criminal organizations. In late November, two members of a crime organization, along with one bystander, were killed by assailants in Sukhumi.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Ethnic Georgian residents of the Gali region continue to face discrimination, including police harassment and unequal access to documentation, education, and public services. In 2017, Sukhumi began issuing residence permits to Gali Georgians for five-year renewable terms. Permit holders may retain Georgian citizenship, reside in Gali, and cross the border into Georgia proper. The separatist authorities stated that they would grant Abkhazian citizenship to any Georgian willing to “rediscover their Abkhaz ethnic heritage.” Local officials warned Gali Georgians against attempting to hold both passports amid complaints of bureaucratic hurdles in obtaining residency permits.

LGBT+ do not enjoy comprehensive legal protections.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement is limited by the ongoing dispute over Abkhazia’s status. Travel permits remain expensive and burdensome to obtain. About 70 percent of Abkhazia’s residents hold Russian passports, as Abkhaz travel documents are not internationally recognized.

Crossings between Georgian-controlled territory and Abkhazia were closed at least twice in 2019. Border crossings were shut from mid-January to early February, with authorities claiming the closure was necessary because of an outbreak of swine flu in Georgia proper. Crossings over the Inguri River were closed in late June as street protests took place in the Georgian capital of Tbilisi; those restrictions were not fully lifted until early October.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Criminal activity hampers the operations of local businesses. The constitution forbids foreigners, including Russians, from buying real estate in Abkhazia, a rule that has broad support in Abkhazian society. Uncertainty persists regarding property rights for ethnic Georgians in Gali, whose residency permits do not allow them to officially own or inherit property. The legal status of properties whose owners were expelled from Abkhazia during the 1990s is also unclear, as displaced people cannot return to claim them.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Personal freedoms are somewhat inhibited by conservative social mores and societal disapproval of certain identities and behavior, including “nontraditional” sexual orientations and gender nonconformity. A 2016 law banned abortions in all circumstances apart from prior fetal death.

NGOs have expressed concern about so-called honor killings of young women accused of moral transgressions. Domestic violence and rape are serious problems, and victims lack access to effective remedies for such abuse. There is no specific law to address domestic violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Equality of opportunity is limited by Abkhazia’s international isolation, as well as by corruption and criminality. In 2018, Russian and other foreign businessmen complained that criminal activity and arbitrary expropriations severely impaired their ability to work and invest in the territory. NGOs have expressed concern about human trafficking in Abkhazia.

Crimea

Population: 2,300,000

Freedom Status: Not Free

Note: The numerical scores and status listed here do not reflect conditions in government-controlled Ukraine or Eastern Donbas, which are examined in separate reports. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: In early 2014, Russian forces invaded the autonomous Ukrainian region of Crimea and quickly annexed it to the Russian Federation through a referendum that was widely condemned for violating international law. The occupation government severely limits political and civil rights, has silenced independent media, and employs antiterrorism and other laws against political dissidents. Many Ukrainians have been deported from or otherwise compelled to leave Crimea. Members of the indigenous Crimean Tatar minority, many of whom continue to vocally oppose the Russian occupation, have faced acute repression by the authorities.

KEY DEVELOPMENTS IN 2019

- In June, the UN secretary general issued a report on human rights in Crimea, based on research by the Office of the United Nations High Commissioner for Human Rights (OHCHR). The report noted frequent arbitrary arrests and searches, often against Crimean Tatars; reports of the torture of detainees; interference with the work of journalists; violation of fair trial rights; and many other serious abuses.
- In June, Russian authorities seized control of last cathedral that had still been affiliated with the Ukrainian Orthodox Church of the Kyiv Patriarchate.

- The occupation government prevented polling for Ukraine’s presidential and parliamentary elections from taking place in Crimea. In September, the authorities held legislative elections to the State Council of Crimea, under Russian election laws.
- The 24 Ukrainian servicemen who were detained in 2018 when Russian forces seized Ukrainian naval vessels in the Black Sea near Crimea were freed in a September prisoner swap between Ukraine and Russia. The International Tribunal for the Law of the Sea had ordered their release in May.

POLITICAL RIGHTS: -2 / 40**A. ELECTORAL PROCESS: 0 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4**

Under the administrative system established by Russia, the Crimean Peninsula is divided into the Republic of Crimea and the federal city of Sevastopol, a port of roughly 380,000 residents. Sevastopol’s political institutions largely mirror those of Crimea proper.

The head of the Republic of Crimea is elected by its legislature, the State Council of Crimea, for up to two consecutive five-year terms. Lawmakers choose the leader based on a list of nominees prepared by the Russian president. In October 2014, the legislature unanimously elected Sergey Aksyonov as the head of the republic in a process that did not conform to democratic standards. (Aksyonov had led Crimea since February 2014, when a group of armed men forced legislators to elect him prime minister at gunpoint.) He was unanimously reelected in 2019.

An Organization for Security and Co-operation in Europe (OSCE) election monitoring mission noted that polling for Ukraine’s presidential election, held in two rounds in March and April 2019, could not be organized in Crimea.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The State Council consists of 75 members elected to five-year terms. Two-thirds of the members are elected by party list and one-third in single-member districts. Legislative elections in 2014 under the Russian-organized Crimean constitution were contested exclusively by candidates who backed the Russian occupation, and Ukrainian parties were banned. Conditions for the September 2019 elections were similar, though the ruling party in Russia, United Russia, lost some support, and took 60 seats, down from 70 previously. The ultranationalist Liberal Democratic Party of Russia (LDPR) secured 10 seats, and the Communist Party took 5.

An OSCE election monitoring mission noted that polling for Ukraine’s parliamentary elections in July could not be organized in Crimea.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The Russian occupation authorities have tailored the electoral system to ensure maximum control by Moscow. Legislators electing the chief executive are limited to candidates chosen by the Russian president. In the legislative elections, legitimate opposition forces are denied registration before the voting begins, leaving voters with the choice of either abstaining or endorsing pro-Russian candidates.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4**

Ukrainian political parties are banned, allowing Russia's ruling party and other Kremlin-approved factions to dominate the political system. Russia's Federal Security Service (FSB), the local police, and pro-Russian "self-defense" units use intimidation and harassment to suppress any political mobilization against the current government or Russia's annexation of Crimea.

As in Russia, the authorities in the territory consistently crack down on opposition political activity. Crimean Tatars have continued to voice dissent and openly oppose the Russian occupation, but they risk harassment, arrest, and imprisonment for their actions. Other opposition figures also experience intimidation and police surveillance. In February 2018, Yevgeniy Karakashev, an opposition political activist, was arrested in Crimea on terrorism charges, and in April 2019 was convicted by a Russian court and sentenced to six years in a penal colony. In October 2019, activist Oleh Prykhodko, a pro-Ukrainian activist, was arrested in Crimea and accused of terrorism.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Because Ukrainian political parties are not allowed to compete in elections and Russia tightly controls the political and electoral systems, there is no opportunity for a genuine political opposition to form, compete, or take power in Crimea.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Sergey Aksyonov, the chief executive, was originally installed by Russian security forces, and subsequent elections have been carefully controlled by the Russian government, which pressures citizens to vote. Among other abuses, during the 2016 Russian parliamentary elections, public- and private-sector workers were threatened with dismissal from their jobs if they failed to vote. During the March 2018 Russian presidential election and September 2019 local elections, public employees were again threatened with termination if they did not vote.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Russia's occupation authorities deny full political rights to all Crimea residents, but Crimean Tatars and ethnic Ukrainians are regarded with particular suspicion and face greater persecution than do ethnic Russians. The headquarters of the Mejlis, the Crimean Tatars' representative body, was closed by the authorities in 2014. The Mejlis's incumbent chairman, Refat Chubarov, and Crimean Tatar leader Mustafa Dzhemilev have been banned from the territory since then. The Mejlis was officially banned by Crimea's Supreme Court in 2016. The prohibition on Ukrainian political parties leaves ethnic Ukrainians with limited options for meaningful representation.

Women formally have equal political rights, but they remain underrepresented in leadership positions in practice, and government officials demonstrate little interest in or understanding of gender-equality issues. After the September 2019 election, women held 21 percent of the seats in the State Council.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

All major policy decisions are made in Moscow and executed by Russian president Vladimir Putin's representatives in Crimea or the local authorities, who were not freely elected and are beholden to the Kremlin.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is widespread in Crimea and occurs at the highest levels of government. Generally, efforts to investigate and prosecute corruption are inadequate. Some elements of the Russian-backed leadership, including Aksyonov, reputedly have ties to organized crime. In recent years, Russia's FSB has arrested a number of Crimean officials as part of an ostensible campaign against graft; many of the arrests were related to allegations that local authorities embezzled Russian funds meant to support the occupation. However, some have also been linked to infighting between Crimean and Russian officials over control of the peninsula's assets.

C3. Does the government operate with openness and transparency? 0 / 4

With strict controls on the media and few other means of holding officials accountable, residents struggle to obtain information about the functioning of their government. Budget processes are nontransparent, and input from civil society, which is itself subject to tight restrictions, is limited.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -2 / 0

Since the occupation began, the Russian government has taken decisive steps to solidify ethnic Russian domination of the peninsula and marginalize the Ukrainian and Crimean Tatar communities. The elimination of the Ukrainian language from school curriculums and the closure of most Ukrainian Orthodox churches since 2014 are indicative of this attempt to Russify the population.

Russian and local pro-Russian officials' policies and actions in Crimea have led to an influx of hundreds of thousands of people from Russia, including Russian troops, civilian personnel, and their families. People displaced by fighting and deprivation in eastern Ukraine—home to many ethnic Russians—have also come to Crimea. Ukrainian citizens from Crimea have been drafted into compulsory military service in the Russian armed forces, in contravention of international law. By 2019, more than 18,000 Crimeans had been drafted into the Russian military, with many of them forced to serve far from Crimea.

Meanwhile, political persecution has led to an outflow of ethnic Ukrainians and Crimean Tatars. Russia instituted a policy of mass Russian naturalization for all residents of Crimea in 2014, in violation of international law. Once the policy was enacted, Crimeans had only 18 days to opt out of Russian citizenship. Ukrainian citizens, many of them long-term residents with immediate family on the peninsula, continue to be deported from Crimea, often for opting out of Russian citizenship.

CIVIL LIBERTIES: 10 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

Media freedom is severely curtailed in Crimea. In addition to other restrictive Russian laws, a provision of the penal code prescribes up to five years in prison for public calls for action against Russia's territorial integrity, which has been interpreted to ban statements against the annexation, including in the media. Journalists in Crimea risk harassment, arrest, and imprisonment for carrying out their work. In 2019, Crimean Tatar citizen journalist Nariman Memedeminov was handed a two-and-a-half-year prison sentence over YouTube videos he posted in 2013 about the activities of Hizb ut-Tahrir, a pan-Islamist movement that seeks to establish a caliphate but does not advocate violence to achieve it; the group operates legally in Ukraine but is designated as a terrorist group in Russia. Memedeminov's YouTube channel more recently has covered abuses against Crimean Tatars.

Independent and pro-Ukraine media outlets no longer function openly on the peninsula. A 2015 reregistration process overseen by the Russian media and telecommunications regulator Roskomnadzor effectively reduced the number of media outlets in Crimea by more than 90 percent. The occupation authorities have cut the territory off from access to Ukrainian television, and Crimea's internet service providers must operate under Russia's draconian media laws. Russian authorities continued to block a number of Ukrainian news websites in 2019 and also to scramble the signals of Ukrainian radio stations by transmitting Russian radio programming on the same frequencies. The June 2019 OHCHR report noted "credible and consistent reports" of interference with journalistic work by Russian law enforcement agents.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The occupation authorities forced religious organizations to reregister under new rules, sharply reducing the number of registered groups. All 22 Jehovah's Witnesses congregations were deregistered after the Russian Supreme Court ruled in 2017 that the group had violated laws against extremism. Mosques associated with the Crimean Tatars have been denied permission to register, and Muslims have faced legal discrimination. In March 2019, 20 people were arrested on suspicion of belonging to Hizb ut-Tahrir and of spreading terrorist ideology. The June OHCHR report said 67 men suspected of membership in Hizb ut-Tahrir or in Tablighi Jamaat, and another Islamic group banned in Russia but legal in Ukraine, were facing terrorism charges.

Occupation authorities have confiscated numerous properties in Crimea from the Orthodox Church of Ukraine; most recently, in June 2019, a de facto court nullified a prominent Simferopol cathedral's lease with Ukrainian authorities; it was the last cathedral in Crimea to have maintained an affiliation with the Ukrainian church authorities. In November, another Russian-controlled court ordered the Orthodox Church of Ukraine to tear down a chapel in Yevpatoria. Earlier, in March, police detained Ukrainian archbishop Clement in Simferopol, but he was released a few hours later in the face of international pressure. The archbishop said he was detained because authorities sought to prevent him from visiting a Ukrainian political prisoner held in the Russian city of Rostov-on-Don.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Schools must use the Russian state curriculum. Schoolchildren in Crimea are exposed to Russian military propaganda. Instruction in the Ukrainian language has been almost completely eliminated. In a 2017 ruling, the International Court of Justice ordered Russia to ensure the availability of education in Ukrainian, but the authorities did not comply with this order. Access to education in the Crimean Tatar language has been more stable, declining only slightly since 2014.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

The FSB reportedly encourages residents to inform on individuals who express opposition to the annexation, and a climate of fear and intimidation seriously inhibits private discussion of political matters. Social media comments are reportedly monitored by authorities. The FSB frequently opens criminal cases against those who criticize the occupation and the oppression of Crimean Tatars.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12

E1. Is there freedom of assembly? 0 / 4

Freedom of assembly is severely restricted. Public events cannot proceed without permission from the authorities, and the Crimean government lists only 366 locations where they can be held. Permission to hold demonstrations is frequently denied, and when protests do proceed, participants are often arrested. Authorities have at times handed activists advance warning notes threatening them with administrative or criminal prosecution for holding events. A number of such warning notes were handed to Crimean Tatar activists before the anniversary of the Stalin-era mass deportations in May, though a commemoration attended by about 100 people was ultimately permitted. More such warnings were issued on the eve of the Crimean Tatar Flag Day.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

The de facto authorities, including the FSB, repress all independent political and civic organizations. Nongovernmental organizations (NGOs) are subject to harsh Russian laws that enable state interference and obstruct foreign funding. NGO leaders are regularly harassed and arrested for their activities.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Trade union rights are formally protected under Russian law but limited in practice. As in both Ukraine and Russia, employers are often able to engage in antiunion discrimination and violate collective-bargaining rights. Pro-Russian authorities have threatened to nationalize property owned by labor unions in Crimea.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

Under Moscow's rule, Crimea is subject to the Russian judicial system, which lacks independence and is effectively dominated by the executive branch. Russian laws bar dual citizenship for public officials, and Crimean judges were required to obtain Russian citizenship in order to retain their positions after the annexation.

In recent years, Russian judges have been transferred to from Russia to work in Crimea. These judges regularly hand down politically motivated judgements against residents who oppose the annexation.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Russian authorities replaced Ukrainian laws with the laws of the Russian Federation. Arbitrary arrests and detentions, harsh interrogation tactics, falsification of evidence, pressure to waive legal counsel, and unfair trials are common. The June 2019 OHCHR report noted frequent violations of fair trial rights in proceedings against those facing terrorism charges, and harassment of defense attorneys who take terrorism cases. Many detainees

and prisoners are transferred from occupied Crimea to Russia, in violation of international law.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

The Russian occupation authorities commonly engage in torture of detainees and other abuses. The June 2019 OHCHR report said investigators heard accounts of “mock executions, beatings and electric shocks, as well as sexual violence.” Victims of torture have no legal recourse, allowing security forces to act with impunity. Detention centers are often overcrowded and unhygienic.

The ongoing tensions between Russia and Ukraine threaten Crimea’s security. In November 2018, Russian forces attacked and seized three Ukrainian naval vessels in the Black Sea near Crimea as they attempted to enter the Sea of Azov through the Kerch Strait. Russia then took the 24 Ukrainian military personnel on board into custody; they were released in September 2019 as part of a prisoner swap. (The International Tribunal for the Law of the Sea had ordered their release in May.) Russia continues to conduct large-scale war exercises with the participation of military and military equipment in Crimea.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

In addition to official discrimination and harassment against ethnic Ukrainians and Crimean Tatars, women face de facto discrimination in the workplace, and the legal situation for LGBT+ people has grown worse under the Russian occupation. After 2014, Crimea became subject to Russia’s 2013 law banning dissemination of information that promotes “nontraditional sexual relationships,” which tightly restricts the activities of LGBT+ people and organizations.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

The occupation authorities have sought to compel Crimea’s residents to accept Russian citizenship and surrender their Ukrainian passports. Those who fail to do so face the threat of dismissal from employment, loss of property rights, inability to travel to mainland Ukraine and elsewhere, and eventual deportation as foreigners.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Property rights are poorly protected, and the Russian annexation has resulted in a redistribution of assets in favor of Russian and pro-Russian entities. After the occupation, the properties of many Ukrainian companies were seized by Russian authorities. In May 2018, a court in The Hague ordered Russia to pay \$159 million to Ukrainian companies that had their property confiscated. The properties of Crimean Tatars who returned in the 1990s—after a Soviet-era mass deportation—and built houses without permits are also vulnerable to seizure by Russian authorities.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence remains a serious problem in Crimea, and Russian laws do not offer strong protections. In 2017, Putin signed legislation that partly decriminalized domestic

abuse in Russia, prescribing only small fines and short administrative detention for acts that do not cause serious injuries. Russian law does not recognize same-sex marriage or civil unions.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Economic opportunity has been limited since the occupation due to international sanctions, restrictions on trade via mainland Ukraine, and reliance on trade with Russia. Pollution problems in Crimea are associated with sulfur dioxide emitted from a chemical factory led to the evacuation of over 4,000 children in the town of Armyansk in 2018. Emissions were recorded again in 2019. Residents' access to goods and services remains constrained, and vital industries like tourism and agriculture have stagnated.

As in both Ukraine and Russia, migrant workers, women, and children are vulnerable to trafficking for the purposes of forced labor or sexual exploitation.

Eastern Donbas

Population: 3,000,000

Freedom Status: Not Free

Note: The numerical scores and status listed here do not reflect conditions in either government-controlled Ukraine or Crimea, which are examined in separate reports. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Eastern Donbas comprises the portions of Ukraine's Donetsk and Luhansk regions that have been occupied by Russian and Russian-backed separatist forces since 2014. It covers about a third of the two regions' territory and was home to more than half of their prewar population of roughly 6.5 million people, though the current population cannot be determined with precision. Local authority lies in the hands of the so-called People's Republics of Donetsk and Luhansk (DNR and LNR, respectively), which claim to be independent states but are not recognized by any country, including Russia. Both are entirely dependent on Moscow for financial and military support, and their leaders have openly proposed joining the Russian Federation. Politics within the territories are tightly controlled by the security services, leaving no room for meaningful opposition. Local media are also under severe restrictions, and social media users have been arrested for critical posts. The rule of law and civil liberties in general are not respected.

KEY DEVELOPMENTS IN 2019

- Aleksandr Ananchenko, who was appointed as "prime minister" of the DNR in October 2018, appeared and spoke in public for the first time in November 2019, underscoring the extreme opacity of the two separatist entities' government structures.
- In June, Moscow began issuing Russian passports to Ukrainian nationals residing in the occupied areas under a simplified procedure. Separatist authorities

reportedly conducted a census of the territories in October, though the results were not immediately released.

- An ongoing trade blockade between the occupied areas and the rest of Ukraine, combined with corruption and persistent violence, continued to hamper efforts to revive the local economy.

POLITICAL RIGHTS: -1 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Under the two separatist entities' constitutions, executive authority is exercised by a directly elected "head of the republic," who appoints a prime minister and cabinet with the consent of the legislature.

Leadership elections were held in both entities in November 2018, though they were not recognized internationally and were widely regarded as uncompetitive. Evidence of fraud and voter intimidation were reported. In Donetsk, the declared winner was Denis Pushilin, who had served as interim leader since the assassination of his predecessor in August 2018. He was credited with 61 percent of the vote, with the remainder divided among four little-known candidates. More viable competitors were excluded from participating. Leonid Pasechnik, the acting separatist leader in Luhansk since a coup d'état in 2017, was confirmed in his position with 68 percent of the vote, defeating three obscure opponents.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The DNR and LNR constitutions call for "People's Councils" of 100 and 50 seats, respectively. Legislative elections in November 2018 were held under the same flawed conditions as the concurrent leadership elections, with no meaningful competition permitted. Both entities feature only two authorized political "movements." In the DNR, the ruling Donetsk Republic movement was credited with 72.5 percent of the vote, while Peace for Luhansk took 74.1 percent in the LNR. The remaining seats went to the two secondary movements, Free Donbas and the Luhansk Economic Union.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The separatist electoral authorities implemented their entities' laws and regulations arbitrarily in 2018, allegedly manipulating the declared election results and using technicalities to exclude the incumbent leaders' better-known challengers. For example, the DNR election commission approved each of the officially sanctioned candidates' lists of signatures, but it rejected the list submitted by separatist businessman Pavel Gubarev on the grounds that it contained fake signatures.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The separatist entities feature political duopolies, with both officially sanctioned parties supporting roughly the same policy agenda. Any other political organizations, even if they are also pro-Russian in orientation, are effectively banned. The Communist Party, for instance, has been denied registration in occupied Donetsk.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The incumbent separatist leaders were first installed as a result of violence and support from Moscow, and the run-up to the 2018 elections showed that meaningful competition even within the pro-Russian separatist movement would not be tolerated. In Donetsk, Gubarev was barred from running on the grounds that he had not collected enough valid signatures, while potential candidate Aleksandr Khodakovsky, a former militia commander, was refused entry to the territory by Russian border guards. Both have championed faster integration with Russia. Gubarev's wife, prominent Free Donbas member Yekaterina Gubareva, was temporarily detained to prevent her from participating in her movement's preelection convention in September. Another potential leadership candidate in Donetsk, the Communist-backed Igor Khakimzyanov, failed to submit his application on time after he was injured in a bomb explosion, also in September.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Russia has established a complex web of control over the "People's Republics" that affects all aspects of daily life, including political affairs. Local media, schools and universities, public services, and business structures are dominated by people loyal to the separatist leadership. While many of them are locals, some key positions are held by Russian citizens. Political control is ultimately enforced by the secretive "state security" ministries of the two entities, which are thought to be directed by Russia's Federal Security Service (FSB), and the "people's militias," which have tens of thousands of men under arms and are believed to be commanded by regular Russian military officers.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

While the separatist constitutions guarantee equal rights regardless of ethnicity, race, or religious beliefs, ethnic and religious groups that are not affiliated with Russia face restrictions in practice, and no segment of society is able to organize independently to advocate for its interests in the political sphere.

C. FUNCTIONING OF GOVERNMENT: 0 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

None of the separatist officials in Donbas are freely elected, and their de facto governments operate with extreme opacity, making it difficult to discern how much autonomy they have in practice vis-à-vis the Russian government. For example, Aleksandr Ananchenko, the DNR prime minister appointed in October 2018, was rarely glimpsed in public until he appeared at a meeting of the ruling political movement in November 2019. Both entities are internationally isolated and entirely dependent on Russia for military and economic support.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption is thought to be widespread in occupied Donetsk and Luhansk, and there are no effective mechanisms in place to combat it. The assassination of Donetsk separatist leader Aleksandr Zakharchenko in 2018 and the ouster of Luhansk counterpart Igor Plotnitsky one year earlier have been explained by analysts as a reaction from Moscow to

excessively corrupt practices among local elites. While DNR authorities have arrested at least one Zakharchenko-era official and investigated others, there is no evidence that the change in leadership has significantly reduced corruption.

C3. Does the government operate with openness and transparency? 0 / 4

Lack of transparency is an overarching feature of both separatist regimes. While some openness existed in the LNR under Plotnitsky, whose weekly government meetings were broadcast live on YouTube, the entity reverted to higher levels of secrecy after Pasechnik, a career intelligence officer, took power in 2017. It is common practice in both “republics” to communicate the removal of cabinet members simply by presenting their successors without explanation or public discussion.

In 2019, the DNR and LNR both created Public Chambers—government advisory bodies with representatives from civil society, based on the Russian model. However, in June the two chambers chose former separatist officials who had been ousted in previous rounds of infighting to serve as their chairmen. The moves suggested that the bodies were being used to provide patronage positions and mend rifts in the separatist movement.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -1 / 0

Professing Ukrainian identity in the separatist-controlled areas of Donbas is considered dangerous, and most residents who identified as Ukrainian have left since 2014. Although both entities nominally granted official-language status to Ukrainian along with Russian, it is rarely used by separatist authorities. In December 2019, Pushilin suggested making Russian the sole official language in the DNR. During the census of October 2019, separatist-controlled media stressed that nearly all respondents claimed Russian ethnicity.

CIVIL LIBERTIES: 6 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 2 / 16

D1. Are there free and independent media? 0 / 4

No free and independent media have operated in the occupied Donbas since 2014, when local newsrooms were raided by armed men and many journalists were forced to flee the separatist-controlled areas. The local media landscape is now dominated by “official” DNR and LNR broadcasters and websites. The relatively insignificant local print media have also been brought under control. Separatist outlets largely republish information and quotes from separatist and Russian officials. Reports about the armed conflict are exclusively based on statements from separatist militias, which blame the Ukrainian government side for every cease-fire violation. Coverage of government-controlled Ukraine is almost always negative, whereas reporting on the local economy focuses on minor positive events like the opening of new coalfaces.

Some criticism of the separatist regime was occasionally voiced on online outlets controlled by Pavel Gubarev. However, as Gubarev and his wife were attempting to register as candidates in the November 2018 elections, these outlets went offline for a short time. After they resumed operations, their content was generally less critical.

Independent bloggers and journalists working undercover or anonymously in separatist-held areas risk long prison sentences if their identity is revealed. Luhansk blogger Eduard Nedelyayev was abducted in 2016 and sentenced to 14 years in prison for alleged espionage

in 2017; he was then released in a prisoner swap with Ukrainian authorities in December 2017. Donetsk journalist Stanislav Aseyev was detained in 2017, forced to “confess” to espionage on video, and sentenced to 15 years in prison in October 2019; he was freed in a December 2019 prisoner exchange.

Efforts by the Ukrainian government and independent private media to broadcast into the separatist-held areas have been disrupted by signal jamming. Ukrainian journalists generally do not enter the DNR and LNR for safety reasons, and most foreign media have been barred from entering since 2015. Separatist authorities’ accreditation policies remain extremely selective.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Although both “People’s Republics” guarantee freedom of religion in their constitutions, adherents of faiths that are not affiliated with the Russian Orthodox Church are subject to persecution. The most severely affected are Jehovah’s Witnesses, who in 2018 were banned completely as an extremist organization and had their properties seized. Also that year, a mandatory reregistration process left many groups without recognition, and raids or other pressure were directed at Baptists, members of the Orthodox Church of the Kyiv Patriarchate and the Greek Catholic Church, and some Muslim communities. Many members of religious minorities, including Roman Catholics and Jews, have reportedly left the separatist-held areas since 2014.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Local universities were brought under separatist control in 2014. The largest of them, such as Donetsk National University, split into two rival institutions, with one established in government-controlled territory and the other run by separatist authorities at the old location. Political indoctrination is rampant in the occupied areas; high schools have been given new curriculums with revised history lessons, and Ukrainian-language instruction has been greatly reduced.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

There is strong evidence that private citizens’ social media activity is monitored. Individuals have been arrested and kept in detention for publishing posts or otherwise expressing opinions that are critical of separatist authorities. For example, religious studies scholar Ihor Kozlovsky, who was known for his pro-Ukrainian views, was arrested in January 2016, sentenced to 32 months in prison on fabricated charges of weapons possession, and released in a December 2017 prisoner exchange. Donetsk-based commentator Roman Manekin, an ardent supporter of union with Russia, was temporarily detained at least twice in 2017 and 2018 after publicly criticizing the DNR leadership. Reports of abuse in custody and the prevalence of political violence in general also serve to deter free expression.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

No significant protests have been held in the separatist-held areas since 2014, when most pro-Ukrainian activists fled. Even gatherings of nationalists who favor integration with Russia are not tolerated if they are critical of separatist authorities. In July 2019, a small

unauthorized assembly of hard-line Russian nationalists in Donetsk was quickly dispersed due to rumors of a bomb threat. Participants complained about the presence of plainclothes security agents.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Independent nongovernmental organizations (NGO) are not permitted to operate. The only local independent NGO known to be working in the separatist-held areas, the Responsible Citizens volunteer group, stopped functioning after several of its leaders were forcibly deported to government-controlled Ukraine in 2016. The Czech aid organization People in Need was also expelled that year, and other non-Russian foreign NGOs have generally been excluded, with exceptions for the International Committee of the Red Cross, some UN agencies, and the Organization for Security and Co-operation in Europe (OSCE).

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

The DNR and LNR have official trade union federations, and both are headed by separatist lawmakers who defer to the local leadership. The officially sanctioned unions' purpose is to rally workers' support for separatist authorities rather than to defend their labor rights.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

There are no signs of judicial independence in the two separatist entities. Their courts regularly hand down heavy prison sentences against alleged Ukrainian agents and other perceived enemies of the local authorities, validating spurious charges regardless of the evidence. The work of the judiciary is entirely opaque, as outside observers are not known to have attended court hearings.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Basic due process guarantees are not observed by separatist authorities or affiliated armed groups. Arbitrary arrests and detentions remain common, and interrogators have reportedly used threats and violence to extract confessions. Those released in prisoner exchanges with the Ukrainian government have included arbitrarily detained civilians and journalists as well as Ukrainian service members. In a December 2019 exchange, separatist forces turned over 76 people—69 civilians and 12 service members.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Combat between Russian-backed separatist forces and the Ukrainian military continued in 2019, frequently endangering civilians. More than 13,000 people have been killed since the conflict began in April 2014, including more than 3,300 civilians, according to the Office of the UN High Commissioner for Human Rights (OHCHR). The OHCHR has condemned the lack of institutional mechanisms to prevent and punish enforced disappearances, which have been reported during the conflict, particularly in its early years.

There have been numerous reports of abuse and torture in separatist prisons and detention centers. The self-proclaimed state security ministries of both entities regularly publish videos in which detainees confess to spying and other forms of subversive activity while showing signs of physical abuse or severe psychological pressure.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

In addition to the prevailing hostility toward Ukrainian ethnic identity, there are no provisions to protect the separatist-held areas' other ethnic minority groups—such as Greeks, Azerbaijanis, and Armenians—from discrimination. The deeply flawed legal system operating in the occupied regions offers little recourse for women facing gender-based discrimination, and the basic rights of LGBT+ people are not recognized. In January 2018, two Russian transgender activists traveled to Donetsk with the aim of carrying out an art performance in support of such rights. They were arrested, held in detention for two weeks, and expelled.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4**

Travel between the separatist-held areas and government-controlled Ukraine is restricted, and civilians face long waits and multiple security checks before they can traverse the few designated crossing points. While travel to and from Russia is less impeded, senior separatist officials must inform their leaders before leaving the territories.

At least 1.5 million of the Donbas's 6.6 million prewar residents are believed to have left their homes since 2014. The Russian government began distributing Russian passports to residents of the occupied territories in June 2019, leading to concerns that separatist authorities would discriminate against those who retained their Ukrainian passports.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 0 / 4

Property rights are widely abused. In separatist-controlled areas, the de facto authorities have placed major privately held enterprises under “external administration,” effectively nationalizing them. The main external administrator is a secretive holding firm with Russian management, reportedly registered in the Russian-occupied Georgian region of South Ossetia. There have been numerous reports of other property seizures, including the expropriation of apartments whose lawful owners have fled.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Domestic violence is a serious problem, and both separatist entities have taken nominal steps to improve the protection of women and children. However, the loss of Ukrainian government and NGO services has negatively affected conditions for victims, and cases of sexual violence in separatist detention facilities have been reported. Neither separatist entity recognizes same-sex marriage.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Economic opportunity is impaired by the ongoing conflict, trade barriers with government-controlled Ukraine, international sanctions, and the concentration of wealth and resources in the hands of Russian- and separatist-affiliated elites. Many residents are dependent on humanitarian assistance. Exploitative working conditions, including low or unpaid wages, have been reported even by separatist-controlled media. Separatist forces have allegedly trained and enlisted minors for participation in armed conflict.

Gaza Strip

Population: 1,900,000

Freedom Status: Not Free

Note: The numerical scores and status listed here do not reflect conditions in Israel or the West Bank, which are examined in separate reports. Prior to its 2011 edition, *Freedom in the World* featured one report for Israeli-occupied portions of the West Bank and Gaza Strip and another for Palestinian-administered portions. For more information, see the report methodology.

Overview: The political rights and civil liberties of Gaza Strip residents are severely constrained. Israel's de facto blockade of the territory, along with its periodic military incursions and rule of law violations, has imposed serious hardship on the civilian population, as has Egypt's tight control over the southern border. The Islamist political and militant group Hamas gained control of Gaza in 2007, following its victory in the preceding year's legislative elections and a subsequent conflict with Fatah, the ruling party in the West Bank. The unresolved schism between Hamas and the Fatah-led Palestinian Authority (PA) has contributed to legal confusion and repeated postponement of elections, which have not been held in Gaza since 2006.

KEY DEVELOPMENTS IN 2019

- Palestinians in Gaza continued to take part in weekly “Great March of Return” protests near the de facto border with Israel, and Israeli forces regularly used live fire, rubber-coated bullets, and tear-gas canisters against the protesters, resulting in tens of thousands of injuries and more than 200 fatalities since the demonstrations began in March 2018. At year's end, organizers announced that the marches would be held with reduced frequency in 2020.
- In March, the Hamas-led government cracked down on peaceful demonstrations against economic hardship, arresting more than 1,000 and beating a number of participants in what amounted to an escalation in repressive tactics.
- In May, a flare-up in fighting between Israel and armed groups in Gaza included Israeli air strikes that killed 25 Palestinians and injured more than 150 others.
- Israeli forces' assassination of a top commander of Islamic Jihad in the Gaza Strip in November triggered a new round of fighting between Israel and the militant group, in which more than 30 Palestinians were killed.
- Gaza reached record-high unemployment rates in the first half of 2019, with about 64 percent of the territory's labor force out of work. There were some indications that Israel was easing economic pressure on the territory in the final months of the year, selectively granting travel permits to more Palestinian businesspeople and loosening some restrictions on food exports.

POLITICAL RIGHTS: 3 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The PA has not held a presidential election since 2005, when the Fatah faction's Mahmoud Abbas won with 62 percent of the vote. Following its win in 2006 legislative elections

and a violent rift with Fatah and the West Bank–based PA in 2007, Hamas seized control of the Gaza Strip. Abbas’s four-year electoral mandate expired in 2009, though he continued to govern in the West Bank as of 2019.

Under PA laws, the prime minister is nominated by the president and requires the support of the Palestinian Legislative Council (PLC). Hamas leader Ismail Haniya was nominated and sworn in as prime minister following the 2006 elections, and again in 2007 as part of a short-lived unity government, but he was dismissed by President Abbas after the Fatah-Hamas conflict that year. Hamas did not recognize the dismissal. Because repeated attempts to form new PA unity governments have failed, Hamas has exercised de facto executive authority in the Gaza Strip since 2007. The de facto head of government as of 2019, Yahya Sinwar, was chosen in a closed election by Hamas members in February 2017.

In October 2017, Hamas and Fatah signed a reconciliation agreement brokered by Egypt to work toward a consensus government and new elections, but implementation remains stalled. The West Bank–based government resigned in January 2019, and in April President Abbas swore in a new cabinet led by Mohammad Shtayyeh, his longtime ally. Hamas rejected the legitimacy of the new government, which exercised no control in the Gaza Strip. In October, Abbas instructed the Central Elections Commission to start preparing for presidential and legislative elections. All parties have agreed with the planning of elections, but both Fatah and Hamas have insisted on the condition that Israel allow Palestinians in East Jerusalem to freely participate, which appeared unlikely.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The PA has not held elections for the 132-seat PLC since 2006, when Hamas won 74 seats and Fatah took 45. The subsequent Fatah-Hamas schism and Israel’s detention of many lawmakers left the full PLC unable to function, and the body’s electoral mandate expired in 2010. Nonetheless, a Hamas-led rump legislature continued to operate in the Gaza Strip. In December 2018, President Abbas ordered the formal dissolution of the PLC, backed by a Supreme Constitutional Court ruling that also called for legislative elections within six months. Hamas rejected the decision. Despite Abbas’s October 2019 order to prepare for elections, it remained unclear at year’s end when legislative balloting would actually be held.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

No open elections for any office have been held in Gaza since 2006. Decisions about the conduct of elections are highly politicized. For example, Hamas refused to participate in the 2017 PA municipal elections, which had been postponed from the previous year amid disputes between Hamas and Fatah over candidate lists. Following a 2016 PA court ruling to exclude the Gaza Strip from the elections, ostensibly due to concerns about judicial oversight, no agreement could be reached on how to arrange balloting in Gaza.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Since 2007, Gaza has functioned as a de facto one-party state under Hamas rule, although smaller parties—including Islamic Jihad, the Popular Front for the Liberation of Palestine (PFLP), the Democratic Front for the Liberation of Palestine (DFLP), and a faction of

Fatah that opposes President Abbas—are tolerated to varying degrees. Some of these groups have their own media outlets and hold rallies and gatherings. However, those affiliated with President Abbas and his supporters in Fatah are subject to persecution.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The indefinite postponement of elections has prevented any opportunities for a change in the political status quo. The formation of an interim consensus government between Hamas and Fatah, or at least a reconciliation on issues of administration, is widely seen as a necessary precursor to the holding of new elections. However, reconciliation efforts have foundered due to disputes about control of Gaza’s internal security, border crossings, and payment of salaries. In September 2019, a group of smaller parties announced an initiative aimed at ending the division between Fatah and Hamas and calling for new elections.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

Israel’s ongoing blockade of Gaza, which comprises strict limits on the movement of goods and people in and out of the territory, and the ongoing Hamas-Fatah rift hamper the development of normal civilian political competition. Armed groups, including the Israeli military and militias such as those affiliated with Hamas and Islamic Jihad, exercise disproportionate control over the day-to-day lives of Palestinians in Gaza and leave them with virtually no ability to shape policies that affect them.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Hamas makes little effort to address the rights of marginalized groups within Gazan society. Women enjoy formal political equality under PA laws, and some women won seats in the PLC in 2006. However, women are mostly excluded from leadership positions in Hamas and absent from public political events in practice. Gazan women do actively participate in civil society gatherings that touch on political issues. There were no meaningful openings in the repressive environment for the LGBT+ community in Gaza during 2019.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The expiration of the presidential and parliamentary terms has left Gaza’s authorities with no electoral mandate. In 2019, Hamas continued to govern Gaza unilaterally, assigning responsibilities to its own officials as the reconciliation deal with Fatah remained unfulfilled.

The ability of Palestinian officials to make and implement policy in Gaza is severely circumscribed by Israeli and Egyptian border controls, Israeli military actions, and the ongoing schism with the PA in the West Bank. Israel maintains a heavy security presence around Gaza’s land and sea perimeters, using live fire to keep anyone from entering buffer zones near these boundaries, which further reduces local control over the territory.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Hamas has been accused of corruption in public service delivery and aid distribution, which is crucial to daily life in Gaza given that about 80 percent of the population depends on international assistance due to the blockade. In its 2018 annual report, the Coalition for Accountability and Integrity (AMAN) reported persistent obstacles to the prosecution of

corruption cases in the context of continued political division between the PA and Hamas administrations and certain deficiencies in technical expertise in Gaza.

Although Hamas rarely makes public moves to punish its own members for malfeasance, in September 2019 it announced that it had investigated and fined the son of one of its leaders for illegitimately obtaining a free pilgrimage to Mecca.

C3. Does the government operate with openness and transparency? 0 / 4

The Hamas-controlled government has no effective or independent mechanisms for ensuring transparency in its funding, procurements, or operations. In its 2018 report, AMAN found that transparency among government ministries in Gaza was rare. Political decision-making and the operations of Hamas's armed wing remain largely out of public view.

CIVIL LIBERTIES: 8 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16

D1. Are there free and independent media? 0 / 4

The media are not free in Gaza. West Bank-based newspapers have been permitted in the territory since 2014, and a number of political factions have their own media outlets. However, Gazan journalists and bloggers continue to face repression from the Hamas government's internal security apparatus and from Israeli forces. A reporter for a pro-Fatah radio station, Hani al-Agha, was detained by Hamas authorities in September 2019 and released more than a month later as part of a larger amnesty. In a 2018 report, Human Rights Watch detailed a pattern of arrests, interrogations, and in some cases beatings and torture of journalists in Gaza.

The Palestinian Center for Development and Media Freedoms (MADA) documented 80 press freedom violations committed by Israeli authorities in the Gaza Strip during 2019, including injuries to journalists covering the Great March of Return protests near the border area and the destruction of media offices in Israeli air strikes. MADA reported 113 violations by Palestinian authorities in the Gaza Strip in 2019, including cases of arrest or detention of journalists, physical attacks, and torture or other abuse in custody.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Freedom of religion is restricted. The PA Basic Law declares Islam to be the official religion of Palestine and states that "respect and sanctity of all other heavenly religions (Judaism and Christianity) shall be maintained." Blasphemy is a criminal offense. Hamas authorities have enforced conservative Sunni Islamic practices and attempted to exert political control over mosques. However, they have not enforced prayers in schools or compelled women to wear hijab in Gaza's main urban areas to the extent that they did in the early years of Hamas control.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Primary and secondary schools in the Gaza Strip are run by Hamas, the UN Relief and Works Agency (UNRWA), or private entities. In the Hamas-run Islamic University, people are separated by gender, and women are obliged to cover their hair. Hamas intervenes in the schools under its control to uphold its views on Islamic identity and morality. It does not intervene extensively in private universities, but Hamas-led police have violently suppressed student demonstrations. Some Gazan academics are believed to practice self-censorship.

Israeli and Egyptian restrictions on trade and travel limit access to educational materials and academic exchanges.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Intimidation by Hamas militants and other armed groups has some effect on personal expression and private discussion in Gaza, and the authorities monitor social media for critical content. A 2018 Human Rights Watch report documented a number of incidents in which Hamas intimidated, detained, or abused individuals in response to their social media activity or attendance at political events, most notably those perceived to be supportive of Fatah or opposed to the Hamas government. For example, individuals have been detained and questioned about social media posts that were critical of the Hamas leadership and its handling of electricity shortages.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 0 / 4

Israeli forces use violent and sometimes lethal methods to disperse demonstrations near the de facto border. The Great March of Return began in March 2018 as a weekly demonstration to demand the return of Palestinian refugees to what is now Israel. Israeli forces positioned along the border regularly fired on demonstrators with live ammunition, resulting in scores of fatalities. According to the UN Office for the Coordination of Humanitarian Affairs (UNOCHA), more than 210 people had been killed and some 36,000 injured by the end of 2019, with many wounded by shrapnel, rubber-coated bullets, or direct hits from tear-gas canisters in addition to the live gunfire. In December, march organizers announced that the weekly demonstrations would be replaced by monthly events and assemblies on national holidays.

Hamas also significantly restricts freedom of assembly, with security forces violently dispersing unapproved public gatherings. In response to March 2019 protests against the economic situation under the slogan We Want to Live, Hamas security forces arrested more than 1,000 demonstrators and allegedly beat some participants. The crackdown was seen as particularly harsh compared with other such actions by the Hamas-led government in recent years.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

There is a broad range of Palestinian nongovernmental organizations (NGOs) and civic groups, and Hamas operates a large social-services network. However, Hamas has restricted the activities of organizations that do not submit to its regulations, and many civic associations have been shut down for political reasons since the 2007 PA split. Aid and reconstruction efforts by NGOs after the 2014 conflict with Israel have been held up in part by disagreements over international and PA access to the territory and control over border crossings. The Israeli government also imposes restrictions on access to Gaza for human rights researchers and NGO staff.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

The Fatah-aligned Palestinian General Federation of Trade Unions, the largest union body in the territories, has seen its operations curtailed in Gaza. Workers have little leverage in labor disputes due to the dire economic situation, extremely high unemployment, and the dysfunctional court system, which impedes enforcement of labor protections.

Hamas sometimes intervenes in labor union elections or in the activities of professional associations that are linked to Fatah. Hamas has established its own, parallel professional associations to compete with existing organizations that are more strongly affiliated with Fatah and rival groups. The civil servants' union for the Hamas-controlled public sector occasionally holds rallies and strikes.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

Hamas maintains an ad hoc judicial system that is separate from the PA structures headquartered in the West Bank, which do not operate in Gaza. The system is subject to political control, and Palestinian judges lack proper training and experience. There are also reportedly long delays in hearing cases related to a range of issues, including land disputes and personal status matters.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Hamas security forces and militants regularly carry out arbitrary arrests and detentions. The court system overseen by Hamas generally fails to ensure due process, and in some cases civilians are subject to trial by special military courts.

There were 296 Palestinian security detainees and prisoners from Gaza in Israeli prisons as of the end of 2019, according to the Israeli human rights organization B'Tselem, which has noted that transporting prisoners outside of occupied territory is a breach of international law. Israel's military courts, which handle the cases of such detainees, lack the full due process guarantees of civilian courts.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

B'Tselem reported that Israeli forces killed a total of 105 Palestinians in Gaza during 2019, a sharp decline from the 255 killed in 2018. While many of the casualties were civilian protesters whom Israel accused of trying to breach the border fence, others were killed during outbreaks of fighting between the Israeli military and armed militant groups. One such outbreak occurred in May, after two Israeli soldiers were wounded near the Gaza border demonstrations. Israeli air strikes killed 25 Palestinians, 13 of whom were identified as civilians, and injured more than 150 others; hundreds of residential housing units were also damaged or destroyed. Rockets fired by Palestinian militants killed four Israelis and injured 123. Fighting erupted again in November, following Israel's targeted assassination of an Islamic Jihad commander in Gaza. This round of clashes featured an air strike that killed nine members of a family, including five children age 13 or younger.

Hamas-led authorities have applied the death penalty without due process or adequate opportunity for appeals, and without the legally required approval from the PA president. Two death sentences were issued during 2019, a steep decline from previous years, and no executions were carried out.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

The legal system operating in Gaza offers few protections against harassment and discrimination for women and other vulnerable groups, including LGBT+ people. Laws dating to the British Mandate era authorize up to 10 years in prison for sexual acts between men.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 2 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4**

Freedom of movement for Gaza residents is severely limited. Israel and Egypt exercise tight control over border areas, and Hamas imposes its own restrictions on travel. Israel often denies Gaza residents permits to travel outside of the territory on security grounds, permitting only certain medical patients and other individuals to leave. University students have difficulty acquiring the necessary permits to leave the territory to study abroad. Hamas allowed PA officials to deploy to Gaza's border crossings in 2017, but this did not lead to any practical changes in freedom of movement for Gazans. Corruption and the use of bribes at crossing points is common.

Beginning in mid-2018, Egypt partially reduced its restrictions on the Rafah crossing, which has since been operating five days a week on a regular basis. However, it is still difficult for many Palestinians to receive appropriate permits from Hamas and the Egyptian government, with wealthier individuals paying brokers to arrange "expedited" processing.

In September 2019, the NGO Gisha reported minor changes to Israeli policies governing the Erez crossing, which in some cases loosened permit and travel criteria for Palestinians who want to leave Gaza, though it was unclear at the time whether the altered rules had led to meaningful changes in practice. In the final months of 2019, UNOCHA reported an increase in the number of Israeli permits issued to Palestinian businesspeople.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

While Gaza residents are able to own property and engage in business activity, their rights have been seriously undermined by the effects of periodic conflicts between Hamas and Israel, among other factors. Only a fraction of the homes damaged or destroyed during the 2014 conflict had been reconstructed by the end of 2019, and approximately 16,500 people remained in temporary housing at midyear. Impediments to private enterprise in Gaza include persistent Israeli bans on imports of many raw materials, although there were some indications that export restrictions on certain food products and import restrictions on items such as car tires were looser at the end of 2019, perhaps in connection with Israeli efforts to reach a long-term cease-fire deal with Hamas.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Palestinian laws and societal norms, derived in part from Sharia (Islamic law), put women at a disadvantage in matters such as marriage and divorce. The Hamas authorities have enforced restrictions on personal attire and behavior that they deem immoral, though enforcement has relaxed in recent years. Rape and domestic violence remain underreported and frequently go unpunished, as authorities are allegedly reluctant to pursue such cases.

So-called honor killings reportedly continue to occur, though information on the situation in Gaza is limited. Some women in Gaza took part in small protests against such violence in tandem with larger demonstrations elsewhere that were prompted by the August 2019 murder of Israa Ghrayeb, a West Bank Palestinian woman who was allegedly killed by male relatives after she posted an image of herself with her fiancé online. Earlier in the year, the #MeTooGaza hashtag was launched on social media, encouraging Palestinian women to share their own experiences with abuse and harassment.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

The blockade of the Gaza Strip's land borders and coastline has greatly reduced economic opportunity in the territory. Approximately 64 percent of Gaza's labor force was unemployed as of mid-2019, an increase from 54 percent a year earlier, which was already one of the highest rates in the world. Israel's intermittent restrictions on the entry of construction materials have hampered the economy. Israeli forces also prevent farming near the border fence and limit Gazan fishermen's access to coastal waters. Fishermen were notified that Israel had altered the demarcation of the fishing zone 19 times in 2019, according to Gisha, although the limit was left at 15 nautical miles from shore at year's end. Hamas has imposed price controls that may further dampen economic activity.

Inconsistent access to fuel imports and electricity due to Israeli, PA, and Egyptian policies hinders all forms of development in the territory, including domestic desalination that could improve access to clean water. In October 2018, Israel lifted some restrictions on fuel transfers, and Qatar began financing fuel and other aid to improve electricity generation and overall economic conditions. In June 2019, Israel temporarily suspended fuel deliveries to Gaza after a number of incendiary balloons were launched from Gaza and landed in Israel.

PA officials have little ability to enforce legal protections against exploitative labor conditions in Gaza, and most private-sector wage earners receive less than the legal minimum, which is itself lower than the poverty threshold.

Hong Kong

Population: 7,500,000

Freedom Status: Partly Free

Overview: The people of Hong Kong, a special administrative region of China, have traditionally enjoyed substantial civil liberties and the rule of law under their local constitution, the Basic Law. However, the chief executive and half of the Legislative Council (Legco) are chosen through indirect electoral systems that favor pro-Beijing interests, and the territory's freedoms and autonomy have come under threat in recent years due to growing political and economic pressure from the mainland.

KEY DEVELOPMENTS IN 2019

- In April, Hong Kong Chief Executive Carrie Lam's government introduced legislation that would allow extradition of Hong Kong residents, foreign residents, and visitors to China, where they would not be guaranteed a fair trial and may be subject to torture and other human rights abuses. The move prompted months of large-scale protests that featured violent attacks against peaceful demonstrators by nonstate actors, considerable police violence, and thousands of arrests.
- While the extradition bill was formally withdrawn in October, protests, violence, and civil disobedience continued throughout the year. The demonstrators voiced four principal demands: that the protests not be characterized by authorities as "riots," that an amnesty be granted to the more than 6,000 people arrested in connection with their participation in the movement, that an independent inquiry be established into abuse of power by the Hong Kong police, and complete universal suffrage for the Legislative Council and the chief executive.

- As the protest movement continued, Lam in October revived the 1922 Emergency Regulations Ordinance to issue a ban on face masks, which protesters had used to shield their identities from police. The move marked the first use of these emergency powers since the British Colonial Government had involved them last in 1967. A Hong Kong court struck down the emergency degree in November, prompting strident criticism from the mainland Chinese National People's Congress (NPC). The ban remained in effect at year's end, as litigation continued.
- In October, police used live ammunition against protesters, shooting one 18-year-old demonstrator in the chest during an altercation. For two weeks in November, police laid siege to Hong Kong Polytechnic University, threatening lethal force against protesters, and arresting some 1,375 people.
- In November elections to local councils, prodemocracy candidates won a record-breaking 389 of 452 elected seats, in a landslide that saw pro-Beijing candidates hold just 58 seats, down from 300 previously. The polls saw the highest voter turnout since Hong Kong began its district council elections.

POLITICAL RIGHTS: 16 / 40 (+1)

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The chief executive, who serves a five-year term, is chosen by a 1,200-member election committee. Some 200,000 “functional constituency” voters—representatives of elite business and social sectors, many with close Beijing ties—elect 900 of the committee's members, and the remaining 300 consist of Legco members, Hong Kong delegates to China's NPC, religious representatives, and Hong Kong members of the Chinese People's Political Consultative Conference (CPPCC), a Chinese government advisory body.

In 2017, Carrie Lam, a former deputy to outgoing chief executive Leung Chun-ying and Beijing's favored candidate, was chosen as Hong Kong's fourth—and first woman—chief executive, with 777 election committee votes. Her main opponent, former financial secretary John Tsang, received just 365 votes despite drawing far more support than Lam in public opinion polls. As in the past, the selection process featured reports of heavy lobbying by central government representatives.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

Of the Legco's 70 seats, 30 are elected by functional constituency voters, 35 are chosen through direct elections in five geographical constituencies, and the remaining five are directly elected after nominations by Hong Kong's 18 district councils from among their own members. Members serve four-year terms.

In the September 2016 elections, a growing movement emphasizing localism and self-determination emerged to compete with existing pro-Beijing and prodemocracy camps. Candidates from this movement, which grew out of the 2014 Umbrella Movement, captured six seats. Other prodemocracy parties took 23 seats, while pro-Beijing parties won 40; an independent took the remaining seat.

Authorities have responded to the new opposition dynamic by tightening qualification rules, forcing out some lawmakers, and making it increasingly difficult for localist and prodemocracy candidates to win office. In October 2016, after several localist and prodemocracy Legco members altered their oaths of office as a form of protest, the oaths of two newly elected localists—Sixtus Baggio Leung Chung-hang and Yau Wai-ching—were

rejected. The NPC in Beijing issued an unusual Basic Law interpretation that November, requiring oaths to be taken “sincerely and solemnly,” and the High Court then affirmed the two representatives’ disqualifications. In August 2017, Hong Kong’s Court of Final Appeal upheld the decision.

In July 2017, a court granted the government’s request to remove four other Legco members who made political statements during their 2016 swearing-in ceremonies—Nathan Law Kwun-chung, Lau Siu-lai, Edward Yiu Chung-yim and Leung Kwok-hung—even though their oaths had been accepted by the Legco at the time. In September 2017, Lau and Leung indicated their intent to appeal the decision, meaning by-elections to fill their seats would be postponed. By-elections for the remaining four seats left vacant by oath-related disqualifications were held in March 2018, and prodemocracy candidates recaptured only two of these seats.

In May 2018, Lau withdrew her appeal, citing the financial and psychological toll of the lengthy proceedings, and her later nomination to run in a November by-election to fill the now-vacated seat was invalidated by the Electoral Affairs Commission (EAC), citing her past advocacy in favor of self-determination for Hong Kong. Meanwhile, the Court of Appeal rejected Leung’s application in February 2019. Leung vowed to apply for legal aid to appeal to the Court of Final Appeal.

However, in elections to local councils held in November 2019, prodemocracy candidates won a record-breaking 389 of 452 elected seats, in a landslide that saw pro-Beijing candidates hold just 58 seats, down from 300 in the previous election. The polls saw the highest voter turnout since Hong Kong began its district council elections.

The elections were, however, marred by the EAC’s October decision to disqualify activist Joshua Wong, stating that his “advocating or promoting ‘self-determination’” made his candidacy invalid; Wong had taken part in and been arrested during the 2019 protests. The election period also saw violent physical attacks on a number of candidates.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Universal suffrage, meaning direct elections, is the “ultimate aim” under the Basic Law, but only incremental changes to the electoral system have been permitted to date. Since August 2019, the introduction of universal suffrage for the Legco and chief executive has been a consistent demand of protesters. Moreover, the system, which already favored pro-Beijing interests and prevented direct elections for many offices, has grown more hostile to dissenting views in recent years. Ahead of the 2016 Legco elections, the EAC required all candidates to attest in writing to their belief that Hong Kong is unquestionably a part of China, based on certain Basic Law provisions. The EAC invalidated the nominations of six localist candidates for failure to comply, preventing them from running. The NPC’s 2016 Basic Law interpretation concerning “sincerity” and “solemnity” in oath-taking bolstered the EAC’s authority to block future candidates on similar grounds.

In 2019, the EAC disqualified Joshua Wong from participating in local council elections on grounds that he had promoted “self-determination,” a decision linked to his participation in the year’s protest movement.

B. POLITICAL PLURALISM AND PARTICIPATION: 7 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Hong Kong residents’ political choices are limited by the semidemocratic electoral system, which ensures the dominance of pro-Beijing parties and candidates. Some 18

political parties are currently represented in the Legco. The largest pro-Beijing party is the Democratic Alliance for the Betterment and Progress of Hong Kong. The main parties in the prodemocracy camp are the Civic Party and the Democratic Party, and key localist groupings include Youngspiration and Civic Passion. The Chinese Communist Party (CCP) is not formally registered in Hong Kong but exercises considerable influence.

In September 2018, Hong Kong's secretary for security announced that the proindependence Hong Kong National Party (HKNP) was officially banned, citing party statements likely to "cause violence and public disorder" and invoking interests of national security, public safety, and public order. The move, based on a law previously used to combat organized crime, marked the first blanket prohibition of a political party in Hong Kong since the territory's 1997 handover from Britain to China. In February 2019, an appeal by HKNP leader Andy Chan Ho-tin was rejected by the Executive Council.

In August and again in October 2019, Jimmy Sham—a leader of the Civil Human Rights Front (CHRF), a member of the League of Social Democrats, and a candidate in the November 2019 district council elections—was attacked by unknown assailants, with the second attack leaving him hospitalized. Other prodemocracy candidates, as well as pro-Beijing candidate Junius Ho, also suffered violent attacks in the lead-up to the November elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4 (+1)

Prodemocracy legislators have historically enjoyed substantial minority representation alongside their pro-Beijing counterparts. However, the recent disqualification of so many candidates demonstrates the limits of Beijing's tolerance for movements that threaten its influence. The subjective nature of the NPC's "sincere" and "solemn" standard for oath-taking raises substantial concern that further disqualifications will prevent opposition forces from regaining their former share of seats in the Legco.

However, despite these challenges, the prodemocracy parties enjoy substantial and widespread support in Hong Kong, and prodemocracy candidates made significant gains in 2019 district council elections.

Score Change: The score improved from 1 to 2 due to the landslide victory of prodemocracy opposition parties in district council elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The CCP leadership in Beijing exerts a powerful influence on politics in Hong Kong through a variety of channels, including the NPC's ability to issue interpretations of the Basic Law, the cooptation of Hong Kong business leaders through their mainland assets and membership in the NPC or CPPCC, and lobbying or harassment of election committee members and other political figures to ensure favorable electoral outcomes. In what was interpreted as a threat to prodemocracy protesters, Chinese troop carriers were seen massing near the Hong Kong border in Shenzhen in August 2019. In October, China's president, Xi Jinping, issued a warning that attempts to divide China—a reference to Hong Kong protesters—would end in "bodies smashed and bones ground to powder."

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

While there are no formal restrictions preventing women or ethnic minorities from voting or running for office, their participation is somewhat limited in practice, with just 12

women and no ethnic minority candidates elected to the Legco in 2016. Hong Kong's first and only openly gay Legco member, initially elected in 2012, was reelected in 2016.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Directly elected officials have little ability to set and implement government policies under the territory's political system, and mainland authorities are highly influential. The Basic Law restricts the Legco's lawmaking powers, prohibiting legislators from introducing bills that would affect Hong Kong's public spending, governmental operations, or political structure.

As a result of the 2017 removal of some prodemocracy lawmakers and the outcome of 2018 by-elections, the prodemocracy camp lost an important legislative veto power that requires control over a majority of geographical constituency seats. However, it would still be able to block Basic Law amendments, which require a two-thirds majority of all Legco members. With prodemocracy parties having dominated the district council elections in November 2019, they will gain a number of the 120 seats available on the 1,200-member committee that will choose the next chief executive; prior to the district council vote, prodemocracy parties controlled approximately 400 seats on the committee. Prodemocracy parties now control 17 of Hong Kong's 18 district councils.

C2. Are safeguards against official corruption strong and effective? 3 / 4

Hong Kong is regarded as having generally low corruption rates, and some high-ranking officials have been successfully prosecuted for graft-related offenses in the past. However, residents perceive the government to be lagging in the fight against corruption. In January 2019, Secretary for Justice Teresa Cheng survived a motion of no confidence in the Legco by 11 votes to 7 after consistently rejecting calls to explain why she dropped a corruption case against former Hong Kong chief executive Leung Chun-ying. In September 2019, the Independent Commission against Corruption (ICAC) announced charges against 17 people, including 5 who hold offices in a taxi association, for their alleged roles in a widespread vote-rigging scam from the 2016 Legco elections.

C3. Does the government operate with openness and transparency? 2 / 4

Hong Kong has no freedom of information law nor does it have any specific legislation relating to the management of government records and archives in Hong Kong. Although an administrative code—the Code of Access to Information—is intended to ensure open access to government records, it includes broad exemptions, and official adherence is inconsistent.

Consultations between Hong Kong officials and the Beijing government, represented by a Liaison Office in the territory, are largely opaque, leaving the extent of Beijing's influence on the local government's decisions unclear to the public.

CIVIL LIBERTIES: 39 / 60 (-5)

D. FREEDOM OF EXPRESSION AND BELIEF: 10 / 16 (-2)

D1. Are there free and independent media? 2 / 4

The Basic Law protects press freedom, and the mainland's internet censorship regime does not apply in Hong Kong. Residents have access to a variety of print, broadcast, and digital news sources.

However, in recent years the Hong Kong and Chinese governments, alongside businesses with close Beijing ties, have increased political and economic pressure on media outlets, resulting in self-censorship among journalists. Some local news outlets have been

acquired by mainland businesses or carried dubious “confessions” by mainland political detainees. The detention of five Hong Kong booksellers by mainland authorities in late 2015 has had a chilling effect on the territory’s previously freewheeling book-publishing business. In April 2019, Hong Kong bookseller Lam Wing-kee, one of the five who had been detained, fled Hong Kong for Taiwan over concerns that he could be extradited back to China under the proposed extradition bill. Earlier, in October 2018, the Hong Kong government refused an employment visa renewal for Victor Mallet, a veteran journalist for the *Financial Times* and vice president of Hong Kong’s Foreign Correspondents’ Club (FCC); it is widely believed that the expulsion was a reprisal for an FCC event earlier in the year at which Mallet chaired a talk with HKNP leader Andy Chan. Separately, in January 2019, the *Wall Street Journal* revealed that the mainland Chinese government had offered to spy on its reporters in Hong Kong who had reported on a corruption scandal in Malaysia.

During the protests in 2019, members of the media in Hong Kong were assaulted, detained, sprayed with blue dye (used by the Hong Kong police as a tactic to identify protesters) and with tear gas, struck by projectiles, and threatened with live ammunition. In one of the more egregious incidents, in September, Indonesian journalist Veby Indah was wounded by a rubber bullet fired by police and permanently blinded in one eye.

In a positive development, in February 2019, the Hong Kong Court of Appeal upheld sentences that had been levied in 2015 for two of the men involved in the 2014 slashing attack on former *Ming Pao* editor Kevin Lau.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

Religious freedom is generally respected in Hong Kong. Adherents of the Falun Gong spiritual movement, which is persecuted in mainland China, are free to practice in public. However, they have complained of counterdemonstrations and harassment by members of the Hong Kong Youth Care Association (HKYCA), which has ties to the CCP.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4 (-1)

University professors have been able to write and lecture freely, and political debate on campuses remains lively. However, government-led revisions of history curriculums and textbooks, and attempts to instill Chinese patriotism over the past decade, have stirred accusations of a pro-Beijing agenda in primary and secondary education. Recent years have seen growing interference by the Hong Kong government and mainland authorities with Hong Kong’s colleges and universities. On several occasions in the last two years, university officials have warned students against participating in proindependence or other demonstrations, and implied that they could be prosecuted for disobedience.

In 2019, students, university faculty, and teachers came under significant pressure as Hong Kong authorities sought to quell the year’s antigovernment protests, and November saw sustained standoffs between protesters and police in which hundreds were arrested and classes were severely disrupted. In September 2019, as student demonstrations and class boycotts were taking place, Hong Kong’s education bureau announced that such boycotts were illegal. The previous month, the bureau had reportedly issued guidelines to teachers on how to respond to the protests, suggesting they respond to “difficult questions” with “I do not know,” or “I do not understand it either.” After the controversial ban on face masks was introduced in October, the education bureau sought to enlist schools in helping to enforce the ban.

In November 2019, police laid siege to protesters on two campuses—the Chinese University of Hong Kong and Hong Kong Polytechnic University—and standoffs took place

at the City University of Hong Kong and Hong Kong University. The siege at Polytechnic University lasted almost two weeks; thousands of tear gas canisters were used at the school, and over a thousand people were arrested. Multiple universities in Hong Kong cancelled classes for the remainder of the term.

Separately, in April 2019, Chan Kin-man, a sociology professor at the Chinese University of Hong Kong, and Benny Tai, a law professor at Hong Kong University, were found guilty of incitement and conspiracy to commit public nuisance and were sentenced to 16 months' imprisonment each for their roles in the 2014 Umbrella Movement, despite the judge finding that they "all along called for a peaceful and nonviolent approach."

Score Change: The score declined from 2 to 1 due to intensified pressure on universities in response to antigovernment protests, including police sieges and campus incursions to arrest student activists and demonstrators.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4 (-1)

Private discussion is open and free, though mainland security agencies are suspected of monitoring the communications of prodemocracy activists.

Surveillance of demonstrators was a serious concern during the 2019 protests, with police and the government using facial recognition technology and blue dye to identify protesters. The government in October ultimately enacted a ban on face masks at all demonstrations under the Emergency Regulations Ordinance, in a bid to prevent protesters from exercising their right to privacy. There were also reports of Hong Kong authorities seizing protesters' phones and searching them.

Private individuals who participated in protests faced repercussions for their activities. Among other incidents, in August, protest leader and Hong Kong University Student Union president Davin Wong was attacked while waiting for a bus by attackers who apparently had apparently been surveilling him; he fled Hong Kong the next month. Also in August, a number of employees from Cathay Pacific Airways, including the head of the flight attendant's union, were fired for protesting or engaging in other activity perceived as supporting the demonstrations. At least one employee, a pilot, faced criminal charges.

Score Change: The score declined from 4 to 3 due to increased self-censorship in the context of the antigovernment protests, with residents facing risks including physical violence, loss of employment, or criminal charges if they express certain views openly.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 6 / 12 (-2)

E1. Is there freedom of assembly? 1 / 4 (-1)

The Basic Law guarantees freedom of assembly, but the Public Order Ordinance requires organizers to give police seven days' notice before protests and to obtain official assent. Signs of authorities' growing intolerance of demonstrations emerged during the 2014 Umbrella Movement, which saw increased use of baton charges, pepper spray, and arrests by police. Protesters' encampments also faced assaults by counterdemonstrators, many of whom were later found to have links with criminal gangs. In 2019, numerous defendants, including professors Benny Tai Chan Kin-man, received prison sentences in connection with their participation in the Umbrella Movement.

Since protests against the extradition bill began in June 2019, authorities have regarded demonstrations with outright hostility, and in 2019 the frequent use of force by police against protesters drew intense international condemnation. June and July saw a number of

violent attacks by police on protesters, and in November, police fired on demonstrators with live rounds, resulting in the hospitalization of one protester who sustained gunshot wounds. At the same rally, a police officer drove a motorcycle into a crowd of protesters.

Separately, attacks on protesters by mobs linked to organized crime groups known as triads resulted in hundreds injured and dozens hospitalized, and there were numerous instances where police failed to intervene when protesters were attacked. In one notable instance in July, attackers armed with rods beat dozens of protesters and some bystanders at Yuen Long subway station as police mostly stood by. Authorities likened protesters engaged in an August sit-in at the main Hong Kong airport to “terrorists.” October’s face-mask ban was intended to deter protests.

While most demonstrators were peaceful, some responded to police activity with violence, including by throwing fire bombs or caustic chemicals at officers. Some activists engaged in significant property destruction, such as in early July, when protesters stormed the LegCo, where they smashed windows and ransacked parts of the interior.

Score Change: The score declined from 2 to 1 because the year’s antigovernment protests featured escalating repression and brutality by police and progovernment attackers—including the use of live ammunition—as well as violent responses from some demonstrators.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4 (-1)

Historically, Hong Kong has played host to a vibrant nongovernmental organization (NGO) sector, including a number of groups that focus on human rights in mainland China. However, in 2019, police and nonstate actors attacked protest leaders and peaceful activists at the Lennon Walls (walls covered with notes bearing messages of support for the protest movement). In October, Jimmy Sham, head of the CHRF, was attacked by a group of men armed with hammers, resulting in his hospitalization. Chinese officials verbally attacked activists speaking about Hong Kong at the United Nations as they delivered their addresses.

A number of activists were arrested during the year over their work organizing events related to the protest movement. Meanwhile, the Hong Kong government insisted on only engaging with select organizations for dialogue.

Early in 2019, there was also a sophisticated cyberattack on the Hong Kong branch of Amnesty International, reportedly originating from mainland China.

Score Change: The score declined from 4 to 3 due to a series of arrests, physical attacks, and other forms of intimidation targeting prominent civic activists associated with the anti-government protest movement.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Trade unions are independent, but collective-bargaining rights are not recognized, and protections against antiunion discrimination are weak.

F. RULE OF LAW: 10 / 16 (-1)

F1. Is there an independent judiciary? 2 / 4

The judiciary is largely independent and remained so during the 2019 crisis. However, the NPC has historically reserved the right to make final interpretations of the Basic Law, limiting the independence of the Court of Final Appeal. The NPC’s 2016 interpretation regarding oaths of office was unusual in a number of respects, particularly the fact that it was issued without a request from the Hong Kong government and before the local courts had

ruled on the matter in question. It was therefore seen as a blow to the autonomy of the territory's legal system. Critics also noted that the interpretation introduced subjective concepts like "sincerity" and "solemnity" that could lead to politicized enforcement.

Since the beginning of the 2019 protests, the Hong Kong judiciary has faced criticism over various decisions from the Hong Kong government, mainland Chinese media, and protesters. In November 2019, a Hong Kong court struck down an emergency decree banning the use of face masks as unconstitutional, a decision which was promptly met with criticism from the NPC. The ban itself remained in effect.

F2. Does due process prevail in civil and criminal matters? 3 / 4

The courts generally adjudicate civil and criminal matters fairly and efficiently. Following the many arrests made during the protests (close to 7,000), courts have been under pressure to process cases faster.

In May 2019, two Hong Kong activists, Ray Wong and Alan Li, who had been due to face court in Hong Kong for charges of rioting relating to a 2016 clash with police, said that they had been granted political asylum in Germany. Wong stated that he believed Germany's grant of asylum was connected with a perceived lack of independence by the Hong Kong judiciary.

In September, following months of large-scale protests, Lam announced withdrawal of a bill that would have allowed for extradition of suspected offenders to China, where they would not be a guarantee of fair trial and were at serious risk of abuse while in detention. The bill was withdrawn formally in October.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4 (-1)

Police are forbidden by law to employ torture, disappearance, and other forms of abuse. However, the 2019 protest movement was met with frequent police violence, which has generally gone unaddressed. There have been credible allegations of the arbitrary detentions of protesters, and their torture while in detention. By October, the Independent Police Complaints Council (IPCC), a civilian body tasked with handling complaints against the police, had received 631 complaints about police conduct. However, in late 2019, a group of foreign experts appointed by the IPCC to study police practices during the protests stepped down, citing concerns about whether the IPCC was capable of engaging in sufficiently robust, independent inquiry.

In addition to police violence, the protest movement brought about a more general climate of unrest, due to both clashes that accompanied demonstrations and violent attacks committed by nonstate actors against protesters, activists, and bystanders at locations far from where protest actions were taking place.

The 2019 allegations of police use of force against protesters occur amidst a broader climate of concern about the encroachment of mainland Chinese governance on Hong Kong. The 2015 disappearances of five Hong Kong booksellers into police custody on the mainland continue to cast doubt on the local government's capacity to protect residents from abuses by Chinese authorities. Four were eventually released, but they reportedly faced surveillance and harassment in Hong Kong; the fifth, Swedish citizen Gui Minhai, remained in some form of detention on the mainland in 2019.

Score Change: The score declined from 3 to 2 due to a general deterioration in security during the year, with excessive uses of force by police and violent attacks by nonstate actors often going unpunished or occurring away from protest venues.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Citizens are generally treated equally under the law, though South Asian minorities face language barriers and de facto discrimination in education and employment. Women are also subject to some employment discrimination in practice. Antidiscrimination laws do not specifically protect LGBT+ people. In February 2019, a Hong Kong court ruled that three transgender people identifying as men could not have their gender listed as “male” on their ID cards without undergoing full gender reassignment surgery.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4**

Hong Kong residents generally enjoy freedom of movement, though authorities periodically deny entry to visiting political activists and Falun Gong practitioners, raising suspicions of Beijing-imposed restrictions. Some Hong Kong activists and politicians have also faced difficulty traveling to the mainland. In 2019, there were reports that people traveling into China from Hong Kong were subjected to checks by mainland Chinese authorities, who searched their phones for protest photos and related communications.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

While property rights are largely respected, collusion among powerful business entities with political connections is perceived as an impediment to fair competition.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 4

Hong Kong residents are legally protected from rape and domestic abuse, and police generally respond appropriately to reports of such crimes. Men and women enjoy equal rights in personal status matters such as marriage and divorce. A challenge to Hong Kong’s restrictions on same-sex marriage on the grounds that the restrictions were contrary to the Basic Law was rejected by a court in October 2019.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

While most Hong Kong residents enjoy equality of opportunity and freedom from economic exploitation, certain vulnerable and marginalized communities face substantial risks of exploitation and abuse. For instance, Hong Kong’s roughly 380,000 foreign household workers are vulnerable to a wide range of exploitative practices. Since they may face deportation if dismissed, many are reluctant to bring complaints against employers.

Indian Kashmir

Population: 12,500,000

Freedom Status: Not Free

Status Change: Indian Kashmir’s status declined from Partly Free to Not Free due to the Indian government’s abrupt revocation of the region’s autonomy, the postponement or elimination of legislative elections, and a security crackdown that sharply curtailed civil liberties and included mass arrests of local politicians and activists.

Overview: Control of Kashmir has been divided between India and Pakistan since 1948, and Indian-administered Kashmir long enjoyed substantial autonomy under India's constitution. However, the region's autonomous status was revoked in 2019, and what had been the state of Jammu and Kashmir was reconstituted as two union territories under the direct control of the Indian central government. The move stripped residents of many of their previous political rights. Civil liberties were also curtailed to quell public opposition to the reorganization. Indian security forces are frequently accused of human rights violations, but few are punished. Separatist and jihadist militants continue to wage a protracted insurgency.

KEY DEVELOPMENTS IN 2019

- In August, the Indian government abruptly revoked elements of the Indian constitution that had provided substantial autonomy for the Muslim-majority state of Jammu and Kashmir while preventing outsiders from acquiring property there. Ladakh, a traditionally Buddhist area, was split off from Jammu and Kashmir, and both were downgraded from state to union territory, meaning they would be governed by centrally appointed officials.
- Communications, internet access, and freedom of assembly were severely restricted following the August action. Thousands of Kashmiris—including politicians, students, journalists, and academics—were detained, often preemptively and without charge.
- Many public services, such as communications and transportation, and large parts of the economy ceased to function during the crisis. The security situation remained volatile at year's end; at least 276 civilians, security personnel, and militants were killed in insurgent-related violence in 2019.

POLITICAL RIGHTS: 8 / 40 (-14)

A. ELECTORAL PROCESS: 2 / 12 (-7)

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4 (-3)

Prior to 2019, the state of Jammu and Kashmir enjoyed special autonomy under Article 370 of the Indian constitution. A chief minister—typically the head of the largest party in the state legislature's lower house—was entrusted with executive power. This position was left vacant in June 2018, when the Hindu nationalist Bharatiya Janata Party (BJP) withdrew from a governing coalition and forced the incumbent's resignation. The state was then governed provisionally by appointees of the central government.

Under the Jammu and Kashmir Reorganisation Act 2019, adopted by the Indian Parliament in August 2019, the region's autonomous status was revoked, it was downgraded from a state to a union territory, and the Ladakh area was separated to form a second union territory. Executive authority in each would rest with a lieutenant governor appointed by the president of India on the advice of the Indian prime minister. In Jammu and Kashmir, the lieutenant governor would be assisted by a chief minister and cabinet responsible to an elected legislature with limited powers, though no such legislature was elected during 2019. Two former bureaucrats, Girish Chandra Murmu and Radha Krishna Mathur, were appointed in October as lieutenant governors of Jammu and Kashmir and of Ladakh, respectively.

The process by which Jammu and Kashmir's autonomous status and statehood were revoked drew criticism and doubts about its legality. Opponents and other observers argued that the central government had improperly delayed state elections to prolong direct rule, then hastily adopted the reorganization law with little debate.

Score Change: The score declined from 3 to 0 because the region lacked an elected government following the collapse of a ruling coalition in mid-2018 and the imposition of direct rule by the Indian government, first under existing law and then through the Jammu and Kashmir Reorganisation Act, which vested executive power in appointed officials.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4 (-3)

Until the passage of the Jammu and Kashmir Reorganisation Act in August 2019, the region had a bicameral legislature. The lower chamber, the Legislative Assembly, was composed of 87 members directly elected for six-year terms to single-member districts. The upper chamber, called the Legislative Council, comprised 28 indirectly elected members and eight members nominated by the governor. The 2014 elections were broadly free and fair, with reduced levels of voter intimidation, harassment, and violence compared to past elections. The state legislature was dissolved by the governor in late 2018, ending attempts by local parties to form a new governing majority, but central authorities then extended direct rule and postponed new state elections through the summer of 2019, when the Reorganisation Act rendered them moot.

Under the arrangements adopted in 2019, the new union territory of Jammu and Kashmir would have a unicameral legislature with limited powers and at least 83 elected members. (As in the old assembly, another 24 seats associated with constituencies in Pakistani-controlled Kashmir would be left vacant.) However, elections were not expected until 2021, following the demarcation of constituencies. The new union territory of Ladakh was set to be administered solely by the lieutenant governor, with no legislature of its own.

Municipal (urban) elections were held in 2018 for the first time in 13 years, though the polls were marred by opposition party boycotts and threats of violence, and turnout was low. Panchayat (rural council) elections later that year featured high turnout in some constituencies. Local elections to Block Development Councils in October 2019 were extensively boycotted by local mainstream political parties.

Score Change: The score declined from 3 to 0 because no legislative elections were held in 2019 following the dissolution of the Legislative Assembly in late 2018, and because the Jammu and Kashmir Reorganisation Act stipulated that the new union territory of Ladakh would have no legislature.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4 (-1)

The legal framework governing elections prior to 2019 was broadly perceived as fair. While intimidation of election workers and electoral authorities by militant groups sometimes interfered with the orderly implementation of electoral laws and regulations, the process was overseen by the Election Commission of India, a respected and largely independent body.

The Indian Parliament adopted the Jammu and Kashmir Reorganisation Act swiftly and without significant input from Kashmiris, fundamentally altering the electoral system and effectively stripping residents of substantial voting power.

Score Change: The score declined from 3 to 2 due to the central government's abrupt imposition of the Jammu and Kashmir Reorganisation Act, which transformed the electoral framework and reduced residents' political rights without meaningful consultation or public discussion.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16 (-5)**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4 (-1)**

Until 2019, a competitive multiparty system had operated in the region. While new political parties had to register with the Election Commission, parties were generally able to form freely, and there were mechanisms by which independent candidates could stand for office. Notable impediments to normal party politics included militant violence, intimidation, and separatist boycotts.

Political activities were almost completely suspended after August 2019, as security forces detained thousands of party members and activists without charge, including the leaders of mainstream Kashmiri parties and the local branch of India's opposition Congress party. Former chief ministers and incumbent lawmakers were among those detained.

Score Change: The score declined from 2 to 1 due to the detention of dozens of Kashmiri political leaders and many other politicians and party activists beginning in August, when the region's reorganization was announced.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4 (-2)

For more than a decade, state-level power had rotated between the two largest Kashmiri parties: the People's Democratic Party (PDP) and the Jammu and Kashmir National Conference (JKNC). The Hindu nationalist BJP, which currently governs in New Delhi, has made significant electoral inroads in recent years; it participated in a coalition government with the PDP from 2015 to 2018.

However, the postponement of state elections through mid-2019, the reorganization of the region in August, and the related mass detentions effectively reduced the ability of opposition groups to compete and enter government in Jammu and Kashmir for the foreseeable future. The new union territory of Ladakh had a centrally appointed executive and no legislature, meaning no local rotations of power through elections would be possible.

Score Change: The score declined from 3 to 1 because in addition to the mass arrests of opposition politicians, there were no immediate plans to hold overdue legislative elections for Jammu and Kashmir, and Ladakh would no longer hold elections for its executive or legislative leadership.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4 (-2)

The activities of separatist militants and a heavy Indian security presence have long impaired the ability of people in certain areas to participate freely in political processes. In August 2019, tens of thousands of additional Indian troops were deployed to the region to quash any public expressions of opposition to the Reorganisation Act. The deployment was accompanied by reports of intimidation and violence against civilians, and more than 5,000 people were arrested.

Score Change: The score declined from 2 to 0 due to the Indian government's imposition of direct rule and its use of overwhelming military force to suppress political dissent by the local population.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

The former state constitution granted all permanent residents over 18 the right to vote in state assembly elections. However, refugees from Pakistan were not entitled to permanent residency rights and could not vote in state elections. They were able to vote in Indian parliamentary elections. While Kashmir had a female chief minister until early 2018, women were generally underrepresented in politics. It was not entirely clear in 2019 how the region's new political arrangements would affect women and minorities.

C. FUNCTIONING OF GOVERNMENT: 2 / 12 (-2)**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4 (-2)**

India has never held a referendum on allowing Kashmiri self-determination, as called for in a 1948 UN resolution. Jammu and Kashmir long enjoyed substantial autonomy under India's constitution, but by the end of 2019 it was ruled directly by the central government through an appointed lieutenant governor, as was the newly separated territory of Ladakh. There are legal provisions for an elected legislature in Jammu and Kashmir, although its powers will ultimately be limited, and no legislature was in place during the year. Many laws that had been passed by the state government were subject to repeal or amendment under the new system, and more laws passed by the Indian Parliament now apply to Jammu and Kashmir. In the future, the union territory will not be permitted to formulate its own laws regarding policing and public order.

Score Change: The score declined from 2 to 0 because the region was deprived of any locally elected leadership during the year, leaving all authority in the hands of the Indian government, centrally appointed officials, and military commanders.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is widespread. A 2011 law established an anticorruption commission with far-reaching investigatory powers. The panel has processed more than a thousand complaints since the first commissioners were appointed in 2013, and it has filed a handful of bribery charges against public officials. However, few corruption cases result in convictions. A survey conducted by the Indian think tank CMS in 2017 found that 84 percent of respondents believed corruption in the region to be increasing.

C3. Does the government operate with openness and transparency? 1 / 4

The administration generally operates with opacity. The changes in the administrative status of the region in 2019, coupled with severe restrictions on press freedom, have further impeded transparency.

CIVIL LIBERTIES: 20 / 60 (-7)**D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16 (-3)****D1. Are there free and independent media? 1 / 4 (-1)**

Until mid-2019, print media were thriving in Jammu and Kashmir. Online media had proliferated, providing new platforms for news and information. The announcement of the region's changed administrative status was accompanied by a severe clampdown on the activities of local and foreign journalists. The authorities imposed lengthy shutdowns of internet and telephone service; by late in the year, landline phone service and some mobile

service had been restored, but internet access was still blocked. Journalist Qazi Shibli, a website editor who had been posting on Twitter about Indian troop movements, was arrested in July, shortly before the revocation of autonomy; he remained in detention at year's end. At least two other journalists were briefly detained by the government in August. There were also reports of journalists being beaten by police and other security forces in connection with their work. Protracted curfews and restrictions on movement made it difficult for most newspapers to operate during the second half of the year. They eventually began to resume publication, but they reportedly faced pressure to toe the Indian government line.

Score Change: The score declined from 2 to 1 because the authorities imposed severe restrictions on the media sector in the months after the revocation of the region's autonomy, including a communications blackout, detentions of journalists, and curfews that disrupted newspaper production.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Freedom of worship is generally respected by the authorities. However, communal violence between Muslims and Hindus periodically flares up, and many have been injured and killed as a result. A ban on Shiite Muslims' Muharram processions, which take place during a period of mourning at the Islamic new year, has been upheld for decades.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4 (-1)

Academic freedom is often circumscribed. Authorities monitor the research produced at Kashmiri universities, and a combination of censorship and self-censorship discourages students and professors from pursuing sensitive topics of inquiry. Colleges, universities, and schools were shuttered for most of the second half of 2019 due to unrest and the orders of the Indian government.

Score Change: The score declined from 2 to 1 because academic institutions largely remained closed after the revocation of autonomy in August and had not resumed full operations at year's end.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4 (-1)

While private discussion has sometimes been robust, fear of reprisals by government or militant forces can serve as a deterrent to uninhibited speech. The mass arrests of politicians, activists, protesters, and others after the revocation of autonomy in August 2019 were apparently aimed at curbing free expression and likely had a chilling effect on ordinary residents.

Score Change: The score declined from 3 to 2 due to the general crackdown on dissent and discussion in the second half of 2019, which included widespread arrests.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 3 / 12 (-2)

E1. Is there freedom of assembly? 0 / 4 (-1)

Freedom of assembly is frequently restricted during times of unrest. The authorities often reject requests for permits for public gatherings submitted by the separatist All Parties Hurriyat Conference (APHC). Separatist leaders are frequently arrested prior to planned demonstrations, and violent clashes between protesters and security forces are not

uncommon. A curfew was imposed throughout the region for 53 consecutive days from mid-July to late August 2019 and remained in place in a number of areas thereafter. The shutdown of phone and internet services also served to prevent the planning of protests.

Score Change: The score declined from 1 to 0 due to harsh restrictions on assembly that were imposed for several weeks beginning in July, including curfews and a communications blackout.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4 (-1)

Although local and national civil rights groups are generally permitted to operate, they are sometimes harassed by security forces. The separatist APHC is technically allowed to function, but its leaders are frequently subjected to short-term detention. In February 2019, the central government imposed a five-year ban on the group Jamaat-e-Islami (Jammu and Kashmir) and arrested its top leadership, claiming that it was engaged in separatist activities. Many of the arrests that followed the revocation of autonomy in August 2019 targeted independence advocates, human rights lawyers, and other civic activists. Efforts by civil society to monitor human rights violations during the crackdown were hampered by the suspension of internet and telephone services.

Score Change: The score declined from 2 to 1 due to mass arrests of civic activists and restrictions on communication that disrupted attempts by human rights workers to document abuses by security forces.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Although workers have the right to form unions and engage in collective bargaining under Indian law, union rights are inconsistently upheld in practice.

F. RULE OF LAW: 4 / 16 (-1)

F1. Is there an independent judiciary? 1 / 4

Courts are politicized and act as an extension of Indian executive and military authority. The government and security forces frequently disregard court orders.

F2. Does due process prevail in civil and criminal matters? 1 / 4 (-1)

Due process rights, including access to a timely trial, are hampered in part by large backlogs of cases and intermittent lawyers' strikes. In addition, broadly written legislation, such as the unpopular Armed Forces Special Powers Act (AFSPA) and the Disturbed Areas Act, allow security forces to search homes and arrest suspects without a warrant, shoot suspects on sight, and destroy buildings believed to house militants or arms. Under the AFSPA, prosecutions of security personnel cannot proceed without the approval of the central government, which is rarely granted. Following the 2019 reorganization of the region, the central government now has the sole authority to declare an area "disturbed" under the AFSPA, which activates enhanced powers for security forces. The Public Safety Act allows detention without charge or trial for up to two years, though 2012 amendments barred the detention of minors. The law was used to jail mainstream political leaders and others in 2019. Many of the year's detainees were held in parts of India outside Kashmir.

Score Change: The score declined from 2 to 1 due to the prolonged arbitrary detention of thousands of people following the revocation of autonomy.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

After several years of relative stability, security deteriorated sharply following the 2016 killing of Burhan Muzaffar Wani, a popular separatist militant leader. The situation remained volatile in 2019, with at least 276 civilians, security personnel, and militants reportedly killed in conflict-related violence over the course of the year.

Indian security personnel have continued to engage in torture, forced disappearances, and custodial killings of suspected militants and their alleged civilian sympathizers, and they generally enjoy impunity for such abuses. In July 2019, the Office of the UN High Commissioner for Human Rights (OHCHR) released a report highlighting human rights violations in the Kashmir region over the previous year, updating a similar 2018 document; the report condemned excessive and extrajudicial violence committed by Indian security forces, and criticized the Indian government's refusal to investigate reported violations.

Militant groups have killed pro-India politicians, public employees, suspected informers, members of rival factions, soldiers, and civilians. The militants also engage in kidnapping, extortion, and other forms of intimidation. The OHCHR report detailed severe rights violations committed by active militant groups. In February 2019, more than 40 Indian security personnel were killed by a suicide bomber in Pulwama; it was the worst attack of its kind in several decades. Jaish-e-Mohammed, a militant group based in Pakistan, claimed responsibility. Among other types of incidents, militants targeted and killed a number of migrant workers who had come to Jammu and Kashmir from other Indian states.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

A pattern of violence targeting Pandits, or Kashmiri Hindus, has forced several hundred thousand Hindus to flee their homes in the region over the years, and many continue to reside in refugee camps. Other religious and ethnic minorities, such as Sikhs and Gurjars, have been targeted in the past, but such reports have become less frequent. Women face societal discrimination. They are also subject to harassment, intimidation, and violent attacks, including rape and murder, at the hands of both the security forces and militants. Gay, transgender, and other LGBT+ minorities are generally marginalized.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16 (-1)**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4 (-1)**

Freedom of movement has been curtailed by both local and central authorities. Strict curfews were imposed throughout Kashmir in 2019 surrounding the removal of the state's autonomous status in August. Even when curfews are not in force, internal movement is disrupted by roadblocks, checkpoints, and periodic protest-related impediments. Public transport services were suspended for large parts of 2019. Kashmir residents face delays of up to two years to obtain and renew passports due to heightened levels of scrutiny.

Score Change: The score declined from 2 to 1 due to severe curfews and other restrictions on movement that were imposed during the summer and were only gradually lifted as the year drew to a close.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights are undermined by displacement and military activity related to the conflict, and the regulatory environment constrains the establishment and operation of new businesses. Following the revocation of autonomy in 2019, people who were not permanent residents of Jammu and Kashmir would be allowed to acquire property there, which had not been permitted previously. However, it remained unclear how the new rules would be implemented in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Many women face domestic violence and other forms of abuse. There have been reports of women being killed in dowry disputes, and conservative social customs limit the choice of marriage partners for individuals.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Certain social groups are subject to economic marginalization, though some are also eligible to benefit from affirmative-action policies in areas such as employment and education. Child labor is reportedly prevalent in the region, and the government has taken few steps to combat it.

Nagorno-Karabakh

Population: 148,000

Freedom Status: Partly Free

Note: The numerical scores and status listed here do not reflect conditions in Azerbaijan, which is examined in a separate report. Territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: The Republic of Nagorno-Karabakh, also known as Artsakh, has enjoyed de facto independence from Azerbaijan since a 1994 cease-fire agreement ended roughly two years of open warfare, though its independence is not recognized by any UN member states. The territory's population is mostly ethnic Armenian, and given its geographical and diplomatic isolation, it is dependent on close political, economic, and military ties with Armenia. The tense security situation, with regular cease-fire violations and an ongoing threat of war, has had a negative effect on political rights and civil liberties and provided authorities with a pretext to consolidate their own power.

KEY DEVELOPMENTS IN 2019

A number of new political parties and politicians began campaigns during the year for parliamentary and presidential elections, scheduled for March and April 2020.

Independent and opposition candidates performed relatively well in the September local elections, taking many of the seats in local councils. The vote was monitored by two Armenia-based nongovernmental organizations (NGOs).

Elements of the territory's leadership remained aligned with the former ruling elites of Armenia, who were ousted as a result of popular protests and subsequent elections in that

country in 2018. Tensions between Armenia's new government and Nagorno-Karabakh's leaders prompted at least one prominent resignation in the territory during the year.

POLITICAL RIGHTS: 13 / 40 (+1)**A. ELECTORAL PROCESS: 4 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4**

Under the constitutional system in place at the beginning of 2017, the president was directly elected for up to two five-year terms and appointed the prime minister. Past elections have been marred by problems including a lack of genuine competition and alleged abuses of administrative resources.

In accordance with changes to the constitution that were approved in a February 2017 referendum, the parliament elected a transitional president who would hold office until the expiration of the incumbent parliament's term, so that the presidential and parliamentary terms would be concurrent after 2020. Bako Sahakyan, whose second term was coming to an end, was elected as transitional president in July 2017 with 28 votes in the 33-seat chamber, far more than the two-thirds majority required to win in the first round. The move effectively extended his tenure beyond the two-term limit—and expanded his powers—without a direct mandate from voters.

Under the new constitution, the president is both head of state and head of government, with full authority to appoint and dismiss cabinet members. After Sahakyan was inaugurated in September 2017, the office of prime minister was abolished.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Of the unicameral National Assembly's 33 members, 11 are elected in single-mandate constituencies and 22 by party list. The most recent parliamentary elections were held in 2015. The Free Motherland (Azat Hayrenik) party maintained its dominant position in the legislature, winning 15 seats. The Armenian Revolutionary Federation (ARF)–Dashnaktutyun and the Democratic Party of Artsakh (AZhK), both part of Free Motherland's ruling coalition, won seven and six seats, respectively. Two opposition parties gained representation: Movement 88 took three seats, while National Revival captured one. An independent candidate won the remaining seat.

Invited foreign observers reported that the elections were an improvement over the 2010 vote, which was undermined by the absence of opposition candidates and the use of state resources to support progovernment candidates. However, some political parties still reported minor intimidation during the campaign process.

Independents and opposition groups performed comparatively well in September 2019 local council elections. While most established election monitors do not assess Nagorno-Karabakh's elections, Armenia funded observation missions by two leading Yerevan-based NGOs for the first time in the territory's history. The campaign environment was relatively open, and no serious irregularities were reported.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Amendments passed in 2014 led to some improvements to the electoral code. Among other changes, the number of parliamentary seats under the proportional system increased, and the vote threshold for representation decreased to 5 percent for political parties and 7 percent for electoral coalitions, allowing for broader political participation. Electoral code

changes adopted in July 2019 for the 2020 elections shifted the parliament to a fully proportional system, eliminating the individual constituencies.

The constitutional referendum of February 2017 was criticized by opposition groups as a means to consolidate the power of the governing parties and improperly extend the tenure of President Sahakyan. The election commission reported that 87.6 percent of referendum participants endorsed the amendments, with turnout at 76.5 percent. Opposition groups and some civil society activists complained that state resources were misused during the campaign, and observers noted suspicious results in some areas, with one of the 11 districts reporting 99 or 100 percent figures for both turnout and “yes” votes in most of its polling locations.

B. POLITICAL PLURALISM AND PARTICIPATION: 6 / 16 (+1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

There are few formal restrictions on the freedom to form and join political parties, but the political landscape is constrained in practice. Given the territory’s contested status, open dissent and vigorous competition are still regarded as signs of disloyalty or even as a security risk. The incumbent leadership also allegedly uses patronage to maintain a network of political supporters who can be deployed to disrupt opposition activities, including through verbal and physical harassment.

Political activity increased during 2019 as Nagorno-Karabakh prepared for the 2020 parliamentary and presidential elections. The number of registered political parties rose from 13 to 18. Former defense minister Samvel Babayan opened an office and in February began collecting signatures in support of removing a rule that required presidential candidates to have lived in Nagorno-Karabakh for 10 years. Babayan collected some 20,000 signatures, but the National Assembly in October rejected making the change. Separately, in March a local branch of the radical Armenian opposition group Sasna Tsrer started collecting signatures for an initiative on unification of the territory with Armenia, which was widely seen as the launch of the group’s preelection campaign.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4 (+1)

The leading political parties have tended to form broad coalitions and co-opt potential rivals, leaving little room for genuine opposition. However, the so-called Velvet Revolution in Armenia in 2018 has brought considerable change to the political environment in Nagorno-Karabakh, with a number of prominent politicians refraining from forming coalitions with the ruling elite ahead of the 2020 elections and instead campaigning independently.

The September 2019 local elections featured strong performances by independent and opposition candidates, raising the prospects for more open competition in the upcoming national elections. Many seats went to candidates with no party affiliation, who made up more than half of the registered contenders for local leadership posts. Independent businessman David Sargsyan was elected as mayor of Stepanakert, the territory’s capital. However, Sargsyan enjoyed the support of the Free Motherland party, led by former prime minister Araq Harutyunyan. Free Motherland still showed the best results among the established parties, with its representatives taking the leadership posts in some 130 out of nearly 230 localities.

Score Change: The score improved from 1 to 2 because a number of opposition and independent candidates won seats in the September local elections.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Politics in Nagorno-Karabakh are heavily influenced by the threat of military aggression from Azerbaijan, which also increases the territory's political, military, and financial dependence on Armenia. This dependence provides leverage for interference by the Armenian leadership in Nagorno-Karabakh's domestic political affairs. In December 2019, Armenian prime minister Nikol Pashinyan met with some of the top candidates in the 2020 presidential race; the move was widely interpreted as Pashinyan's personal endorsement of those he believed were prepared to cooperate with his government rather than criticizing it or siding with Armenia's former leadership.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The population is almost entirely ethnic Armenian as a result of wartime displacement, and the constitution mandates a policy of preserving the Armenian character of the territory, partly by granting citizenship to ethnic Armenians who choose to reside there.

Formally, women have equal political rights, but social constraints and a prevailing sense of militarization in local life limit their participation in practice, and they are poorly represented in leadership positions. While the 2014 electoral code required parties to ensure that women hold about one in five of the places on their parliamentary lists, only five women won seats in the parliament in 2015. The electoral code adopted for 2020 increased the gender quota to one in every four candidates on party lists. In the 2019 local elections, women won about 11 percent of council seats and 2 percent of local leadership posts.

C. FUNCTIONING OF GOVERNMENT: 3 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4**

The ability of locally elected officials to set and implement government policies is limited in practice by security threats along the line of contact between Nagorno-Karabakh and Azerbaijani forces, warnings from Baku, and the dominant role played by the Armenian government. The constitution calls for close cooperation with Armenia on political, economic, and military policy. The head of the territory's National Security Council, Vitaly Balasanyan, was forced to resign in June 2019, reportedly due to his criticism of the Armenian prime minister.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Nagorno-Karabakh continues to suffer from significant corruption, particularly in the construction and infrastructure-development sectors. Officials practice favoritism in filling civil service positions.

C3. Does the government operate with openness and transparency? 1 / 4

A freedom of information law was adopted in 2004, but the government operates with little transparency in practice. Key decisions are negotiated by political actors, with few meaningful opportunities for public input.

CIVIL LIBERTIES: 21 / 60 (+2)**D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16 (+1)****D1. Are there free and independent media? 2 / 4 (+1)**

Although the government maintained formal control over the most popular local television station, Artsakh TV, the station's editorial policy showed a significant change in 2019, apparently influenced by the political opening in Armenia in 2018. Political critics of the territory's leadership, previously banned even for short appearances, became regular guests on current-affairs programs. In addition, regular debates were organized to address prominent topics in local public life.

Social media platforms are increasingly used by the public and government officials for the dissemination and discussion of news. Young opposition leaders are also well connected with independent media outlets in Armenia, which are able to convey their views to news consumers in Nagorno-Karabakh.

Nevertheless, most domestic journalists continue to practice self-censorship, particularly on subjects related to security and the peace process. The internet penetration rate is low and has been slow to expand. Mobile internet service remains unaffordable for most residents.

Score Change: The score improved from 1 to 2 because the media environment has become more open to dissenting views since Armenia's 2018 change in government.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

The constitution guarantees religious freedom but allows for restrictions in the name of security, public order, and other state interests. The charter also recognizes the Armenian Apostolic Church as the "national church" of the Armenian people. The religious freedom of other groups is limited in practice. A 2009 law banned religious activity by unregistered groups and proselytism by minority faiths, and made it more difficult for minority groups to register.

In 2019, restoration of the main mosque in Shusha was completed, and the mosque was formally reopened in October. However, it was unclear whether services would resume given that the current population is overwhelmingly Christian.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Schools and universities are subject to political influence and pressure to avoid dissenting views on sensitive topics, particularly those related to the territory's status and security. Educators engage in a degree of self-censorship on such issues.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

Private discussion is generally open and free, though expression of dissent may be inhibited somewhat by the prevailing nationalist sentiment in politics and society.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12 (+1)

E1. Is there freedom of assembly? 2 / 4

A law adopted in June 2018 guarantees the right to assembly, but the authorities have continued to block gatherings and demonstrations that they deem to be threats to public order. Protests are relatively rare in practice. In May 2019, four activists were briefly detained after demonstrating in the main square of Stepanakert to demand the resignation of President Sahakyan. In July, a man launched a hunger strike in the center of a Stepanakert park to

protest favoritism in employment and access to public services. He said he was assaulted by police who tried to remove him from the park, but eventually ended the strike after two days, having met with Nagorno-Karabakh's ombudsman.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4 (+1)

More than 250 NGOs are registered in the territory, but most are inactive. Many groups struggle to secure sustainable funding, in part because partnerships with foreign or international NGOs are complicated by Nagorno-Karabakh's disputed status. Civil society groups also face competition from government-organized entities.

In September 2019, Armenia funded the monitoring of Nagorno-Karabakh's local elections by Transparency International's affiliate in Armenia and the Stepanakert office of the Yerevan-based Union of Informed Citizens. Local activists participated in the observation missions and in some cases continued their cooperation with the NGOs after the elections.

Score Change: The score improved from 1 to 2 because the 2019 local elections triggered increased poll-monitoring and other activity by NGOs, which operated with fewer restrictions than in previous years.

E3. Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Trade unions are allowed to organize, but in practice they are weak and relatively inactive, with little practical ability to assert workers' interests. There is political and social pressure to avoid major labor disputes that might harm national solidarity.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 1 / 4

The judiciary is not independent in practice. The courts are influenced by the executive branch as well as by powerful political, economic, and criminal groups.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The constitution guarantees basic due process rights, but police and the courts do not always uphold them in practice. Outspoken political dissidents have been subject to harassment by the authorities.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

The security of the population is affected by regular incidents of violence along the line of contact. Soldiers as well as civilians on both sides are killed or injured each year.

In 2019, a relative calm along the line of contact and regular communication between Armenian and Azerbaijani security personnel contributed to the exposure of wrongdoing among the defense forces, including soldiers being shot and killed by fellow servicemen or committing suicide after being harassed. Such incidents have often been blamed on Azerbaijani sniper fire. In August, after a soldier allegedly fled to the Azerbaijani side and claimed physical abuse by his unit, Armenian authorities conducted a rare investigation, concluding that he had not been injured prior to crossing the de facto border.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The constitution bans discrimination based on gender, ethnicity, religion, and other categories. However, women are underrepresented in the public and private sectors and remain exposed to discrimination in practice. To preserve the Armenian character of the territory, state policies promote Armenian language and culture and encourage ethnic Armenians to migrate to Nagorno-Karabakh, partly through housing and other subsidies.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement within Nagorno-Karabakh and travel around the territory are hindered by its ambiguous legal and diplomatic status, the instability of the cease-fire, and the presence of land mines, which continue to cause deaths and injuries.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Most major economic activity is tightly controlled by the government or a small group of powerful elites with political connections. The property rights of displaced Azerbaijanis have yet to be adequately addressed.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Men and women have equal legal rights with respect to marriage and divorce, though the constitution defines marriage as a union between a man and a woman, precluding same-sex marriage. The government offers material incentives to encourage couples to have children, with the goal of repopulating the territory. Domestic violence is common and not effectively prosecuted.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Employment opportunities remain scarce and are mostly confined to the state sector or state-subsidized businesses.

Northern Cyprus

Population: 350,000

Freedom Status: Free

Note: The numerical scores and status listed here do not reflect conditions in the rest of Cyprus, which is examined in a separate report. Territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: The Turkish Republic of Northern Cyprus (TRNC) is a self-declared state recognized only by Turkey. It has a democratic, multiparty political system, and civil liberties are generally upheld. Ongoing concerns include undue political and economic influence from Turkey, corruption, discrimination against minority communities, and human trafficking.

KEY DEVELOPMENTS IN 2019

- In May, the four-party governing coalition collapsed with the withdrawal of the People's Party (HP). HP leader Kudret Özersay formed a new coalition with the National Unity Party (UBP), and that party's leader, Ersin Tatar, became prime minister. The new government was seen as more closely aligned with Ankara.
- In June, Özersay announced plans to consider unilaterally reopening the closed town of Varosha (Maraş), which had been held by the Turkish military since 1974. The move drew objections from the United Nations and Varosha's former Greek Cypriot residents, who also criticized the Republic of Cyprus government in the island's south for failing to revive reunification talks that had last broken off in 2017.

POLITICAL RIGHTS: 31 / 40**A. ELECTORAL PROCESS: 11 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4**

The president, who serves as head of state and represents the TRNC internationally, is popularly elected to five-year terms. In 2015, Mustafa Akıncı—backed by the social democratic Communal Democracy Party (TDP)—prevailed in a runoff election with just over 60 percent of the vote, defeating incumbent Derviş Eroğlu, who was supported by the right-wing National Unity Party (UBP).

The president appoints the prime minister and cabinet members, who must have the support of a legislative majority. In May 2019, Foreign Minister and Deputy Prime Minister Kudret Özersay, leader of the centrist-reformist People's Party (HP), announced that his party would withdraw from the governing coalition that had formed after the January 2018 parliamentary elections. The coalition—consisting of the HP, the TDP, the center-left Republican Turkish Party (CTP), and the center-right Democratic Party (DP)—had excluded the UBP and the Rebirth Party (YDP), a right-wing group formed primarily by Turkish settlers, from government. Later in May, **Özersay** formed a new coalition with the UBP, whose leader, Ersin Tatar, became prime minister; **Özersay** retained his existing posts.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

For elections to the 50-seat Assembly of the Republic, the TRNC employs a mixed voting system, with the proportional representation component setting a 5 percent vote threshold for parties to win seats. Members serve five-year terms. The UBP led the January 2018 parliamentary elections with 21 seats. However, it was left in opposition after the CTP (12 seats) formed its coalition with the HP (9), the TDP (3), and the DP (3). The YDP took 2 seats. The new UBP-HP government formed in May 2019 controlled a solid legislative majority, with 30 seats.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The Supreme Election Committee is an independent body composed of judges, and elections in the TRNC are generally considered free and fair. A complex new election law that came into effect in 2018 allowed voters to choose a single party, individual candidates from multiple parties, or a combination of the two; voters were also able to choose candidates across more than one multimember constituency. The law made it more complicated to vote for individual candidates and therefore encouraged party voting.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16**B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4 / 4**

Turkish Cypriots are free to organize in political parties, and several parties compete in practice. Six parties were represented in the legislature in 2019, including two—HP and YDP—that entered the chamber for the first time after the 2018 elections. Under a 2015 law, parties that receive at least 3 percent of the vote may obtain state funding.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There have been multiple democratic transfers of power between rival parties over the past two decades, with shifts in both the presidency and the premiership. Akıncı ousted the incumbent president in the 2015 election, and the ideologically diverse parties that formed a governing coalition in 2018 replaced a right-wing government led by the UBP. The party then returned to power with support from the HP in May 2019.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 3 / 4

Although Turkey continues to exercise considerable influence over the TRNC, it has little direct control over voters, many of whom have recently supported candidates and parties that display independence from Ankara. Ahead of the 2018 elections, the CTP, HP, and TDP had campaigned on promises to reform a patronage-based political system associated with the UBP, in which the distribution of jobs and favors has depended in part on maintaining a smooth flow of economic support from Turkey.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

All adult citizens may vote, but minority rights remain a concern. The few hundred Maronite and Greek Cypriots living in the TRNC are issued special identity cards and are unable to vote in TRNC elections. While small numbers of Maronites from the south have been allowed to resettle in their ancestral villages in the north since 2017, there has been no significant progress on expanding Maronite political rights.

Women have full political rights, and a 2015 law requires 30 percent of a party's parliamentary candidate list to consist of women. However, women's political participation is limited in practice, particularly in leadership positions. In the 2018 elections, women won nine seats out of 50, an improvement from four in the previous legislature. Two of the 11 ministers in that government were women; in the new two-party coalition that took power in 2019, there was one woman minister.

C. FUNCTIONING OF GOVERNMENT: 7 / 12**C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4**

While elected officials generally develop and implement policies and legislation without direct interference from Ankara, the TRNC remains diplomatically, militarily, and financially dependent on Turkey, and this dependence sometimes allows the Turkish government to influence policymaking.

President Akıncı has shown considerable independence from the Turkish government, deepening a rift with Turkish president Recep Tayyip Erdoğan in 2019 by criticizing

Turkey's military offensive in northern Syria. However, the new TRNC coalition government formed in May was more closely aligned with Turkey's position on reunification talks with the Republic of Cyprus. Whereas Akıncı had long supported a federation model, for example, the new government called for consideration of alternatives, including a two-state solution.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption, cronyism in the distribution of civil service jobs, and nepotism are serious impediments to good governance, and the media have exposed a number of scandals in recent years. Surveys of businesspeople in Northern Cyprus have shown that large majorities consider corruption and bribery to be significant problems, including in the public sector and government services.

C3. Does the government operate with openness and transparency? 2 / 4

Although there is a law providing for access to information, there has been very little progress in making government records available to the public in practice. Information is not always kept in an accessible form, and officials reportedly withhold data on sensitive topics such as the naturalization of Turkish settlers as TRNC citizens.

CIVIL LIBERTIES: 50 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 4 / 4

Freedom of the press is guaranteed by law, and TRNC authorities generally respect it in practice. The media often carry sharp criticism of both the TRNC and Turkish governments. In May 2019, a reporter and the editor of the newspaper *Afrika* were acquitted of insulting the Turkish president with a political cartoon published in 2017. They had each faced up to five years in prison. The prosecution's appeal of the verdict was pending at year's end.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The TRNC is a secular state and legally guarantees freedom of worship, which is mostly respected in practice. However, authorities continue to impose restrictions on access to churches and otherwise interfere with church services. Christians and non-Sunni Muslims have complained that the government favors Sunni Islam in its policies on religious education and places of worship. The government's Religious Affairs Department staffs Sunni mosques with imams.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected. While large numbers of teachers and professors have been fired or jailed for political reasons in Turkey since 2016, no similar purges had occurred in the TRNC as of 2019.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

There are no significant restrictions on freedom of private discussion, and individuals generally do not face repercussions for expressing their political views on social media.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 11 / 12**E1. Is there freedom of assembly? 4 / 4**

Freedom of assembly is guaranteed by the constitution and generally upheld in practice.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4 / 4

Numerous nongovernmental organizations are registered in the TRNC, and they typically operate without restrictions. Many such groups have worked with Greek Cypriot partners to advance reunification efforts.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Workers may form independent unions, bargain collectively, and strike, and collective bargaining is reportedly common in the public sector. However, the government can limit strikes in ill-defined essential services, and employers are reportedly able to obstruct unionization in the private sector without legal repercussions.

F. RULE OF LAW: 13 / 16**F1. Is there an independent judiciary? 4 / 4**

The judiciary is independent, and courts have often ruled against the government in recent years. The system is overseen by the Supreme Council of Judicature, which is headed by the president of the Supreme Court and includes that court's seven judges as well as one member each appointed by the president, the legislature, the attorney general, and the bar association. The council is responsible for judicial appointments, promotions, assignments, and disciplinary measures.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Although due process rights are typically respected, police have been accused of violating protections against arbitrary detention and coerced confessions in some cases, for example by improperly denying suspects access to a lawyer.

There had been no large-scale purges of TRNC security forces or other public employees in connection with the 2016 coup attempt in Turkey as of 2019, but due process has been a concern in the clusters of cases that have emerged. Investigations and dismissals of police officers continued to be reported during the year, with those fired accused of ties to the movement of US-based Islamic preacher Fethullah Gülen, which is blamed for the coup attempt and considered a terrorist organization in Turkey. In September, more than 200 Turkish military personnel—some of whom were stationed in Northern Cyprus—were reportedly arrested by Turkish authorities on similar allegations.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 3 / 4

The population is generally free from threats to physical security, but police have been accused of abusing detainees, and prisons feature overcrowding and other harsh conditions.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

Women enjoy legal equality, but in practice they encounter some discrimination in employment, education, and other areas.

The tiny Greek and Maronite minorities live in enclaves and suffer from social and economic disadvantages. The small Kurdish minority is reportedly subject to discrimination in employment. Both groups have complained of surveillance by TRNC authorities.

LGBT+ people reportedly face social stigmatization, though same-sex sexual activity was decriminalized in 2014, and discrimination based on sexual orientation or gender identity is prohibited by law.

The TRNC lacks legal protections for asylum seekers, raising concerns about possible refoulement. Some Turkish nationals suspected of belonging to the Gülen movement have been deported to Turkey, where they face persecution.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 11 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Movement within the TRNC territory is generally unrestricted. However, travel abroad is complicated by the TRNC's lack of international recognition. The only direct flights from the TRNC are to Turkey. Most governments do not accept TRNC travel documents, so many Turkish Cypriots carry Republic of Cyprus passports, for which they are eligible. Movement across the UN buffer zone dividing the island has improved since 2004 due to the opening of new border crossings.

A number of former civilian municipalities have been under Turkish military control since 1974, with bans on settlement or resettlement. In June 2019, the government announced that it would begin a feasibility study on reopening the closed town of Varosha (Maraş), which had once been a popular tourist destination. The move drew objections from Varosha's former Greek Cypriot residents and the UN Security Council, which had long warned against any unilateral change in the town's status or settlement by people other than its previous inhabitants.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The authorities recognize the rights to own property and establish businesses. In practice these rights are somewhat limited, as authorities have in various ways attempted to prevent the sale of historically Turkish Cypriot properties to foreigners. The TRNC formed the Immovable Property Commission (IPC) in 2006 to resolve claims by Greek Cypriots who owned property in the north before the island's 1974 division. In 2010, the European Court of Human Rights recognized the commission as an "accessible and effective" mechanism. However, its work has been seriously impaired in recent years by a lack of funding from the government and Ankara.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

Personal social freedoms are generally respected, though women's organizations have criticized the government for failing to adequately address the problems of rape and domestic violence. According to a 2017 poll, one in three women have experienced violence in the home. However, figures released in December 2019 suggested that reporting of such abuse was increasing significantly, with police in 2018 receiving 1,047 reports—four times the average from previous years.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

While TRNC citizens generally have access to economic opportunity and protections from abusive working conditions, noncitizens often experience exploitation and lack

mechanisms for appeal. Human trafficking and forced prostitution are serious problems, despite a nominal legal ban on prostitution. The TRNC does not have adequate antitrafficking legislation and does not fund antitrafficking efforts. Observers also report that some authorities are complicit in trafficking.

Pakistani Kashmir

Population: 5,800,000

Freedom Status: Not Free

Note: The numerical scores and status listed here do not reflect conditions in either Indian Kashmir or Pakistan, which are examined in separate reports. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Pakistani Kashmir is administered as two territories: Azad Jammu and Kashmir (AJK) and Gilgit-Baltistan (GB). Each has an elected assembly and government with limited autonomy, but they lack the parliamentary representation and other rights of Pakistani provinces, and Pakistani federal institutions have predominant influence over security, the courts, and most important policy matters. Politics within the two territories are carefully managed to promote the idea of Kashmir's eventual accession to Pakistan. Freedoms of expression and association, and any political activity deemed contrary to Pakistan's policy on Kashmir, are restricted.

KEY DEVELOPMENTS IN 2019

- Fighting between Pakistani and Indian forces took place across the Line of Control (LoC) separating their Kashmiri territories throughout the year, killing 59 civilians according to the AJK government.
- In January, the Pakistani Supreme Court stopped an attempt to overturn the Government of Gilgit-Baltistan Order 2018, after residents who desired full constitutional rights for GB filed a petition. The court instead called for GB's status to be addressed by Pakistan, but the national government did not comply by year's end.

POLITICAL RIGHTS: 9 / 40

A. ELECTORAL PROCESS: 4 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

Both AJK and GB have locally elected executive leaders. However, the Pakistani government also controls—directly and indirectly—key executive functions, and it is not accountable to voters in the two territories.

Under AJK's 1974 interim constitution, a president elected by the Legislative Assembly serves as head of state, while the elected prime minister is the chief executive. After the 2016 election, the new assembly elected the local leader of Pakistan's then ruling Pakistan

Muslim League–Nawaz (PML-N), Raja Farooq Haider, as prime minister, and Masood Khan, formerly a senior Pakistani diplomat, as president. They remained in office during 2019, despite the presence of a Pakistan Tehreek-e-Insaf (PTI) government in Pakistan. An AJK Council is based in Pakistan’s capital, Islamabad, consisting of both Kashmiri and Pakistani officials and chaired by the Pakistani prime minister. The council holds a number of executive, legislative, and judicial powers, such as control over the appointment of superior judges and the chief election commissioner.

In 2018, the Pakistani government adopted the Government of Gilgit-Baltistan Order 2018 to replace GB’s previous basic law, the 2009 Gilgit-Baltistan Empowerment and Self-Governance Order (GBESGO). Under the 2018 order, executive functions are shared between a Pakistani-appointed governor and a chief minister chosen by the GB Assembly (GBA). The governor signs legislation and has significant power over judicial appointments; the governor’s decisions cannot be overruled by the GBA. The order also grants extensive authority to the Pakistani prime minister, including exclusive executive and legislative powers on a long list of topics.

GB residents who sought de facto provincial status petitioned the territory’s judiciary to reverse the order. An appellate court did so in mid-2018, but the Pakistani Supreme Court overruled it in January 2019. The Supreme Court instead ordered the Pakistani government to fully address GB’s constitutional status, though it was unable to do so by the end of 2019.

Cohabitation between the locally elected PML-N executive in GB and the PTI government in Pakistan continued in 2019. Hafiz Hafeezur Rehman of the PML-N was named chief minister of GB after the area’s 2015 election; his term ends in 2020. The local president of the PTI, Raja Maqpoon, was named GB governor in 2018, after the PTI won that year’s election in Pakistan.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Neither AJK nor GB is represented in the Pakistani Parliament.

The AJK Legislative Assembly contained 49 seats until 2019, when the region’s election commissioner finalized the creation of 4 new seats. Before this change, 41 were filled through direct elections: 29 with constituencies based in the territory and 12 representing Kashmiri “refugees” throughout Pakistan. Another eight were reserved seats: five for women and one each for representatives of overseas Kashmiris, technocrats, and religious leaders. The PML–N won the 2016 election with 31 seats. The local branch of the Pakistan People’s Party (PPP) won three seats, as did the Muslim Conference, while the PTI secured two. The remaining two seats were won by the Jammu Kashmir Peoples Party and an independent. The election process was largely peaceful, though both the PPP and the local PTI leader complained of preelection manipulation, including the use of federal development funds to boost support for the PML-N.

The 33-member GBA is composed of 24 directly elected members, six seats reserved for women, and three seats reserved for technocrats; the reserved seats are filled through a vote by the elected members. The GBA’s legislative authority is limited to certain subjects, and even discussion of some topics—foreign affairs, defense, internal security, and judicial conduct—is prohibited by an 2018 order. However, the order does allow the GBA to exercise legislative powers that were previously allocated to the Gilgit-Baltistan Council (GBC). The council, which now has an advisory role, is headed by the Pakistani prime minister and vice-chaired by the GB governor, and includes six members chosen by the GBA and six Pakistani ministers or Parliament members chosen by the Pakistani prime minister. The GB chief minister also has a seat.

Elections to the assembly were last held in 2015. In keeping with the well-established pattern of victory by the party in power in Islamabad, the PML-N took 15 of the 24 directly elected seats. No other party won more than two seats, including the previously governing PPP.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The electoral framework in both territories facilitates indirect control by the Pakistani authorities. For example, the AJK Council appoints the chief election commissioner, and the electoral system for the AJK Legislative Assembly disproportionately favors nonresident refugees over AJK residents. The nonresident elections are more vulnerable to manipulation by federal Pakistani authorities, and the party in office at the federal level tends to win these seats. Candidates in the AJK elections must formally endorse “the ideology of Pakistan” and Kashmir’s accession to Pakistan.

Elections in GB are governed by Pakistani election law and a code of conduct drawn up by the local election commission. The first clause of the code of conduct dictates that parties and candidates must refrain from any action or speech which could be deemed contrary to the ideology of Pakistan or the country’s security. This vague provision can be used to exclude candidates associated with nationalist parties or those disapproved of by the Pakistani authorities.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Politics are dominated in both AJK and GB by local branches of the main Pakistani parties and some local parties, such as AJK’s Muslim Conference, that are closely allied with the Pakistani establishment. Small nationalist parties that are opposed to union with Pakistan are actively marginalized or barred outright from the political process. Activists accused of opposition to Pakistani rule have been subject to surveillance, harassment, and sometimes imprisonment. The interim constitution of AJK bans political parties that do not endorse the territory’s eventual accession to Pakistan, and similar rules prevail in GB.

There were no high-profile cases in which GB political activists were jailed during 2019. However, those previously jailed remained in detention, including Baba Jan, a leader of the left-wing Awami Workers Party who is serving a life sentence for his participation in protests.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

There is ample precedent for transfers of power between the major parties, though these are typically dictated by parallel changes at the federal level in Pakistan. The PML-N Pakistani government’s decision to replace GB’s governor in 2015 was criticized as a bid to ensure the party’s victory in the GB legislative elections, and federal authorities were similarly accused of working to manipulate the 2016 AJK Legislative Assembly elections in favor of the PML-N.

B3. Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Because voters in GB and AJK cannot participate in Pakistani elections, Pakistani federal officials and entities are not democratically accountable to them. Security agencies

operating in both territories are federal institutions. They work to block and suppress any parties or politicians that adopt positions deemed to conflict with Pakistani interests.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Men and women have the right to vote in both territories. Although there is no bar on women contesting general seats, prevailing norms mean that women rarely exercise this right. Instead, general seats tend to be filled by men. The seats reserved for women are filled proportionally from party lists based on the general vote, meaning the parties themselves determine who will represent women's interests.

Shiite Muslims, Sunni Muslims, and members of Ismaili offshoot of Shiite Islam are represented in the GBA, having won directly elected seats. In comparison, the heterodox Ahmadi sect, which suffers systematic discrimination in Pakistan, is poorly represented in the territory's political system, as is its Christian minority.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The powers of the elected chief executives in AJK and GB are limited by the fact that the Pakistani prime minister, the Pakistani minister for Kashmir Affairs and Gilgit-Baltistan, and through them the federal civil service, exercise effective control over government operations in both territories. As in Pakistan, federal military and intelligence agencies also play a powerful role in governance and policymaking.

The territories lack any meaningful fiscal autonomy, as federal taxes are imposed on both, and they receive a share of the resulting funds from the federal government. The territories' local representatives are excluded from the Pakistani bodies that negotiate inter-provincial resource allocation.

There has been a sustained debate within GB on the idea of enhancing the territory's status in the Pakistani constitution by designating it a provisional province, granting its legislators powers on par with those delegated to Pakistan's four existing provinces, and giving GB representation in the federal Parliament. Proponents have claimed that this would reduce any legal concerns hampering Chinese investment as part of the China-Pakistan Economic Corridor (CPEC) infrastructure project and grant GB residents the constitutional rights as those enjoyed by Pakistani citizens. However, figures associated with the struggle against Indian control of Kashmir have criticized the GB proposal as a weakening of the commitment to full Kashmiri accession to Pakistan.

A Pakistani parliamentary committee, then headed by foreign affairs advisor Sartaj Aziz, reviewed GB's status in 2017 and recommended integrating it into Pakistan, while stopping short of giving it *de jure* provincial status. The Pakistani government subsequently adopted the Government of Gilgit-Baltistan Order 2018, which was criticized for failing to grant the provisional provincial status that many GB politicians demanded. The Supreme Court's January 2019 ruling overturned an appellate-level ban against the order, but also called for the government to expand political rights for the territory's residents. Pakistan's government did not fulfill the ruling by the end of 2019, and requested extensions from the court instead.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Both territories have formal safeguards against official corruption, and GB is within the jurisdiction of Pakistan's National Accountability Bureau, which has a field office in

Gilgit. However, as in Pakistan, corruption is believed to remain endemic, with enforcement actions subject to political influence.

C3. Does the government operate with openness and transparency? 1 / 4

Transparency and access to government information are limited in practice. The AJK government has made a gesture toward transparency by posting basic information about its departments online.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -2 / 0

The Sunni Muslim share of the population in GB—historically a Shiite-majority region—has increased significantly in the decades since a pre-1947 rule was abolished to allow immigration from different parts of Pakistan. State agencies are suspected of deliberately encouraging this migration to engineer a demographic change. Under the 2009 GBESGO, settlers were given formal citizenship rights in GB; critics of a clause in the Government of Gilgit-Baltistan Order 2018 have argued that it appears to extend GB citizenship rights to all Pakistani citizens, further encouraging settlement. The pre-1947 restrictions on acquiring residency and citizenship are still in place in AJK.

CIVIL LIBERTIES: 19 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

AJK and GB are subject to laws that curb freedom of expression, particularly related to the political status of the regions. Media houses need permission from the AJK Council and the federal Ministry of Kashmir Affairs and Gilgit-Baltistan to operate. A wide range of media are present and active. However, coverage of news and politics does not diverge from official Pakistani narratives, including that India's hold over the Kashmir Valley is illegitimate and all Kashmiris aspire to Pakistan accession. This compliance is achieved through a mixture of censorship, self-censorship, and harassment. A number of outlets have faced closure by authorities in recent years.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

Both territories have a predominantly Muslim population, and there is no official or social tolerance of nonbelief. Tools used to compel expressions of belief and conformity with official interpretations of religious doctrine include laws criminalizing blasphemy, rules requiring observance of Ramadan, and an obligation to denounce the heterodox Ahmadi sect to obtain a Pakistani passport. Although there is a history of Sunni-Shiite sectarian violence in GB, no major incidents were recorded in 2019.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Each territory is home to a growing education system, and education is much valued as a path to migration and employment. However, in academia there are acute sensitivities around the issue of constitutional status and no tolerance of debate or materials questioning Pakistan's claims over Kashmir. Student union activity has long been subject to state monitoring for signs of nationalist political views. Local languages and scripts are not taught in

government schools. There is a history of attacks on schools in the Darel Valley by Islamist militants who oppose secular and girls' education. One such arson attack was reported in August 2019.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Federal intelligence agencies maintain a prominent and intrusive presence in both territories. Discussion of heterodox political or religious views consequently carries significant risks. The authorities have increased their monitoring of social media and sporadically punish expression of anti-Pakistan or separatist opinions.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 4 / 12

E1. Is there freedom of assembly? 1 / 4

The authorities' observance of freedom of assembly is highly discretionary. The Pakistani state traditionally uses AJK as a platform to protest against Indian control of Jammu and Kashmir and the treatment of the population on the Indian side of the LoC. Protests that do not directly challenge Pakistani control or the territories' constitutional status tend to be tolerated. In April 2019, traders demonstrated in the AJK capital of Muzaffarabad after India suspended trade across the LoC. After India ended Jammu and Kashmir's special constitutional status in August 2019, Pakistani and Kashmiri officials made statements condemning the move in the AJK Assembly's hall and attended street demonstrations. The Jammu Kashmir People's National Alliance (JKPNA), an alliance of proindependence groups, was formed in August 2019 and uncharacteristically succeeded in holding local events calling for a provisional all-Kashmir assembly in AJK. The JKPNA later held a proindependence rally in Muzaffarabad in October, which was also tolerated.

However, in keeping with their well-established pattern, the authorities arrested at least 22 activists belonging to the independence-oriented Jammu and Kashmir Liberation Front (JKLF) when they held a sit-in protest in September. Authorities disrupted their efforts to march to the LoC, in protest against the clampdown in Indian-controlled Jammu and Kashmir. The authorities have also worked to stop protests against the CPEC initiative, relying on harassment, intimidation and the use of army checkpoints to dissuade protesters.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 1 / 4

Humanitarian nongovernmental organizations (NGOs) are subject to strict registration requirements and thus operate at the pleasure of the authorities. NGOs working on political or human rights issues face more intrusive government scrutiny and, in some cases, harassment.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

AJK is subject to labor laws similar to those in Pakistan. However, unions and professional organizations are frequently barred. Labor laws and union activities are poorly developed in GB.

F. RULE OF LAW: 3 / 16

F1. Is there an independent judiciary? 1 / 4

Both territories have nominally independent judiciaries, but the Pakistani federal government plays a powerful role in judicial appointments. On politically sensitive issues, the

AJK and GB courts are not considered to operate with independence from the executive in Pakistan.

The president of AJK, in consultation with the AJK Council, appoints the chief justice of the territory's Supreme Court. Other judges of the superior courts are appointed by the AJK president on the advice of the council, after consultation with the chief justice. The chief judge and other judges of GB's Supreme Appellate Court are appointed for three-year terms by the prime minister of Pakistan on the recommendation of the governor. GB residents briefly gained the ability to petition Pakistan's Supreme Court due to the controversy surrounding the territory's 2018 governance order. The court allowed GB residents to appeal to it directly in its January 2019 ruling on the order, though the Pakistani government sought to reverse this change when it requested an extension to comply with the ruling in February.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The civilian court system in both territories features basic due process guarantees, including defense lawyers and a right to appeal, but arbitrary arrests and other violations are not uncommon, particularly in security-related cases. Pakistan's Anti-Terrorism Act (ATA), which is often used to suppress dissent, includes vaguely defined offenses, allows extended detention without trial, and applies to juveniles, among other problematic features. Since 2015, the Pakistani government has allowed civilians facing charges of terrorism or sectarian violence to be tried in military courts, which have fewer due process protections and can impose the death penalty.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Torture and deaths in custody at the hands of security forces have been reported, especially for independence supporters and other activists. Separately, extremist groups devoted largely to attacks on Indian-administered Jammu and Kashmir operate from AJK and GB and have links with similar factions based in Pakistan and Afghanistan. One such group, Jaish-e-Muhammad (Army of Muhammad), killed over 40 paramilitary police officers in a February 2019 suicide attack in Indian Kashmir. Pakistani and Indian aircraft engaged in bombing runs and dogfights soon after, but the Pakistani government pledged to close militant locations in Pakistani Kashmir in March.

A 2003 cease-fire agreement between the Indian and Pakistani armies is supposed to protect AJK from attacks across the LoC. However, the two armies engaged in several episodes of intense fighting across the LoC during 2019. The cross-LoC firing often targeted civilians, damaged their residences, and left them at risk of injuries from unexploded ordnance. The AJK government reported that 59 civilians were killed along the LoC in 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

As in Pakistan, women in the territories face economic discrimination, disadvantages under personal status laws, and abusive customary practices, the perpetrators of which often enjoy impunity. LGBT+ people, ethnic minorities, and non-Sunni religious groups also suffer from discrimination, and Afghan refugees have encountered increased harassment and pressure to return to Afghanistan since 2015. Pakistani authorities have been reluctant to offer citizenship to migrants displaced from Indian-administered Jammu and Kashmir. Periodically these refugees have been subjected to abuse and arbitrary arrest for demanding greater rights.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4**

The people of AJK and GB have Pakistani national identity cards and passports. They are internationally recognized as Pakistani nationals. However, there are reports of passports being denied or unexpired for citizens suspected of questioning Pakistani control over the region. The territories' heavy military presence and the threat of shelling and other violence along the LoC restricts internal movement for civilians.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

AJK's pre-1947 state subject law, which bars outsiders from seeking permanent residency, allows only legal residents to own property. In GB, residents have raised concerns about possible displacement by CPEC development projects, and at least some forcible evictions have been reported to date. Procedures for establishing private enterprises in the territories are onerous in practice.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

In both territories, the legal framework criminalizes domestic violence and so-called honor killing, but harmful traditional practices related to sex, marriage, and personal behavior often prevail amid weak enforcement of formal protections, especially in more conservative areas. Informal justice mechanisms operating at the village level are the first point of recourse for many incidents involving sexual or domestic violence against women, and their judgments can inflict further harm on victims.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Both territories, but particularly GB, have historically been less economically developed than Pakistan, and their population has depended on labor migration to supplement incomes. The lack of local control over extractive industries prompts periodic complaints that residents are being deprived of the benefits of natural resources. There are divergent views in GB regarding the extent to which local people stand to gain from economic activity generated by the centrally managed CPEC.

Child labor is known to occur in Pakistani Kashmir, though the AJK government banned the practice in its territory by passing the Restriction of Employment of Children Act 2016 and amending it in 2017. Under this legislation, businesses in AJK cannot hire residents under the age of 17.

Somaliland

Population: 4,500,000

Freedom Status: Partly Free

Note: The numerical scores and status listed here do not reflect conditions in Somalia, which is examined in a separate report. Territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Somaliland—whose self-declared independence from Somalia is not internationally recognized—has seen a consistent erosion of political rights and civic space. Journalists and public figures face increasing pressure from authorities. Years-long election delays leave elected officials in posts well beyond their original mandates. Minority clans are subject to political and economic marginalization, and violence against women remains a serious problem.

KEY DEVELOPMENTS IN 2019

- Elections for the seats in the House of Representatives, last held in 2005, were delayed for the sixth time, and the current legislators' mandates were extended for several years. Legal challenges of the extension were dismissed in court.
- More than 30 journalists were detained or arrested, and 5 media outlets were given one-year suspensions, often without warrants. The Human Rights Centre (HRC) documented an additional 59 cases of non-journalists arrested for poems, social media posts, and other forms of public expression, all of whom were charged under the old penal code, which should be abrogated by the Constitution of Somaliland.
- Police and security forces responded violently to participants of a May rally organized by the political opposition party. Two party leaders were unlawfully arrested and detained.

POLITICAL RIGHTS: 17 / 40 (-2)

A. ELECTORAL PROCESS: 5 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 3 / 4

The president is directly elected for a maximum of two five-year terms and appoints the cabinet. In 2017, after two years of delay, Somaliland held its third presidential election. Muse Bihi Abdi of the Peace, Unity, and Development Party (Kulmiye) won the contest with 55 percent of the vote, followed by Abdurahman Mohamed Abdullahi of the Waddani party with 40 percent, and Faisal Ali Warabe of the For Justice and Development (UCID) party with 4 percent. International observers concluded the process was credible; some instances of bribery and intimidation at polling places did not significantly affect the final result.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Members of the 82-seat lower legislative chamber, the House of Representatives, are directly elected for five-year terms, while members of the 82-seat upper chamber, the Guurti, are clan elders indirectly elected for six-year terms. The last lower house elections were held in 2005, and new elections due in 2010 have been repeatedly postponed. Local council elections, last held in 2012, have similarly been delayed and are expected to be held concurrently with the lower house polls. Members of the Guurti were chosen for an initial term in 1993, but due to a lack of legal clarity on electing their replacements, their mandates have been repeatedly extended. In November 2019, the Guurti extended the House of Representatives' mandate to 2022, and its own to 2023. Opposition parties, civil society groups, and a delegation representing Somaliland's international development partners led by European Union ambassador Nicolas Berlanga Martinez protested this decision; the president opened negotiations with opposition parties to determine a revised election timeline.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The legal and administrative framework for elections is largely fair, but ambiguities in some laws as well as technical and logistical challenges have led to chronic election delays. After concerns of bias in the previous National Election Commission (NEC) during the 2017 elections, international partners mediated negotiations between the government and leading opposition parties to appoint new commissioners. Once new commissioners were named, the opposition again voiced qualms about some of the appointees. The government disregarded these concerns and moved forward, selecting one of the controversial new members as commission chair. Leading opposition figures withdrew their support. The composition of the NEC and electoral timeline were discussed in year-end negotiations between the president and the heads of opposition parties.

B. POLITICAL PLURALISM AND PARTICIPATION: 8 / 16 (-2)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4 (-1)

The constitution allows for a maximum of three officially recognized political parties. The three groups that receive the most votes in local council elections are declared eligible to contest national elections and compete freely in practice. The system is meant to encourage alliances across clan divisions, but clan and party affiliation remain closely aligned.

In November 2019, the opposition Waddani party was denied the right to hold a rally at party headquarters to criticize the new NEC appointments. The rally occurred and police and security forces were heavy-handed with participants, using excessive force and unlawfully arresting the party's secretary general and spokesperson, who were held in detention for nine days following the clampdown.

Score Change: The score declined from 3 to 2 because an opposition figure was arrested and imprisoned after criticizing the authorities.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4 (-1)

The political system allows democratic transfers of power between rival parties, with the most recent handover at the presidential level in 2017. Opposition parties hold positions in the legislature and in subnational governments, though election delays have impaired their ability to challenge incumbents. A sixth election delay in 2019 prevented opposition parties from increasing support through electoral means at local or national levels. Opposition leaders faced increased harassment and intimidation throughout the year.

In May 2019, Mohamed Sidiq Dhame, leader of Waddani's youth wing was arrested and detained for more than two months after speaking out against the president's decision to call a state of emergency in the eastern part of the country. Also in May, parliamentarian Mohamed Ahmed Dhakool was detained for 40 days after holding a press conference during which he questioned the decision to commemorate Somaliland's independence day on May 18, the date of secession from Somalia. Dhakool was never formally arrested due to a constitutional restriction preventing parliament members from arrest.

Political party leaders also faced significant restrictions on their speech and expression. In December, Mohamud Ali Suleiman Ramah, the interior secretary of UCID party, was arraigned on charges of defamation against the speaker of parliament.

Also in December, opposition parties condemned the House of Representatives' decision to reduce their allocation in the 2020 national budget.

Score Change: The score declined from 3 to 2 because continued postponement of long-overdue legislative elections denied the opposition an opportunity to change the political balance in the parliament.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Clan elders play an influential role in politics, both directly with their kinsmen and through the currently unelected Guurti, which has the authority to extend officials' terms in office and approve election dates.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women and various clans formally enjoy equal political rights. However, larger clans tend to dominate political offices and leadership positions. Cultural barriers also limit women's political participation. In an April 2019 report, Hargeisa-based think tank Centre for Policy Analysis noted that of 173 presidential appointments during President Bihi's tenure, only 12 were given to women. A proposed quota to ensure seats for women and minority clan remains stalled in parliament.

C. FUNCTIONING OF GOVERNMENT: 4 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

The 2017 election improved the democratic legitimacy of the president in determining government policy, and decisions made by national authorities are implemented in most of Somaliland's claimed territory. However, the consistent delays of legislative elections threaten this legitimacy.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Somaliland has few institutional safeguards against corruption and nepotism. Former president Ahmed Mohamed Mohamoud "Silanyo" took some measures to combat corruption, but the anticorruption commission he created in 2010 has been ineffective. Prosecutions of officials for malfeasance are rare. In March 2019, President Bihi removed the ministers of information and defense after both were arrested on corruption allegations from the auditor general. In October, two local officials in Hargeisa were arrested on allegations of corruption under the direction of the attorney general. However, corruption stories are often suppressed by the government. In July, police arrested, briefly detained, and deleted the footage of four reporters from Eryal TV for a story on corruption in the National Service, prior to release of the report.

C3. Does the government operate with openness and transparency? 2 / 4

The government operates with relative transparency in many respects but is more opaque regarding contracts for major projects. Journalists and civil society activists who attempt to scrutinize government activities often face harassment.

CIVIL LIBERTIES: 24 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 6 / 16

D1. Are there free and independent media? 1 / 4

A variety of print, television, and online news outlets operate, but many have political affiliations, and the state-run broadcaster has a monopoly in the radio sector. The penal

code criminalizes defamation and other vaguely defined press offenses, such as circulation of “false, exaggerated, or tendentious news.” The government has restricted the registration of new newspapers.

The government continued to target journalists for covering controversial topics in 2019. The Somaliland Journalists Association (SOLJA) cited more than 30 detentions and arrests of individual journalists, and the suspension of five media outlets in 2019, often without warrants. In June, Horyaal and Eryal TV were suspended for broadcasting “anti-Somaliland Army news, propaganda against security [forces] and fueling conflict within the community.” The suspensions followed a call by the Ministry of Information for local media to refrain from covering Somalia in domestic news reporting, a demand with which Horyaal and Eryal were unwilling to comply, according to the Somali Journalists Syndicate. Horyaal was raided and briefly suspended again in September after putting together a story on women who chew khat. The outlet Hadhwanaag was also suspended in 2019 for reporting on corruption allegations against the Central Bank governor. After being released on bail, three Hadhwanaag journalists fled to Mogadishu. According to human rights activist Guleid Jama, this brought the number of self-exiled journalists to five.

In January 2019, poet Abdirahman Ibrahim Adan Abees was arrested after he performed poems critiquing human rights abuses by police. Abees remained detained for over a month before being released.

In November, the government suspended Horn Cable Television and arrested its editor, Abdikadir Saleman Asayr, for a story on airport safety. While the Hargeisa Regional Court lifted the suspension, it remanded the editor’s detention, where he remained at year’s end.

In December, the government lifted a yearlong ban on *Foore* newspaper, which had been suspended in February over an October 2018 story regarding corruption allegations related to the construction of the presidential palace in violation of the penal code. Despite an appellate court’s decision to overturn the suspension, the paper remained suspended for much of the year.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is the state religion. The constitution allows for freedom of belief but prohibits conversion from Islam and proselytizing by members of other faiths. Places of worship must obtain government permission to operate, though there is no mechanism to register religious organizations.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Teachers and professors are often able to pursue academic activities of a political and quasi-political nature without fear of intimidation. While funds allocated for public schools are uneven across the regions, they are generally free from overt political manipulation.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

While individuals can express themselves with relative freedom on political matters, remarks on sensitive social and cultural issues are increasingly subject to censure and retribution. A spate of arrests and convictions during the year for controversial social media posts has contributed to greater self-censorship online among residents.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12**E1. Is there freedom of assembly? 1 / 4**

The constitution allows for freedom of assembly, but organized public demonstrations are infrequent, and the authorities have sometimes employed violence to disperse protests.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Local and international nongovernmental organizations (NGO) often operate without serious interference, but such groups can face harassment for their work. Nongovernmental organizations documenting human rights note that their work and events are not covered by government media outlets. In September 2019, a prominent lawyer and human rights activist temporarily quit his practice amid pressure from authorities. “I [quit] practicing law due to restrictions and harassment that made [it] impossible [for] defense lawyers to provide proper legal representation,” Mubarik Abdi wrote on Twitter.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

The constitution does not explicitly protect the right to strike, though it does permit collective bargaining. The right to belong to a union is generally respected.

F. RULE OF LAW: 7 / 16**F1. Is there an independent judiciary? 2 / 4**

Although some progress has been made in reforming the judicial system in recent years, the judiciary lacks independence, sufficient funding, and proper training. Judges are often selected on the basis of clan or political affiliation and are subject to interference from the government.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process is observed unevenly. Poverty and political factors play a role in how cases are charged and investigated, and whether there is adequate and timely representation for the defendant. Both customary law and Sharia (Islamic law) are used alongside civil law, which complicates adherence to statutory procedure. In practice, police arrest individuals arbitrarily and hold detainees without charge for extended periods. Lawyers are frequently denied access to detained clients. Long delays in court cases are common.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Somaliland’s police and security forces have been accused of using excessive force and conditions in detention centers are harsh and overcrowded. In September 2019, local media accused local police in Western Somaliland of detaining “three local councilors [without warrant...The councilors] were accused of [being] involv[ed] in an alleged formation of an armed rebel[lion] in Awdal.” In April, two Canadian women, held in Somaliland prisons for more than three months for consuming alcohol, described horrific conditions of physical and mental abuse. One of the women “contracted pneumonia while in jail and was denied medical access. The women were also sometimes denied food, showers and sanitary pads” according to a spokesman.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

Members of smaller clans face discrimination, limited access to public services, and prejudice in the justice system. Clan connections play a critical role in securing employment. Women also suffer from inequality, including in the Sharia and customary legal systems. Homosexuality is a criminal offense, and LGBT+ people generally do not acknowledge their sexual orientation or gender identity publicly.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Freedom of movement is respected to some extent, but traffic between Somaliland and Puntland is restricted, and the Somaliland government limits travel to and from Somalia's federal capital, Mogadishu. Clan divisions hinder individuals' relocation within the territory.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Individuals are able to own property and operate private businesses without undue interference from the government. However, land disputes are common, as tenure is often complicated by lack of documentation and inconsistencies among different legal systems and state authorities. In April 2019, police and military officials forcefully evicted several families to build a new presidential palace. No compensation was paid to the affected families.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Personal social freedoms are constrained by a number of factors. Marriages between members of major and minor clans are stigmatized. The practice of female genital mutilation (FGM) is common. In 2018, the Ministry of Religious Affairs released a religious edict banning one common type of FGM, but human rights groups criticized the edict for not fully prohibiting the practice.

Domestic violence remains a serious problem, and rape is rarely reported to authorities due to social pressures against such complaints. The Sexual Offenses Bill, which criminalized many forms of gender-based violence, was signed in 2018 by President Bihi, but was subsequently suspended by the Ministry of Religious Affairs after an outcry from religious leaders. Implementation of the legislation remained stalled in 2019.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

The informal sector, including traditional pastoral activities, accounts for much of the economy, and many households rely on remittances from relatives working in other countries. Trafficking in persons for forced labor or sexual exploitation abroad is a serious problem. Refugees from neighboring countries, including Yemen and Ethiopia, and internally displaced people are also vulnerable to exploitation.

South Ossetia

Population: 53,400

Freedom Status: Not Free

Note: The numerical scores and status listed here do not reflect conditions in Georgia, which is examined in a separate report. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Large parts of South Ossetia, a breakaway territory of Georgia, enjoyed de facto independence after a civil conflict ended in 1992. A 2008 war that drew in Russian forces resulted in the expulsion of the remaining Georgian government presence and many ethnic Georgian civilians. Only Russia and a handful of other states have since recognized South Ossetia's independence. The territory remains almost entirely dependent on Russia, and Moscow exerts a decisive influence over its politics and governance. Local media and civil society are largely controlled or monitored by the authorities, and the judiciary is subject to political influence and manipulation.

KEY DEVELOPMENTS IN 2019

- The parliamentary elections took place in June, in accordance with new legislation and last year's pledge by local leadership to provide more freedom for campaigns. Despite better laws, many government critics and opposition supporters could not register to run for election, which helped the ruling party sustain its dominance in the parliament.
- In July, the South Ossetian Supreme Court dismissed three previous criminal accusations (defamation, slander, and illegal acquisition of documents) against journalist and activist Tamara Mearakishvili. However, Mearakishvili has continued to face harassment from authorities and court prosecutions that restrict her ability to travel and work outside the region.
- In October, Tbilisi-based doctor Vazha Gaprindashvili was detained at a Georgian border crossing and spent almost two months in jail. He crossed into South Ossetia without authorization in order to help a local resident with a severe health condition.

POLITICAL RIGHTS: 2 / 40

A. ELECTORAL PROCESS: 2 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Although South Ossetia's elections occur regularly, they are severely restricted at all stages of the process and are not monitored by independent observers or recognized by the international community. In the most recent presidential election, in April 2017, former military leader Anatoly Bibilov was elected to a five-year term with 58 percent of the vote; he defeated the incumbent, Leonid Tibilov, who took 30 percent, and State Security Committee (KGB) official Alan Gagloyev, who took 11 percent.

Political analysts said that the conduct of the 2017 election was an improvement on the 2011 poll, the results of which had been disputed. Nevertheless, political debate and competition only occurred within a narrow field of candidates allowed by Russia and pro-Russian authorities.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

In June 2019, residents of South Ossetia elected parliamentarians through a new voting system: half of the 34 seats went to political parties in a system of proportional representation, while the remaining spots were designated to single-member constituencies in the region. Legislative elections are not internationally recognized, and the extent of Russian influence in the territory's politics precludes truly competitive contests.

The parliamentary elections yielded some positive developments. In contrast to previous years, the political parties reported few problems with registration, campaigned in the region, and could take part in televised debates. Aside from the parties, however, more than half of the candidates for the single-member constituencies, mainly private individuals, failed to receive registration to stand in the vote. The United Ossetia party of President Bibilov won 14 seats, followed by the Unity of the People party with 5 seats, and the Nykhas movement with 4 seats. Smaller parties captured the remainder.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

According to electoral laws, candidates must have permanently resided in South Ossetia for 10 years. Former president Eduard Kokoity, the only candidate who openly opposed annexation of South Ossetia by Russia, was barred from running in the 2017 presidential election due to his failure to meet the residency requirement. The Supreme Court rejected Kokoity's appeal, in which he claimed that the evidence put forth by the Central Election Commission (CEC) was falsified.

Authorities continue to restrict voting rights of ethnic Georgian residents remaining in South Ossetia. Russian political influence continues to call into question the independence of the CEC.

B. POLITICAL PLURALISM AND PARTICIPATION: 2 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Moscow exerts a decisive influence over politics and governance, effectively placing significant restrictions on the ability of political parties outside of a narrow political spectrum to operate freely.

A number of new political parties were able to register in the past few years, including the ruling United Ossetia, which has governed the territory since winning the most seats in the 2014 elections. Officials from United Ossetia—which controls the de facto Ministry of Justice and thus oversees the party registration processes—did not reduce the number of political parties ahead of the 2019 parliamentary elections. Six months before the vote, in January, the CEC launched an inspection of nine political parties that identified some minor mistakes in member lists; mistakes were soon resolved with no consequences for the parliamentary elections.

In January 2019, three local opposition parties united into the political movement Nykhas. Initially, the newborn alliance faced criticism from the CEC and complained about pressure on its supporters from regional authorities, but was later still able to register and run in the elections.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

In the 2017 presidential election, Bibilov, the opposition candidate, challenged and defeated the incumbent. However, the success or failure of the territory's opposition politicians

is largely determined by Moscow. South Ossetian government sources implied that banned presidential candidate Kokoity was not in Moscow's favor.

In the June 2019 parliamentary elections, a number of opposition politicians and individuals got inspired by new legislation, which allowed both proportional representation and single-member constituencies (decided by a "first-past-the-post" or majoritarian election). The local leadership promised more freedom for electoral campaigning and organized televised debates. Ninety-nine candidates applied to stand in the elections for single-member constituencies, but only 39 received approval from the CEC to register. No appeals in the courts overcame the CEC's decisions.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

South Ossetia's institutions are almost entirely dependent on economic and political support from Moscow. There are few avenues for people to meaningfully participate in political processes if they wish to advocate for interests that fall outside of the narrow political spectrum defined by Russia and the territory's Russian-aligned authorities.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

While the South Ossetian government includes several women ministers, the interests of women and minority groups are not represented politically. Most ethnic Georgian residents have either declined or have been denied the ability to participate in elections.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The ability of elected officials to determine and implement policy is heavily influenced by the Russian government. A sweeping 2015 treaty on alliance and integration between Russia and South Ossetia closely integrates the territory's defense, security, and customs mechanisms with those of Russia, charging Moscow with protection of South Ossetia's borders; it is binding for 25 years with the possibility of extension. Russian aid comprises almost the entirety of South Ossetia's budget. Media reports detailing the increasingly important role of South Ossetia as a conduit for funds from Russia to the breakaway territories of eastern Ukraine continue to surface; details of the reports reflect the ability of Russian authorities to shape South Ossetia's financial and business regulations and infrastructure to serve their own purposes.

According to private emails leaked in 2016 that were apparently tied to senior Kremlin adviser Vladislav Surkov, Moscow mandated 13 working groups to review legislation drafted by the authorities in Tskhinvali, South Ossetia's de facto capital, and had a timetable for the bills' approval by the territory's legislature. Some of Bibilov's ministerial appointments reflect a long trend in the territory to nominate Russian citizens to key roles, including the territory's security services.

Like his predecessor, President Bibilov has spoken repeatedly of formally uniting the territory with Russia's North Ossetia–Alania or joining the Russian Federation as a separate region.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Official corruption is widespread in South Ossetia, and there is little to no systematic attempt to fight it.

C3. Does the government operate with openness and transparency? 0 / 4

Due in part to the significant level of Russian influence on domestic politics and decision-making, South Ossetia's government does not operate with transparency. Officials have not identified a lack of transparency as a policy priority.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -2 / 0

During the 2008 war, Ossetian forces seized or razed property in previously Georgian-controlled villages, and large numbers of ethnic Georgians fled the fighting. Authorities in South Ossetia have since barred ethnic Georgians from returning to the territory unless they renounce their Georgian citizenship and accept Russian passports. Of approximately 20,000 ethnic Georgians displaced from their homes in South Ossetia, most have not been able to return. However, conditions for local residents have largely stabilized since the war, particularly due to the absence of open conflict across the administrative line separating the territory from Georgia. Nevertheless, the weeks-long restrictions of movement between the territory and Georgia proper in January and September 2019 provoked a temporary rush of dozens of fleeing ethnic Georgians fearful of permanent closure of crossing points.

CIVIL LIBERTIES: 8 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16****D1. Are there free and independent media? 0 / 4**

Local media, including the television channel Ir, the newspapers *Yuzhnaya Osetiya* and *Respublika*, and the online portal Res, are almost entirely controlled by the authorities. Self-censorship is pervasive, and defamation charges are often employed against critical media. An increasing number of residents rely on online outlets for news and other information, and foreign media, including broadcasts from Russia and Georgia, remain accessible. The local version of Russian news portal Sputnik, accessible in both Russian and Ossetian, is increasingly popular.

The authorities continued to press charges against Tamara Mearakishvili, a journalist and activist who works with Georgian and international media outlets including Radio Free Europe/Radio Liberty (RFE/RL). In July 2019, the South Ossetian Supreme Court dismissed three previous criminal accusations against Mearakishvili (concerning illegal acquisition of documents and defamation). However, Mearakishvili stated that authorities continued to harass her, demanding her imprisonment. In September, she staged a three-day hunger strike, demanding the South Ossetian government meet with mediators of the Geneva International Discussions (GID).

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4

While the majority of the population is Orthodox Christian, there is a sizeable Muslim community. Followers of Russian Orthodoxy and Ossetian neopaganism also inhabit the territory. Some property of the Georgian Orthodox Church is controlled by the South Ossetian Orthodox Church (called the Eparchy).

In 2017, South Ossetia's de facto Supreme Court outlawed Jehovah's Witnesses as an "extremist" organization; the group had been banned in Russia earlier that year.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

The government exerts strong influence over the education system. In 2017, the ministry of education began to phase out Georgian-language education, and this process continued throughout 2019.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Private discussion is constrained by the sensitivity of certain topics, particularly the territory's geopolitical standing. Speaking of the property rights and expulsion of the Georgian population is assumed to attract unwanted attention.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12**E1. Is there freedom of assembly? 1 / 4**

Residents occasionally demonstrate against environmental degradation, the sluggish pace of postwar reconstruction, animal rights, and, more rarely, overtly political grievances. However, freedom of assembly is strictly limited. Participants in unsanctioned gatherings risk being charged with crimes, and authorities have responded to demonstrations by closing roads and deploying security forces to patrol.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Nongovernmental organizations (NGOs) that operate in the territory are subject to government influence and, by extension, influence from Russia. Legislative amendments in 2014 increased the oversight capacity of authorities over NGO activity, subjecting organizations that receive foreign funding to broader and more frequent reporting requirements and branding them "foreign partners." Through 2019, there were six organizations that officially received funding from Russia and one taking part in a United Nations-run project. NGOs engaged in conflict resolution and reconciliation are smeared by the authorities and pro-government media as agents of Tbilisi or western intelligence services. In 2019, 108 NGOs were registered in South Ossetia.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Trade unions in South Ossetia largely defer to the policies of the separatist government. Conflict with Georgia has left trade unions weak and geographically divided.

F. RULE OF LAW: 1 / 16**F1. Is there an independent judiciary? 0 / 4**

South Ossetia's judiciary is not independent. The justice system is manipulated to punish perceived opponents of the separatist leadership. In July 2019, after more than a year in pretrial detention, a local court sentenced former official Georgy Kabisov, accused of embezzlement of state funds, to seven years in prison. The case is seen as highly political due to personal problems between Kabisov and President Bibilov. Later in July, the court launched a closed-door investigation into the case of an official in the presidential administration, Sergey Lipin, as well as Lipin's wife and two administrators of the local computer center: all were accused of state espionage for the Georgian government. Local observers spoke about a possible "witch hunt" sponsored by leadership in an attempt to prevent protests after the 2019 parliamentary elections.

F2. Does due process prevail in civil and criminal matters? 0 / 4

South Ossetia uses a modified version of the Russian criminal code. Government allies reportedly continue to violate the law with relative impunity. Russian prosecutors have attempted to curb malfeasance by local officials, but the Russian court system itself remains deeply flawed.

Criminal prosecutions are used to punish activists and individuals that question or inconvenience the authorities, as reflected by multiple criminal accusations made against the journalist and activist Mearakishvili. In April 2019, a Russian businessman, Kurban Buganov, who had received no repayment for massive public works projects completed over the previous decade, became the focus of a criminal investigation by the office of the Prosecutor General, despite no evidence of wrongdoing. The investigation seems to be a means for the South Ossetian government to avoid payment for the public infrastructure projects completed by Buganov's company.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Victims of human rights violations committed during the 2008 conflict have few avenues for legal recourse. Physical abuse and poor conditions are reportedly common in prisons and detention centers. At court sessions, prisoners often speak about floods and freezing conditions at an old building that was built decades ago merely as a temporary detention center, and not as a long-term prison. In October 2019, 56 inmates of the only local prison located in Tskhinvali went on hunger strike with the demand for better food and more walking hours. Negotiations with the local justice minister ended with the prisoners being physically assaulted, which was filmed by CCTV cameras and leaked on social media.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Discrimination against ethnic Georgians continues. Reports of arbitrary discrimination and detention of ethnic Georgians continue to arise. There are no initiatives to support the rights of LGBT+ people.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Restrictions on freedom of movement between South Ossetia and Georgia proper were tightened in 2019. In contrast to previous years, border crossing points closed with no prior notification and for longer periods—crossings were blockaded for several weeks. In January 2019, local security officials cited the need, ostensibly, to prevent spread of an influenza virus in Georgia; they closed crossings until March, an action denounced by European Union, Organization for Security and Co-operation in Europe (OSCE), and United Nations (UN) mediators. In September, a similar closure of border crossings took place as increased tensions with Georgian authorities peaked over the new Georgian police outpost near the South Ossetian administrative boundary line. Some local residents were not able to receive timely emergency health support and attend schools and universities in Georgian towns. As in past years, dozens of Georgian citizens were detained by border guards near the border of Tbilisi-controlled territory and were released after paying a fine. In October, the de facto authorities reported detention of a prominent Tbilisi-based doctor Vazha Gaprindashvili, who reportedly tried to sneak into the territory to help a local resident with a severe health

condition. Despite calls from foreign partners and public rallies all over Georgia, the doctor was sentenced to almost two years imprisonment after refusing to plead guilty, but was later pardoned with a special presidential decree.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 0 / 4

The territory's political and military situation has negatively affected protections of property rights, particularly for residents close to the administrative border. The separatist authorities have consistently refused to countenance the return of ethnic Georgians expelled from their homes before or during the 2008 war.

Small businesses risk being seized or subjected to predatory behavior by larger, more powerful corporations.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

While no laws officially regulate individuals' public appearance, statements by public officials reflect intolerance for behavior that deviates from the territory's conservative norms. No laws or government programs specifically protect victims of domestic violence.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

In early 2019, local leadership launched a new subsidiary loans program, which did not attract much interest from South Ossetian small businesses due to the lack of guarantees for the independence of long-term commercial operations. Populations living along the administrative border with Georgia face additional economic uncertainty due to divisions created by shifting and uncertain borders.

Tibet

Population: 3,440,000 [Note: This figure covers only the Tibet Autonomous Region.]

Freedom Status: Not Free

Note: This report assesses the Tibet Autonomous Region and areas of eastern Tibet that are incorporated into neighboring Chinese provinces. *Freedom in the World* reports assess the level of political rights and civil liberties in a given geographical area, regardless of whether they are affected by the state, nonstate actors, or foreign powers. Disputed territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Tibet is ruled by the Chinese Communist Party (CCP) government based in Beijing, with local decision-making power concentrated in the hands of Chinese party officials. Residents of both Chinese and Tibetan ethnicity are denied fundamental rights, but the authorities are especially rigorous in suppressing any signs of dissent among Tibetans, including manifestations of uniquely Tibetan religious belief and cultural identity. State policies encourage migration from other parts of China, reducing the ethnic Tibetan share of the population.

KEY DEVELOPMENTS IN 2019

- Tibetans faced intensified restrictions on movement due to a series of politically sensitive anniversaries, including the 70th anniversary of the establishment of the People's Republic of China in October, which featured a large-scale military parade and political rallies in Lhasa.
- Chinese officials continued a multiyear campaign to consolidate control over major centers for Tibetan Buddhist learning in Sichuan Province, reportedly evicting more than 7,000 residents from Yachen Gar, returning many of its monks and nuns to the Tibet Autonomous Region (TAR) for political "reeducation," demolishing monastic dwellings, and installing 600 Chinese officials at the center to monitor residents and visitors.
- Authorities in Tibet expanded the use of facial recognition technology, enhanced identity cards, and integrated surveillance systems to track residents and tourists in real time. A pilot program launched during the year combined facial recognition, geolocation, and other technology to monitor drivers and passengers in 200 taxis in Lhasa.
- Numerous Tibetans were detained and several were sentenced to long prison terms for engaging in nonviolent activities like creating an informal organization to petition authorities over confiscated community land, sharing images about the Dalai Lama on social media, criticizing employment discrimination, or exposing corruption by local officials.

POLITICAL RIGHTS: -2 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The Chinese government rules Tibet through administration of the TAR and 12 Tibetan autonomous prefectures or counties in the nearby provinces of Sichuan, Qinghai, Gansu, and Yunnan. Under the Chinese constitution, autonomous areas have the right to formulate their own regulations and implement national legislation in accordance with local conditions. In practice, however, decision-making authority is concentrated in the hands of unelected ethnic (Han) Chinese officials of the CCP, which has a monopoly on political power. In 2016, Wu Yingjie replaced Chen Quanguo as TAR party secretary.

The few ethnic Tibetans who occupy senior executive positions serve mostly as figureheads or echo official doctrine. Che Dalha, one of two ethnic Tibetan members of the CCP's 205-member Central Committee, has served as chairman (governor) of the TAR since January 2017. The chairman is formally elected by the regional people's congress, but in practice such decisions are predetermined by the CCP leadership.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The regional people's congress of the TAR, which is formally elected by lower-level people's congresses, chooses delegates to China's 3,000-member National People's Congress (NPC) every five years, but in practice all candidates are vetted by the CCP. The current TAR people's congress held its first session in January 2018, and the current NPC was seated in March 2018.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

As in the rest of China, direct elections are only permitted at the lowest administrative levels. Tight political controls and aggressive state interference ensure that competitive races with independent candidates are even rarer in Tibet than in other parts of the country. Regulations published in 2014 placed significant restrictions on candidates for village elections, excluding those who have attended religious teachings abroad, have communicated with overseas Tibetans, or have relatives studying at monasteries outside China.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

All organized political activity outside the CCP is illegal and harshly punished, as is any evidence of loyalty to or communication with the Tibetan government in exile, based in Dharamsala, India.

The exile government includes an elected parliament serving five-year terms, a Supreme Justice Commission that adjudicates civil disputes, and a directly elected prime minister, also serving five-year terms. Votes are collected from the Tibetan diaspora around the world. The unelected Dalai Lama, the Tibetan spiritual leader who also traditionally served as head of state, renounced his political role in 2011. Lobsang Sangay was elected prime minister in the same year, replacing a two-term incumbent and becoming the exile government's top political official; he was reelected in 2016.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

As in China as a whole, the one-party system structurally precludes and rigorously suppresses the development of any organized political opposition. Tibet has never experienced a peaceful and democratic transfer of power between rival groups.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

The authoritarian CCP is not accountable to voters and denies the public any meaningful influence or participation in political affairs.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Political opportunities for ethnic Tibetans within Tibet remain limited by the dominance of ethnic Chinese officials at all levels of the CCP. The ethnic Tibetan population's objections to party policies are actively suppressed.

Women are well represented in many public-sector jobs and CCP posts within the TAR, though most high-level officials are men, and women are unable to organize independently to advance their political interests.

C. FUNCTIONING OF GOVERNMENT: 1 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Unelected CCP officials determine and implement government policies in Tibet. In March 2018, the CCP Central Committee announced significant structural reforms that reduced the already limited separation between the party and state governance, placing CCP

entities—like the United Front Work Department—more explicitly in charge of policy areas including religious affairs and ethnic minorities, which are especially relevant for Tibet.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is believed to be extensive, as it is in China more generally, though little information is available on the scale of the problem. There have been moves in recent years to curb graft among the region's officials as part of Chinese president Xi Jinping's nationwide anticorruption campaign. However, many prosecutions are believed to be politically selective or amount to reprisals for perceived political and religious disloyalty. Tibetan residents who seek to expose official misdeeds have been jailed. For example, anticorruption activist Anya Sengdra of Qinghai Province was arrested in September 2018 and sentenced in December 2019 to seven years in prison on vague charges of disturbing social order.

C3. Does the government operate with openness and transparency? 0 / 4

Governance is opaque in all of China, but even more so in Tibet. A study by the Chinese Academy of Social Sciences published in 2017 ranked cities and counties nationwide by their level of government transparency; Lhasa scored lowest among the cities, and the TAR's Nang County was the lowest among the counties under examination.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -3 / 0

The Chinese government's economic development programs in Tibet have strongly encouraged ethnic Chinese migration to the region, disproportionately benefited ethnic Chinese residents, and exacerbated the marginalization of ethnic Tibetans, who have also been displaced by mass resettlement campaigns within Tibet. Ethnic Tibetans account for some 90 percent of the permanently registered population of the TAR, but many ethnic Chinese migrants have moved to the region without changing permanent residency. In recent years, officials have announced major new urbanization projects that risk further diluting the region's Tibetan population; one such plan aimed to increase the "permanent urban population" of Tibet by approximately 30 percent by 2020, with many new settlers likely to be ethnic Chinese.

CIVIL LIBERTIES: 3 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 0 / 16****D1. Are there free and independent media? 0 / 4**

Chinese authorities tightly restrict all news media in Tibet. Individuals who use the internet, social media, or other means to share politically sensitive news content or commentary face arrest and heavy criminal penalties. Tibetan cultural expression, which the authorities associate with separatism, is subject to especially harsh restrictions; those incarcerated in recent years have included scores of Tibetan writers, intellectuals, and musicians.

Deliberate internet blackouts occur periodically in Tibet, including in areas where public demonstrations have occurred. International broadcasts are jammed, and personal communication devices are confiscated and searched. The online censorship and monitoring systems in place across China are applied even more stringently in the TAR, while censorship of Tibet-related keywords on the popular messaging application WeChat has become more sophisticated.

Access to the TAR is highly restricted for foreign journalists, who are also regularly prevented from entering Tibetan areas of Sichuan and other provinces, though no permission is technically required to travel there. Tibetans who communicate with foreign media without permission risk arrest and prosecution. Businessman Tashi Wangchuk was sentenced to five years in prison in 2018 on charges of inciting separatism, having given an interview to the *New York Times* in 2015 about his efforts to use the Chinese legal system to challenge the lack of Tibetan-language education.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Freedom of religion is harshly restricted in Tibet, in large part because the authorities interpret reverence for the Dalai Lama and adherence to the region's unique form of Buddhism as a threat to CCP rule. New regulations on religious affairs came into effect in 2018, reiterating many existing restrictions while strengthening controls on places of worship, travel for religious purposes, and children's religious education, including in Tibetan areas. In August 2019, authorities in the TAR issued directives that specifically restricted participation in religious activities for retired government employees, requiring local authorities to compile names of those who engaged in particular rituals and suggest sanctions to impose on them.

Religious Affairs Bureaus control who can study in monasteries and nunneries. Officials enforce a minimum age requirement of 18 for those who wish to become monks or nuns, although some institutions continue to accept younger children without registration. Monks and nuns are required to sign a declaration rejecting Tibetan independence, expressing loyalty to the government, and denouncing the Dalai Lama. Since 2012, the CCP has set up committees of government officials within monasteries to manage their daily operations and enforce party indoctrination campaigns. Police posts are increasingly common even in smaller monasteries.

Ideological education campaigns reach most monasteries and nunneries in the region. Such campaigns typically force participants to recognize the CCP claim that China "liberated" Tibet and to denounce the Dalai Lama. During 2019, officials also reportedly administered written exams on Chinese law and political ideology to tens of thousands of monks at major monasteries in the TAR and surrounding areas. Indoctrination campaigns have been extended to the lay population in recent years, with students, civil servants, and farmers required to participate in discussions, singing sessions, and propaganda film screenings. Possession of Dalai Lama-related materials—especially in the TAR—can lead to official harassment, arrest, and punishment, including restrictions on commercial activity and loss of welfare benefits. In 2019, authorities reportedly expanded efforts to enforce bans on images of the Dalai Lama, conducting inspections in remote areas and, in at least one case, beating and detaining residents of government-subsidized housing who were found to possess such pictures.

The Chinese government has asserted its intention to select the successor of the current Dalai Lama, who turned 84 in July 2019, and promoted its own appointee to serve as the Panchen Lama, a religious figure who plays an important role in identifying the reincarnation of a Dalai Lama according to traditional Tibetan Buddhist rituals. The location of the Panchen Lama who was originally recognized by the current Dalai Lama remains unknown, as he was abducted by Chinese officials in 1995, when he was six years old.

Chinese officials since 2016 have intensified controls at Larung Gar, a major center for Tibetan Buddhist learning located in Sichuan Province. Enrollment of new residents was closed in April 2019, and one of the top abbots at the academy shuttered his Bodhi Institute

for Compassion and Wisdom, including its international affiliates, under pressure from authorities in December. Also during the year, the measures implemented at Larung Gar were repeated with greater force at Yachen Gar, another religious center in the province, with actions including mass evictions, demolition of monastic dwellings, and installation of party cadres to monitor residents and visitors. According to Radio Free Asia, beginning in May 2019 authorities forced more than 7,000 residents to leave Yachen Gar, while 600 Chinese officials were stationed at the site. Many of the evicted monks and nuns were forced to return to their hometowns in the TAR and undergo political “reeducation” at detention centers.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

University professors cannot lecture on certain topics, and many must attend political indoctrination sessions. The government restricts course materials to prevent circulation of unofficial versions of Tibetan history and has reduced use of Tibetan as the language of instruction in schools in recent years. In April 2019, Sonam Lhundrub, a Tibetan graduate student in Gansu Province, was detained by police after an essay he wrote for his civil service exam—addressing ethnic Tibetans’ reduced opportunities for public-sector employment in Tibet—spread widely on social media. His precise whereabouts at year’s end were unknown, but he was thought to remain in detention without trial; officials also interrogated his classmates.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 0 / 4

Freedom of private discussion is severely limited by factors including the authorities’ monitoring of electronic communications, the heavy security presence, recruitment of informants, and regular ideological campaigns in Tibetan areas. As elsewhere in China, authorities in Tibet have begun deploying facial recognition technology, enhanced identity cards, and integrated surveillance systems to track residents and tourists in real time; one pilot program launched in 2019 used advanced technology to monitor drivers and passengers in 200 taxis in Lhasa, according to Chinese state media reports.

Ordinary Tibetans continue to be detained or sentenced to prison for actions like verbally expressing support for the Dalai Lama and freedom for Tibet, sharing images of the Dalai Lama or the Tibetan flag on social media, or sending information abroad about recent self-immolation protests. As they implement the 2017 Cybersecurity Law, authorities have held meetings with managers of WeChat groups in Tibetan areas, warning them to ensure that online discussions remain “appropriate,” while informing residents at monasteries of the risks of sharing illicit information. Several new detentions related to WeChat posts were reported during 2019.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Chinese authorities severely restrict freedom of assembly as part of the government’s intensified “stability maintenance” policies in Tibet. Control and surveillance of public gatherings extends beyond major towns to villages and rural areas. Even nonviolent protesters are often violently dispersed and harshly punished. Nevertheless, Tibetans continue to seek ways to express dissatisfaction with government policies; several solo or small-scale protests in public places were reported during 2019, with participants briefly calling for the return of the Dalai Lama, the release of the Panchen Lama, or independence for Tibet before

being seized by police. As in the rest of China, authorities have occasionally responded to environmental protests with minor concessions, such as temporary suspension of mining operations. Several large gatherings for mourning or cultural events were permitted to take place in 2019, though they featured a significant security presence.

One Tibetan former monk set himself on fire to protest Chinese rule in 2019 and died of his injuries; this represents a decline in the number of self-immolations compared with previous years, due in part to state-imposed deterrents. Officials respond to self-immolation incidents with information blackouts, a heightened security presence, increased surveillance, and large-scale arrests of those associated with the self-immolators. Engaging in self-immolation and organizing, assisting, or gathering crowds related to such acts are considered criminal offenses, drawing charges of intentional homicide in some cases. In addition to mass arrests, the government employs collective-punishment tactics—for both self-immolations and other forms of protest—that include financial penalties for protesters' families, cancellation of public benefits for their households, and termination of state-funded projects in their communities.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

Nongovernmental organizations, including those focused only on apolitical issues like development and public health, operate under highly restrictive agreements and periodically face closure. In recent years, intensified controls have restricted a wide range of social and community engagement, including initiatives to promote the Tibetan language and to protect the environment. In April 2019, a court in Qinghai Province sentenced nine Tibetan villagers to prison terms of up to seven years after they created an informal organization to petition authorities to return community land that was expropriated by the government and had remained unused since 2011.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Independent trade unions are illegal in Tibet, as they are in China as a whole. The only legal union organization is the government-controlled All-China Federation of Trade Unions, which has long been criticized for failing to properly defend workers' rights. Labor activism in Tibet is riskier and therefore much more rare than in other parts of China. According to the China Labour Bulletin, no strikes were documented in the TAR during 2019, compared with nearly 1,400 strikes elsewhere in the country.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

The CCP controls the judicial system, and courts consequently lack independence. Courts at all levels are supervised by party political-legal committees that influence the appointment of judges, court operations, and verdicts and sentences. Given the political sensitivity of Tibetan areas, the scope for autonomous judicial decision-making is even more limited than elsewhere in China.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Defendants lack access to meaningful legal representation. Trials are closed if state security interests are invoked, and sometimes even when no political crime is listed. Chinese lawyers who offer to defend Tibetan suspects have been harassed, disbarred, or blocked from attending relevant hearings. Security forces routinely engage in arbitrary detention, and detainees' families are often left uninformed as to their whereabouts or well-being.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Detained suspects and prisoners are subject to torture and other forms of abuse. Tibetan prisoners of conscience have died in custody under circumstances indicating torture, and others have been released in poor health, allegedly to avoid deaths in custody. According to a partial database maintained by the US Congressional-Executive Commission on China, there were still hundreds of Tibetan political prisoners behind bars as of late 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Ethnic Tibetans face a range of socioeconomic disadvantages and discriminatory treatment by employers, law enforcement agencies, and other official bodies. The dominant role of the Chinese language in education and employment limits opportunities for many Tibetans; Tibetans receive preferential treatment in university admission examinations, but this is often not enough to secure entrance. Government recruitment notices issued in 2019 required Tibetan college graduates to denounce the Dalai Lama—among other displays of political loyalty—in order to be considered eligible for public-sector jobs.

As in the rest of China, gender bias against women remains widespread, despite laws barring workplace discrimination. LGBT+ people suffer from discrimination, though same-sex sexual activity is not criminalized. Social pressures discourage discussion of LGBT+ issues.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 0 / 4

Obstacles including troop deployments, checkpoints, roadblocks, required bureaucratic approvals, and passport restrictions impede freedom of movement within and beyond Tibetan areas, particularly for travel to and from the TAR. Such restrictions were especially intense during 2019 due to a series of politically sensitive anniversaries, with a large-scale military parade and political rallies in Lhasa marking the 70th anniversary of the founding of the People's Republic of China in October.

Increased security efforts and Nepalese government cooperation have made it difficult for Tibetans to cross the border into Nepal. Obtaining a passport for foreign travel is extremely difficult for Tibetans, and in recent years some Tibetan pilgrims who have traveled abroad have faced detention upon return to China.

Authorities continue to restrict access to the TAR for human rights researchers and some tourists. Foreigners are often denied entry surrounding politically sensitive dates, as occurred between February and April 1, 2019. During other periods, tourists must travel in groups and obtain official permission to visit the TAR, and even then, last-minute travel bans are periodically imposed.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The economy is dominated by state-owned enterprises and private businesses with informal ties to officials. Tibetans reportedly find it more difficult than ethnic Chinese residents to obtain permits and loans to open businesses.

Since 2003, the authorities have intensified efforts to resettle rural and nomadic Tibetans—forcibly or with incentives—into permanent-housing areas that often have little

economic infrastructure. As in the rest of China, land expropriation for development projects is regularly carried out with little consultation and inadequate compensation.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

China's restrictive family-planning policies are formally more lenient for Tibetans and other ethnic minorities. Officials limit urban Tibetans to two children and encourage rural Tibetans to stop at three. As a result, the TAR is one of the few areas of China without a skewed sex ratio. Nevertheless, the authorities continue to regulate reproduction, and related abuses are occasionally reported. State policies actively encourage interethnic marriages with financial and other incentives, and couples must designate a single ethnicity for their children. Separately, Tibetan women are vulnerable to human trafficking schemes that result in forced marriage.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Exploitative employment practices are pervasive in many industries, as is the case across China, though ethnic Tibetans reportedly face additional disadvantages in hiring and compensation. Human trafficking that targets Tibetan women can lead to prostitution or exploitative employment in domestic service and other sectors elsewhere in China.

Transnistria

Population: 476,000

Freedom Status: Not Free

Note: The numerical scores and status listed here do not reflect conditions in Moldova, which is examined in a separate report. Territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Transnistria is a breakaway region of Moldova in which ethnic Russians and Ukrainians together outnumber ethnic Moldovans. The territory has enjoyed de facto independence since a brief military conflict in 1992, though it is internationally recognized as a part of Moldova. Its government and economy are heavily dependent on subsidies from Russia, which maintains a military presence and peacekeeping mission in the territory. Political competition is limited, and the dominant party is aligned with powerful local business interests. Impartiality and pluralism of opinion in media is very limited, and authorities closely control civil society activity.

KEY DEVELOPMENTS IN 2019

- In February, local nongovernmental organization (NGO) Apriori Center lost an appeal over a 2018 prosecutorial determination that it violated a restrictive law that regulates foreign funding. The NGO continued to operate as recently as October, however.
- Former interior minister Ghenadie Kuzmichev was convicted of smuggling in April, receiving a 13-year prison term and a fine. Kuzmichev's lawyer claimed he

was abducted from Moldovan-controlled territory in 2018, and that doctors hired by his family were not allowed to examine him while in detention.

- Transnistrians did not hold a major rally or demonstration in the territory, a year after Communist Party leader Oleg Horzhan was arrested for trying to hold a rally.

POLITICAL RIGHTS: 9 / 40 (-1)

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The president is elected to up to two five-year terms. Parliament speaker Vadim Krasnoselsky, an independent closely associated with the Renewal (Obnovleniye) Party, defeated incumbent Yevgeniy Shevchuk in the 2016 presidential election, following a campaign characterized by corruption allegations traded between the two. Shevchuk was defeated even as his campaign drew significantly on public resources. State media heavily favored him and sought to portray Krasnoselsky as a crony of Sheriff Enterprises, the powerful business conglomerate that dominates the economy and backs Renewal; Krasnoselsky previously served as the company's security chief. Given Transnistria's political status, established election monitors did not send missions to oversee the contest.

Constitutional amendments approved in 2011 created a relatively weak post of prime minister. The president appoints the prime minister, who is approved by the parliament. Krasnoselsky tapped Alexander Martynov to serve as prime minister in late 2016.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

Members of the 43-seat, unicameral Supreme Council are elected to five-year terms. Renewal won a landslide victory in 2015, in large part due to poor economic conditions and dissatisfaction with former president Shevchuk's government. Renewal won 35 seats, while Breakthrough (Proryv) and the Communist Party each won one. Several independent deputies affiliated with Renewal gained seats.

A small group of Shevchuk's allies and supporters demonstrated against the results, claiming vote manipulation. As Transnistria is not internationally recognized, no established election monitor sent a mission to observe the election's conduct.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

Actors from various political camps have alleged that the Electoral Commission is subject to political pressure. In 2015, ahead of that year's elections, authorities unsuccessfully tried to evict the Electoral Commission from its offices, in what was viewed as an attempt to interfere with its operations.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16 (-1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Transnistria's entire political establishment, including opposition parties and civil society organizations, supports the separatist agenda and Russia's role as patron. With Krasnoselsky's 2016 election, the political establishment is now fully controlled by Renewal.

In past years, the Communist Party has been able to hold some events and speak out against the government. However, in 2018, authorities jailed its leader, legislator Oleg

Horzhan. Horzhan was stripped of parliamentary immunity and arrested for organizing illegal demonstrations, criticizing an official, and interfering with law enforcement agents. He received a four-and-a-half year prison sentence later that year.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4 (-1)

The Renewal Party has long dominated the legislature. In recent years, opposition candidates have occasionally faced difficulties registering to compete in elections. The imprisonment of Communist Party leader Horzhan has also discouraged meaningful opposition to the territory's government.

While the main candidates in the 2016 election to the country's powerful presidency were independents, the post effectively rotated between power bases when Shevchuk was defeated by Krasnoselsky. A number of corruption cases were initiated against Shevchuk in 2017, and he subsequently fled the territory.

Score Change: The score declined from 2 to 1 because the 2018 jailing of Communist Party leader Oleg Horzhan over his political activism has severely discouraged open opposition to the Renewal Party-led government.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

The Transnistrian political establishment is dominated by the monopolistic conglomerate Sheriff Enterprises. Additionally, the influence of Russia is undergirded by the presence of Russian troops, who are stationed to guard a Soviet-era ammunition depot and uphold a 1992 cease-fire between Transnistria and Moldova. Russia has also supported the territory's pension system, and has additionally provided subsidized energy in recent years.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Few women are included in the political elite; only 2 women sit in the parliament. However, women are able to exercise political rights and participate in campaigns.

While Transnistria has three official languages—Russian, Ukrainian, and Moldovan—Russian is used in governmental affairs. Authorities do not allow voting in Moldovan elections to take place in Transnistrian-controlled territory, though residents who sought to vote in Moldova's February 2019 election were observed traveling into Moldova proper to participate. Residents with Russian citizenship had access to polling stations during Russia's tightly controlled 2018 presidential election.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Elected representatives are promptly inaugurated following elections. Sheriff Enterprises exerts a strong influence on government policies, which are also closely monitored by the Russian political establishment.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Transnistrian politics have long been built on nepotism and favoritism. There are few visible safeguards against official corruption.

C3. Does the government operate with openness and transparency? 1 / 4

Although the authorities publish some information on websites and are interviewed on television about their policies, many governmental discussions are not open to the media, and governmental openness and transparency are limited.

CIVIL LIBERTIES: 13 / 60 (-1)

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16

D1. Are there free and independent media? 0 / 4

Authorities closely monitor and control the public media, and Sheriff dominates private broadcasting, leading to widespread self-censorship. There are few independent print outlets and they have limited circulation. Critical reporting draws harassment by the government, which also uses bureaucratic obstruction and withholding of information to inhibit independent media.

In 2016, the parliament passed legislation giving authorities an even greater control over state media outlets, including the power to appoint editorial staff. The legislation also enabled officials to limit media access to their activities and bar the use of recording devices.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Most of the population is Christian Orthodox, and authorities have denied registration to several smaller religious groups, which at times face harassment by police and Orthodox opponents. A 2016 law imposed restrictions and penalties related to unauthorized distribution of religious literature, preaching in public spaces, and organized religious activities in residential buildings.

Many congregations of Jehovah's Witnesses are unregistered in Transnistria, despite repeated attempts to maintain their status under a 2009 law on religion. Members of the Muslim community report a reluctance to practice their faith openly due to past intimidation by authorities.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

Academics and students may take part in international forums, but participation in events sponsored by Moldova is discouraged by concerns of reprisals from Transnistrian authorities. Academic analysis of topics such as the 1992 conflict, the role of the Russian Federation and peacekeeping forces, and Transnistrian statehood are subject to censorship.

The eight Latin-script schools in Transnistria governed by the Moldovan constitutional authorities face pressure from Transnistrian authorities. However, in February 2019, a UN Development Programme (UNDP) observer reported that the situation for these schools had improved somewhat, based on his findings from a 2018 visit to the territory.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

While people do share their opinions in private settings, including on sensitive political developments, restrictions on certain kinds of speech discourage free discussion. The Criminal Code penalizes public expression of disrespect for the Russian peacekeeping mission. Free expression in public spaces is limited by concerns over surveillance or reprisals for voicing dissent.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 1 / 12 (-1)**E1. Is there freedom of assembly? 0 / 4 (-1)**

Authorities limit freedom of assembly through rejection on administrative grounds of applications for permits to hold meetings and protests. Participants in unauthorized actions have faced administrative penalties or have been detained.

In 2018, authorities reportedly banned an annual May Day demonstration, prompting Communist Party leader Horzhan to attempt to organize a separate rally that June; those efforts led to his arrest and imprisonment. A number of participants in that event were also reportedly arrested. Authorities reportedly banned an annual commemoration of the 1917 Bolshevik Revolution several days after Horzhan's sentencing. Since Horzhan's arrest, Transnistria has reportedly seen no major rallies or public assemblies.

Score Change: The score declined from 1 to 0 because there have been no notable protests or demonstrations in Transnistria since Horzhan was imprisoned for organizing public assemblies.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights and governance-related work? 1 / 4

Nongovernmental and civic work remains a challenge. Organizations working on human rights or which are perceived as threatening authorities face harassment. The local Coordination Council for Humanitarian and Technical Assistance, which is controlled by the prime minister, must approve governance-related work.

A 2018 law requires more burdensome reporting by NGOs, including on foreign funding, and prohibits foreign-backed NGOs from broadly defined "political activities". In late 2018, prosecutors ruled that the Apriori Center, an NGO that provides legal advice and capacity-building support to individuals and other NGOs, violated the law, though Apriori has not received foreign funding since 2017. Apriori's appeal was rejected in February 2019, though the organization remained in operation as recently as October.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Trade unions in Transnistria are unreformed since the Soviet era, and they are not independent. Local and regional authorities manipulate trade unions for political gain.

F. RULE OF LAW: 2 / 16**F1. Is there an independent judiciary? 0 / 4**

The judiciary serves the interests of the political authorities. The European Court of Human Rights (ECHR) has asserted that Russia is responsible for the decisions of Transnistrian courts, and that these courts do not meet minimum standards of fairness.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Justice is applied arbitrarily and serves the interests of those in power. The UNDP's observer noted the heavy use of arrest and pretrial detention in his 2019 report.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Torture in custody is reported, and prison conditions remain poor. Police mistreatment of suspects is common and there are no effective avenues for victims to gain recourse. The lawyer representing former interior minister Ghenadie Kuzmichev claimed he was abducted

by Moldovan police and forcibly returned to Transnistria to face smuggling charges in 2018; he also claimed that Kuzmichev's health declined in prison, and that doctors hired by his family were prohibited from seeing him. Kuzmichev was convicted in April 2019, receiving a 13-year sentence and a fine.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

While the Transnistrian constitution guarantees rights and freedoms of people “without distinction as to sex, race, nationality, language, religion, social origin,” these rights are not uniformly upheld. The Moldovan-speaking minority faces discrimination and harassment. Same-sex activity is illegal in Transnistria, and the LGBT+ community has been forced underground as a result of widespread government and societal discrimination.

However, the UNDP's observer reported improved treatment towards people living with disabilities, along with domestic violence survivors, people living with HIV, and people living with tuberculosis in his 2019 report.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Approximately 300,000 people in Transnistria hold Moldovan citizenship and can travel freely to European Union (EU) countries. Cars with local license plates cannot enter Moldova, but since 2018, Transnistrian residents can obtain neutral license plates for use on international roads. The agreement was reached as part of the 5+2 negotiation framework, comprised of the Organization for Security and Cooperation in Europe (OSCE), with Russia and Ukraine acting as mediators; as part of the framework, Moldovan authorities began recognizing Transnistrian educational documents in 2018.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Private property is only allowed for housing in Transnistria; other property rights, including land ownership, remain restricted. Procedures for establishing a private business are hampered by bureaucratic impediments.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Same-sex marriage is not permitted. Many women are pressured to have large families. Domestic violence is a growing concern, with no law criminalizing it. However, the problem has become more public, including through television reports. Dedicated services, including psychological aid, a hotline for victims, and shelters are operated by civil society organizations supported by international donor organizations.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Economic opportunity remains very limited. Sheriff Enterprises dominates the economy. Despite increased international aid to ensure better opportunities for women, many still fall victim to traffickers who subject them to forced labor or sex work.

West Bank

Population: 2,900,000 [This figure represents the Palestinian population only.]

Freedom Status: Not Free

Note: The numerical scores and status listed here do not reflect conditions in Israel or the Gaza Strip, which are examined in separate reports. This report includes conditions in East Jerusalem, which the international community generally considers to be part of the occupied West Bank. Prior to its 2011 edition, *Freedom in the World* featured one report for Israeli-occupied portions of the West Bank and Gaza Strip and another for Palestinian-administered portions. For more information, see the report methodology.

Overview: The West Bank is under Israeli military occupation, which entails onerous physical barriers and constraints on movement, demolition of homes and other physical infrastructure, restrictions on political and civil liberties, and expanding Jewish settlements. Jewish settlers in the West Bank are Israeli citizens and enjoy the same rights and liberties as other Israelis. The West Bank's Palestinian residents, excluding those living in East Jerusalem, fall under the partial jurisdiction of the Palestinian Authority (PA), which is operating with an expired presidential mandate and has no functioning legislature. The PA governs in an authoritarian manner, engaging in acts of repression against journalists and human rights activists who present critical views on its rule. While a small number of East Jerusalem Palestinians have Israeli citizenship, most have a special residency status that provides them with a restricted set of rights compared with those of Israeli citizens.

KEY DEVELOPMENTS IN 2019

- In July, Israeli authorities began their planned demolition of a dozen structures in the Jerusalem neighborhood of Wadi al-Humos, which Israel has declared a security “buffer zone” due to its proximity to the separation barrier, but some of which is in so-called Area A of the West Bank, where the PA supposedly has full control over planning and development.
- Following the August murder of Israa Ghrayeb, a woman who was allegedly beaten to death by three male relatives after she posted a photo of herself with her fiancé online, hundreds of Palestinian women took part in organized demonstrations against gender-based violence in conjunction with global solidarity campaigns on social media.
- In October, a Palestinian court ordered a shutdown of 59 websites and social media pages, all of which featured criticism of President Mahmoud Abbas, were affiliated with opposition groups, or focused on combating corruption. The decision was appealed and referred to the Constitutional Court, which had not ruled on the case by year's end.
- Israeli authorities actively applied an antiboycott law to exclude foreign critics of the Israeli occupation, preventing two US congresswomen from entering Israel to travel to the West Bank in August and deporting Human Rights Watch's Israel and Palestine representative from Israel in November.

POLITICAL RIGHTS: 4 / 40**A. ELECTORAL PROCESS: 1 / 12****A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4**

The PA has not held a presidential election since 2005. The four-year term of Mahmoud Abbas, who won that year with 62 percent of the vote, expired in 2009, but he has continued to rule with the support of the Palestine Liberation Organization (PLO), led by his party, Fatah. The primary obstacle to new Palestinian elections is the ongoing rift between the West Bank–based PA government, under the control of Fatah, and the de facto Hamas government in the Gaza Strip. Hamas, an Islamist political movement and militant group, seized control of Gaza in 2007. This followed its victory in 2006 legislative elections and a period of armed struggle between Hamas and Fatah that left each in control of a separate territory. A 2014 agreement between Hamas and Fatah to form a unity government did not result in actual power sharing. In 2017, the two sides committed to a reconciliation deal brokered by Egypt, but there has been little progress on implementation.

Under PA laws, the prime minister is nominated by the president and requires the support of the Palestinian Legislative Council (PLC). However, the PLC elected in 2006 was unable to function due to the Fatah-Hamas division and Israel's detention of many lawmakers. Abbas has since appointed prime ministers and cabinets without legislative approval. Mohammad Shtayyeh was appointed and sworn in as prime minister along with a new Fatah-led cabinet in April 2019. He succeeded Rami Hamdallah, whose more technocratic government resigned in January, reflecting the breakdown of reconciliation efforts. Hamas opposed Shtayyeh's appointment.

In October 2019, Abbas instructed the Central Elections Commission to start preparing for presidential and legislative elections. However, he said in December that he would not allow elections to occur unless Israel allowed Palestinians in East Jerusalem to participate, which appeared unlikely.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

Palestinians in the West Bank do not have a functioning legislative body. Elections for the 132-seat PLC have not been held since 2006, when Hamas won 74 seats and Fatah took 45. Israel's suppression of Hamas and fighting between Fatah and Hamas left the PLC unable to function. Israeli forces have repeatedly detained elected PLC members since 2006, and the legislature's electoral mandate expired in 2010. In December 2018, President Abbas ordered the formal dissolution of the PLC, backed by a Supreme Constitutional Court ruling that also called for legislative elections within six months. Hamas rejected the decision. Despite Abbas's October 2019 order to prepare for elections, it remained unclear at year's end when legislative balloting would actually be held.

Overdue local council elections were held in the West Bank in 2017, but they did not feature meaningful political competition, as key opposition groups boycotted. Just 145 municipalities—fewer than half of the West Bank's total—had competitive races. Some two-thirds of those council seats went to independents, while Fatah captured nearly 28 percent and smaller groups divided the remainder. In 181 municipalities, a single candidate list ran unopposed and won automatically; Fatah won 75 percent of the seats in those locations.

The majority of Palestinian residents in East Jerusalem do not hold Israeli citizenship and thus did not have the right to vote in Israel's April and September 2019 Knesset (parliamentary) elections. Noncitizen Palestinian residents are permitted to vote in Israeli

municipal council elections in Jerusalem, but most have traditionally boycotted; turnout for the 2018 elections was estimated to be under 1 percent in Palestinian neighborhoods, and a prominent Palestinian candidate dropped out following pressure from both Israeli authorities and fellow Palestinians.

Israeli citizens living in West Bank settlements are represented by the Israeli Knesset and participated in the two 2019 Israeli legislative elections.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

The PA's laws provide a credible framework for elections, but presidential and legislative elections have not been held since 2005 and 2006, respectively. The Palestinian Central Elections Commission oversees elections in the West Bank and Gaza. The body's nine commissioners are appointed by the president, although the law requires them to be experienced and politically impartial judges, academics, or lawyers. Local elections that were set to be held in 2016 were postponed until 2017 while the judiciary heard a set of complaints, but the delay was seen by many as politically motivated.

Israel's Central Elections Committee oversees Knesset elections, and its Interior Ministry manages Israeli municipal elections, including in Jerusalem. While these elections are generally free and fair, Palestinian residents of the West Bank cannot vote in Knesset balloting, and East Jerusalem Palestinians typically boycott municipal polls.

B. POLITICAL PLURALISM AND PARTICIPATION: 4 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

In addition to Fatah, a number of small Palestinian parties operate relatively freely in the West Bank. However, the PA deals harshly with supporters of Hamas and rivals of President Abbas within Fatah. Israel detains and arrests political activists if they are perceived as threats to Israeli security.

Since 2007, the PA and Israeli forces in the West Bank have collaborated in surveillance and repression of Hamas, periodically engaging in mass arrests and closures of affiliated institutions.

East Jerusalem Palestinians can form party lists to run in the city's Israeli municipal elections, as they did in 2018, but doing so may lead to increased scrutiny by Israeli authorities and harassment from Palestinians who oppose participation.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

The prolonged and indefinite postponement of presidential and legislative elections has prevented any rotation of power in the West Bank, and the PA leadership has been accused of avoiding any contest that could lead to a Hamas victory. Moreover, the boycott of the 2017 local elections by opposition groups left them largely unrepresented in West Bank municipal councils.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 1 / 4

Israeli authorities regularly surveil, detain, and harass political figures from Hamas and other factions that Israel considers terrorist groups. In addition, Israel's restrictions on

freedom of movement—including checkpoints, roadblocks, and permit restrictions, as well as the continuous barrier it has constructed along the West Bank side of the pre-1967 border—can impede Palestinian political organizing and activity.

Foreign government donors sometimes exert influence over the PA to promote or marginalize certain politicians or political factions.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

Women and religious or ethnic minorities enjoy formal political equality under PA laws, and both women and Christians have held PLC seats and cabinet positions. However, they tend to be underrepresented in such posts, and their particular interests are not necessarily addressed by the political system. About one-fifth of the council seats in the 2017 municipal elections went to women.

Palestinian residents of East Jerusalem have the option to apply for Israeli citizenship, though most decline for political reasons, and about half or more of those who apply each year are unsuccessful. In 2019, Israeli officials approved 1,200 applications and denied 1,361. Similarly, while noncitizen residents can vote in Israeli municipal elections in Jerusalem, most have traditionally boycotted; noncitizens cannot vote in Knesset elections. A Palestinian Jerusalem resident who is not a citizen cannot become mayor under current Israeli law. East Jerusalem Palestinians are entitled to vote in PA elections, conditional on Israel's approval.

There are over 400,000 Jewish settlers in the West Bank excluding East Jerusalem, and approximately 200,000 Jewish settlers in East Jerusalem, all of whom are Israeli citizens with full political rights in Israel.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The PA lacks an elected executive and legislature. Because the legislature has not functioned since 2007, new laws are introduced via presidential decree. The ability of the PA president and ministries to implement policy decisions is limited in practice by direct Israeli military control over much of the West Bank. The PA has virtually no ability to provide services, access farming communities, or develop water, waste management, or land resources in Area C, the more than 60 percent of West Bank territory—much of it rural—that is under exclusive Israeli control. Israel periodically withholds the transfer of tax revenues to the PA, which affects salary payments and policy implementation.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Official corruption remains a major problem that is widely recognized by the public, according to opinion surveys. The PA's Anti-Corruption Commission is responsible for implementing an anticorruption strategy, but a December 2019 report released by Transparency International showed that 78 percent of Palestinians are unfamiliar with the body. The Coalition for Accountability and Integrity (AMAN) has consistently identified challenges such as ensuring the rule of law, combating nepotism and favoritism, and safeguarding a strong and fair judiciary.

Documents published online in June 2019 revealed that PA cabinet members under former prime minister Hamdallah had secretly received large salary increases in 2017, during a time of economic stagnation, with approval from Abbas. Prime Minister Shtayyeh suspended the raises and pledged to investigate them.

C3. Does the government operate with openness and transparency? 1 / 4

Government transparency is generally lacking in the PA, and in the absence of basic accountability mechanisms including regular elections and legislative oversight, the administration has little incentive to make substantive improvements. Journalists, activists, and others who attempt to scrutinize PA policies or internal operations are subject to intimidation and harassment.

The operations of Israeli military authorities in the West Bank are opaque, and the Israeli military and civil administrations are not accountable to Palestinians.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:**Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -3 / 0**

The growth of Jewish settlements, seizures of Palestinian land, and the demolition of Palestinian homes in the West Bank continued in 2019. The UN Office for the Coordination of Humanitarian Affairs (OCHA) reported that Israeli authorities seized or demolished over 600 Palestinian homes or structures in the West Bank and East Jerusalem in 2019, displacing more than 900 Palestinians. This represents an increase from 2018, when some 460 structures were affected. In July 2019, Israel began its planned demolition of structures in the Jerusalem neighborhood of Wadi al-Humos, some of which are in Area A of the West Bank, under nominal PA control but close to the separation barrier. According to OCHA, 12 structures were demolished, leaving 24 individuals homeless.

In 2018, the Knesset passed a law limiting Palestinians' direct access to the Israeli Supreme Court for petitions against West Bank settlement construction. A 2017 Israeli law authorized the retroactive, formal seizure of private Palestinian land, with compensation, where settlements had been built illegally, though its implementation remained suspended in 2019 pending a review by the Supreme Court. In September 2019, during the election campaign, Israeli prime minister Benjamin Netanyahu announced his intention to annex the Jordan Valley in the West Bank if his party won. Since no governing coalition could be formed in Israel following two rounds of elections in 2019, a third round was planned for 2020.

CIVIL LIBERTIES: 21 / 60**D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16****D1. Are there free and independent media? 1 / 4**

The news media are generally not free in the West Bank. Under PA law, journalists can be fined and jailed, and newspapers closed, for publishing information that might harm national unity, contradict national responsibility, or incite violence. The Palestinian Center for Development and Media Freedoms (MADA) reported 87 violations of media freedom by Palestinian authorities in the West Bank in 2019, similar to the previous year. Most involved the closure of websites; there were also interrogations, arrests and detentions, and physical assaults of journalists.

In 2017, President Abbas issued the Electronic Crimes Law, prescribing heavy fines and lengthy prison terms for a range of vaguely defined offenses, including the publication or dissemination of material that is critical of the state, disturbs public order or national unity, or harms family and religious values. In October 2019, a Palestinian court in Ramallah ordered 59 websites, many of which carried news content, and social media pages blocked under the Electronic Crimes Law, claiming that they disturbed public order and threatened civil peace. The sites featured criticism of Abbas, were affiliated with opposition groups, or

focused on combating corruption. The decision was appealed and referred to the Constitutional Court, which had not ruled on it by year's end.

Reporters are subject to surveillance, assault, and detention by Israeli forces. Israeli authorities were responsible for 297 media freedom violations in the West Bank, including East Jerusalem, and the Gaza Strip in 2019, according to MADA. These violations included physical abuse, preventing journalists from covering certain events, and arrest and detention. Facebook also shut down pages and accounts of Palestinian journalists due to alleged incitement to violence and terrorism.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

The PA Basic Law declares Islam to be the official religion of Palestine and states that “respect and sanctity of all other heavenly religions (Judaism and Christianity) shall be maintained.” Blasphemy is a criminal offense. The 2017 Electronic Crimes Law criminalizes expression aimed at harming moral and religious values without defining those values, allowing for arbitrary enforcement.

Security-related restrictions on movement, and vandalism or physical assaults against worshippers or places of worship, affect Jewish, Muslim, and Christian residents of the West Bank to varying degrees. The Israeli authorities regularly prevent Palestinian Muslims in the West Bank from reaching Jerusalem to pray, and generally restrict access for young adult males to the Temple Mount/Haram al-Sharif compound on Fridays.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

The PA has administrative authority over Palestinian education. Political activism is common on university campuses, and student council elections generally proceed freely—an Islamist bloc sympathetic to Hamas has performed strongly in several of the past Birzeit University student council elections, for example. However, students affiliated with the bloc have been detained by Israeli and Palestinian authorities. In March 2019, Israeli forces entered Birzeit University, arrested three students, and raided the office of the student council.

According to the Association for Civil Rights in Israel, East Jerusalem's schools are underfunded compared with schools in West Jerusalem, and East Jerusalem lacks almost 2,000 classrooms.

Israeli authorities have more actively restricted visas for foreign academics attempting to visit Palestinian universities in the West Bank since 2016, according to the Right to Enter Campaign.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Residents have some freedom to engage in open private discussion, though Israeli and PA security forces are known to monitor online activity and arrest individuals for alleged incitement or criticism of Palestinian authorities, respectively. The adoption and enforcement of the 2017 Electronic Crimes Law has increased concerns about the freedom of personal expression online.

Human rights organizations have accused the PA of monitoring social media posts and detaining individuals for harsh questioning related to their comments. In 2018, evidence emerged that the PA has engaged in extensive electronic surveillance of lawyers, activists, political figures, and others, which could have a deterrent effect on expression more broadly. Issa Amro, a prominent human rights activist who was allegedly beaten and tortured in

detention in 2017, had his first court hearing in March 2019; he faced a potential prison term for “disturbing public order” under the Electronic Crimes Law. He has since been arrested on other charges, including in April for allegedly insulting an Israeli military official on social media.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12

E1. Is there freedom of assembly? 1 / 4

The PA requires permits for demonstrations, and those held to protest against PA policies are generally dispersed by security forces. In 2019, hundreds of women peacefully demonstrated in the West Bank to call for an end to gender-based violence following the August murder of a 21-year-old Palestinian woman, Israa Ghrayeb, allegedly by her male relatives.

Israel’s Military Order 101 (1967) requires a permit for all political demonstrations of more than 10 people. Israeli Military Order 1651 (2009) is used to prosecute and sentence those who are accused of harming public order or engaging in alleged incitement. Israeli authorities frequently restrict and disperse demonstrations, some of which become violent, and certain protest areas are designated as closed military zones. Protesters are at risk of injury by tear-gas canisters, rubber-coated bullets, or live ammunition, and clashes between demonstrators and Israeli troops periodically result in fatalities.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

A broad range of NGOs operate in the West Bank. However, Israeli restrictions on movement can impede civil society activity, Islamist groups have been periodically shut down by Israeli or PA officials, and activists who criticize the PA leadership can face harassment and abuse by security services.

A 2017 Israeli law bars entry for any foreign individual who publicly supports a boycott of Israel or its West Bank settlements. In August 2019, the law was used to prevent US congresswomen Ilhan Omar and Rashida Tlaib from visiting Israel and the West Bank; while Tlaib’s prohibition was modified later in the month so that she could visit relatives in the West Bank, she rejected the offer. The law was also used in November to expel Omar Shakir, the Israel and Palestine representative for Human Rights Watch, for his advocacy against Israeli settlements in the West Bank.

In September 2019, Israel raided the offices of the Palestinian prisoners’ rights organization Addameer, seizing computers and other equipment. In August, the PA police spokesperson announced that the LGBT+ activist organization Al-Qaws would be banned, accusing it of sedition and an intent to “destroy” Palestinian society. The statement was withdrawn later in the month after drawing criticism from activists.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers may establish unions without government authorization, but labor protections in general are poorly enforced. Palestinian workers seeking to strike must submit to arbitration by the PA Labor Ministry, and various other rules make it difficult to mount a legal strike. Palestinian workers in Jerusalem are subject to Israeli labor law.

F. RULE OF LAW: 4 / 16

F1. Is there an independent judiciary? 2 / 4

Palestinians in the West Bank are subject to the jurisdiction of both the Palestinian judiciary and the Israeli military court system, neither of which is fully independent. In July

2019, President Abbas issued two decrees, the first dissolving the existing High Judicial Council and replacing it with a transitional body, and the second lowering the retirement age of judges. A number of judges and human rights organizations denounced the moves as an effort to increase executive control over the judicial branch. Although the transitional council included former members of the High Judicial Council, it was given an expanded mandate to restructure the judicial system.

Enforcement of judicial decisions is impeded by PA noncompliance as well as lack of Palestinian jurisdiction in Area C, where the Israeli military exerts exclusive control.

The Israeli civilian courts, which have jurisdiction over Israeli settlers in the West Bank, are independent.

F2. Does due process prevail in civil and criminal matters? 1 / 4

The opaque distinction between criminal and security-related offenses, the regular use of detention without trial by Palestinian and Israeli security forces, and the use of martial law and a military court system that applies exclusively to Palestinians in the West Bank all violate the due process rights of Palestinians. Jewish settlers are tried in Israeli civilian courts, which generally provide due process protections.

Human rights groups regularly document allegations of arbitrary detention by PA security forces. Palestinians are also regularly detained without charges for extended periods by Israeli authorities. The Israeli military frequently conducts home raids without a warrant. According to the Israeli human rights group B'Tselem, there were 4,248 Palestinian security detainees and prisoners from the West Bank being held in Israeli prisons at the end of December 2019.

A reported 186 Palestinian minors from the occupied territories were being held in Israeli prisons as security detainees and prisoners at the end of December 2019. Such minors are usually interrogated without a lawyer or parental guardian present and tried by a special military court. Acquittals are very rare, and the courts have been criticized for a lack of due process protections. East Jerusalem Palestinian minors are tried in Israeli civilian juvenile courts.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Penal codes applicable in the West Bank permit capital punishment, but no executions have been carried out since 2005. In 2018, the State of Palestine became a signatory to the International Covenant on Civil and Political Rights, which severely restricts the use of capital punishment.

Physical abuse of detainees by PA authorities in the West Bank has been documented by human rights organizations. Individual testimonies also attest to the use of excessive violence by the Israeli military.

Israeli soldiers accused of excessive force or abuse of Palestinian civilians are subject to Israeli military law, though convictions, which are rare, typically result in light sentences. Jewish settlers who attack Palestinian individuals, property, and agricultural resources generally enjoy impunity. B'Tselem reported that 26 Palestinians were killed by Israeli security forces in 2019, and two were killed by settlers.

Israeli security personnel and civilians face small-scale terrorist attacks in the West Bank. According to B'Tselem, three Israeli civilians and two security personnel were killed in the West Bank by Palestinians during 2019.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The legal arrangements operative in the West Bank are fundamentally discriminatory in that Israelis and Palestinians who reside or commit crimes in the same location are subject to different courts and laws.

Palestinian women are underrepresented in most professions and encounter discrimination in employment, though they have equal access to universities. Women are legally excluded from what are deemed dangerous occupations. Gender-based harassment and violence remain major problems in the West Bank.

Although LGBT+ people in the West Bank do not face prosecution for same-sex sexual activity, they have been subject to harassment and abuse by PA authorities and members of society.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Israeli checkpoints, travel permits, and other restrictions continue to seriously constrain freedom of movement, stunt trade, and limit Palestinian access to jobs, hospitals, and schools.

The Israeli separation barrier, 85 percent of which lies in West Bank territory and which was declared illegal in 2004 by the International Court of Justice, divides Palestinian communities and causes general hardship and disruption of services.

East Jerusalem Palestinians are vulnerable to revocation of their residency status if they leave the city for extended periods of time, affecting their freedom to travel, or if they are deemed to be a threat to public safety, security, or the state of Israel.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

While Palestinians are able to own property and engage in business activity, their rights are seriously undermined by Israel's movement and access restrictions and the expansion of Israeli settlements, which is encouraged by the Israeli government and private groups. Israeli authorities employ a variety of methods to prevent Palestinians from developing their privately owned land, particularly in Area C, for example by declaring nature reserves or denying permit requests. Palestinian property is also illegally damaged by Israeli settlers.

Palestinian structures built in and around Jerusalem are consistently under threat of demolition by Israeli security forces, even if they fall in the area of the West Bank technically under the jurisdiction of the PA.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Palestinian laws and societal norms, derived in part from Islamic law, put women at a disadvantage in matters such as marriage and divorce. For Christians, personal status issues are governed by ecclesiastical courts. Rape and domestic abuse remain underreported and frequently go unpunished, as authorities are allegedly reluctant to pursue such cases.

The widely publicized August 2019 murder of Israa Ghrayeb drew attention to the problem of so-called honor killings and other gender-based violence. Ghrayeb was allegedly killed by three of her male relatives who objected to her posting a photo of herself with her fiancé online. The men were charged with her murder in September. A 2018 law amended a provision in the penal code that had been used to grant leniency to the perpetrators of "honor" killings, prohibiting its application in cases of serious crimes against women and

children. However, activists argue that the practical effects of these changes have been minimal.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Unemployment rates in the Palestinian territories are high compared with the rest of the Middle East and global averages. The excess supply of workers creates conditions in which labor exploitation is more likely.

In 2017, the PA signed international protocols dealing with human trafficking, child trafficking, and child prostitution. However, child labor is still prevalent in the occupied territories.

Many West Bank Palestinians, mostly male, work in Israel and the settlements, where the PA has no jurisdiction. While these workers are covered by Israeli labor laws, the International Labour Organization (ILO) reported in 2018 that inconsistent application of these laws remains a concern. The Palestinians' work permits usually tie them to a single employer, creating a relationship of dependency, according to the ILO. Nonetheless, some laborers have achieved collective bargaining agreements with their Israeli employers. Tens of thousands of Palestinians work without permits, making them vulnerable to greater exploitation. Many Palestinians lose considerable income to "brokers" who are needed to connect Palestinian workers to jobs. Israel has revoked work permits for those who share last names with individuals whom Israel considers to be security threats, even if they are not related.

Western Sahara

Population: 603,000

Freedom Status: Not Free

Note: The numerical scores and status listed here do not reflect conditions in Morocco, which is examined in a separate report. Territories are sometimes assessed separately if they meet certain criteria, including boundaries that are sufficiently stable to allow year-on-year comparisons. For more information, see the report methodology.

Overview: Morocco has claimed authority over Western Sahara since 1975, but the United Nations does not recognize Morocco's control, calling Western Sahara a "non-self-governing territory." Morocco controls the most populous area along the Atlantic coastline, more than three-quarters of the territory. While the United Nations (UN) brokered a cease-fire in 1991, a long-promised referendum on the territory's status has yet to be held. The Moroccan-controlled area, which Morocco calls the "Southern Provinces," is represented in the Moroccan parliament. However, civil liberties are severely restricted, particularly as they relate to independence activism.

KEY DEVELOPMENTS IN 2019

- The Moroccan government and the nationalist Polisario Front participated in two rounds of UN-backed talks in January and March, but made little progress. The UN's envoy to Western Sahara, former German president Horst Köhler, resigned in May for health reasons, and his position remained unfilled at year's end.

- The European Union (EU) finalized an agriculture trade deal with Morocco in January and a fisheries agreement in March; both of these agreements covered territory claimed by the Polisario Front, which did not participate in consultations on the deals. The Front launched legal action against the agreements at the European Court of Justice (ECJ) in April, which remained pending at year's end.
- In December, a Moroccan parliamentary committee voted in favor of measures to expand the country's maritime borders to include waters claimed by the Polisario. The full legislature did not vote on the proposal by year's end, however.

POLITICAL RIGHTS: -3 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

Morocco controls more than three-quarters of Western Sahara and Moroccan authorities allow no proindependence candidates to run for office. The Polisario Front is based in Tindouf, Algeria, and leads a nationalist movement comprised of members of the Sahrawi ethnic group. It controls the less-populated interior of the territory. The constitution of the government-in-exile states that the leader of the Polisario Front is the territory's president, but it does not hold regular elections within the territory.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

In the Moroccan-controlled portion of the territory, voters elect 13 representatives to the Moroccan parliament. The representatives who serve in that parliament cannot contest the region's status. The parliament members from Western Sahara are predominantly from the Justice and Development Party (PJD). Turnout in municipal and parliamentary elections in Western Sahara is difficult to ascertain, but reports are that it is chronically low.

The Sahrawi Arab Democratic Republic (SADR), the breakaway government, has a 51-member legislature called the Sahrawi National Council (SNC), which is indirectly elected by the General Popular Congress of the Polisario Front. Most voting occurs in refugee camps in Algeria. The Polisario Front organizes the elections and does not allow any political parties to compete.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The electoral framework is not fair, given the constraints on representation in the Moroccan-controlled territory, the prohibition of any candidate who challenges Moroccan control of the territory to run for the parliament, and Moroccan control of the media.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The Polisario Front, which controls the government-in-exile and the eastern portion of the territory, does not allow other political parties to compete. In recent years, the Polisario has cracked down on political dissent, imprisoning a number of opponents of the regime. In 2018, a vocal critic of the Polisario, who was imprisoned for his outspoken criticism, was found dead at the Dheibyia prison, apparently from hanging. The Polisario stated he died

by suicide, but the man's family claimed it was an assassination and staged a sit-in near the home of Polisario leader Ibrahim Ghali.

In Moroccan-controlled areas, the Polisario Front is banned, and proindependence parties are not allowed to form.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Since political parties that advocate for Sahrawi independence or autonomy cannot function in Moroccan-controlled areas, the most salient opposition elements cannot gain power through elections. No credible opposition exists in the eastern territory controlled by the Polisario Front due to the ban on other political parties.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 0 / 4

People's political choices in the Moroccan-controlled parts of the territory are dominated by the Moroccan government. The government-in-exile in Tindouf is ostensibly autonomous, but it works closely with Algerian authorities. As a "non-self-governing territory," the people in the region are unable to elect an independent government.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Due to the territory's lack of sovereignty, no segment of the population has full political rights or electoral opportunities. However, women play a significant role in politics. Many women are leaders in the independence movement and organize the refugee camps in Algeria.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

Western Sahara, which has not yet achieved self-determination, has no freely elected leaders. Thirteen representatives from the "Southern Provinces" serve in the 395-member lower house in Morocco. However, the Moroccan parliament is dominated by the monarchy, which determines government policies toward Western Sahara. The Polisario Front governs portions of the territory in its control.

The Polisario has long accused Morocco of exploiting Western Sahara's natural resources, and Moroccan trade agreements with the EU have included territory claimed by the Polisario. In January 2019, the European Parliament (EP) approved an agriculture trade deal with Morocco that applied to Western Sahara. In February, the EP approved a new fisheries agreement that applied in coastal waters off of Western Sahara; that deal gained European Council (EC) approval in March and Moroccan parliamentary committee approval in June. A previous ECJ ruling required the EU to seek local consent on agreements covering the disputed territory. In April, the Polisario, which did not participate in consultations on the deals, launched a legal action against them at the ECJ; their case remained pending at year's end.

A Moroccan parliamentary committee approved legislation to expand the country's maritime borders to include disputed waters in December 2019. The full parliament did not vote on the proposal by year's end.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Corruption among Moroccan state officials and in the economy is widespread and investigations are rare. Corruption occurs primarily to facilitate the exploitation of natural

resources—phosphates, hydrocarbons, and fisheries—by Moroccan and international interests. In Tindouf, official corruption among members of the Polisario is similarly widespread and endemic.

C3. Does the government operate with openness and transparency? 0 / 4

Moroccan laws on access to information apply to Western Sahara. Information about Western Sahara is nearly nonexistent, which severely limits transparency. The Moroccan government publishes budget and financial information online, and public officials—including parliament members, judges, and civil servants—are required to declare their assets. However, nongovernmental organizations (NGOs) assert that many officials do not hand over this information, and the law provides no penalties for noncompliance.

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION:

ADD Q: Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -3 / 0

Before and since the establishment of the UN Mission for the Referendum in Western Sahara (MINURSO) in 1991, Morocco has endeavored to tip the population's balance in its favor. By some counts, Moroccans now outnumber Sahrawis in Western Sahara. Morocco also works to prevent a referendum to determine the territory's final status. Morocco constructed a sand berm to divide territory under its control from Sahrawi-controlled territory in the east.

CIVIL LIBERTIES: 7 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 3 / 16

D1. Are there free and independent media? 0 / 4

Some pro-Sahrawi media outlets do operate, such as the all-volunteer Equipe Media group, but they face regular harassment by Moroccan authorities, who ensure that reporting does not dispute Morocco's sovereignty over Western Sahara. Morocco's 2016 Press Code criminalizes challenging the "territorial integrity" of the kingdom, which potentially criminalizes independent journalism that focuses on the dispute in Western Sahara. Print outlets found to violate this provision risk suspension, while news sites face potential blocking. Journalists accused of challenging Morocco's territorial integrity could face prison sentences of between six months and two years. Reporting by Moroccan journalists working in the territory is sharply constrained.

International media are carefully vetted and scrutinized during their visits to Moroccan-controlled territory. Reporters visiting Tindouf reportedly enjoy greater freedom of movement and inquiry, but it is difficult to substantiate such claims. In Sahrawi-controlled territory in the east, press freedoms are also limited, with television and radio coverage reflecting the ideology and viewpoints of the Polisario. Some exiled groups provide coverage from outside Western Sahara. Internet access is limited throughout the territory.

In July 2019, a Western Sahara court fined Equipe Media member Nezha Khalidi for working without credentials, after she criticized Moroccan policy towards the territory and filmed a street scene in late 2018. Khalidi was previously arrested in 2016 when she covered a women's demonstration in Laâyoune, though she was released without charge.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Moroccan authorities generally do not interfere with religious practices, though as in Morocco proper, mosques are monitored by authorities. Moroccan law prohibits any efforts to convert a Muslim to another faith. It is illegal to publicly criticize Islam.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

Educators practice self-censorship around the status of Western Sahara, as Moroccan law criminalizes debate that calls this into question. Other sensitive topics include the monarchy and Islam. The University of Tifariti was established in 2013 as the first university in Polisario-controlled territory.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

As in Morocco proper, there is concern about state surveillance of online activity and personal communications, and people do not feel free to speak privately about the status of Western Sahara and other sensitive topics. Freedom of expression is sharply constrained in Polisario-controlled areas as well.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12

E1. Is there freedom of assembly? 0 / 4

Demonstrations and protests are broken up regularly, particularly on sensitive issues such as self-determination and Sahrawi prisoners held by Morocco. Protesters are frequently arrested and beaten.

In June 2019, Moroccan security forces stopped Smara residents from assembling to celebrate the release of political activist Salah Lebsir after a four-year prison term, and allegedly assaulted some participants. In July, Moroccan security forces violently dispersed Sahrawis who gathered in Laâyoune to celebrate Algeria's victory in the Africa Cup of Nations football tournament. According to eyewitnesses, one person was killed and as many as 80 were injured.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 0 / 4

NGOs that advocate for independence or question Islam as the state religion are denied official registration by the Moroccan government. Organizations that meet the government's criteria are frequently denied registration as well. Foreign NGO representatives observing the human rights situation of Moroccan-controlled areas of Western Sahara have been expelled in recent years.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Moroccan unions have a presence in Western Sahara, but they are largely inactive. Government restrictions limit the right to strike. Most people in unions work for the Moroccan government.

The Polisario Front has a trade union called the Sahrawi Trade Union (UGTSARIO), which is also inactive; there is little economic activity in the refugee camps in Tindouf, and there is no functioning labor market in Polisario-controlled territory.

F. RULE OF LAW: 0 / 16

F1. Is there an independent judiciary? 0 / 4

Courts in Western Sahara are controlled by Morocco and their rulings reflect its interests. Executive interference and corruption significantly impede judicial independence.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Due process rights are not respected. In 2017, a Moroccan court of appeals handed 23 Sahrawis prison sentences ranging from two years to life for the 2010 deaths of 11 Moroccan security personnel during an uprising at the Gdeim Izik protest camp. Evidence at the trial included confessions allegedly obtained by torture. The court did not investigate these allegations.

Proindependence advocates and other civil society leaders are often arbitrarily arrested, particularly in the aftermath of demonstrations. International human rights groups view many Sahrawis in Moroccan prisons, including human rights activists and proindependence advocates, as political prisoners.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Tensions remain between the Moroccan military and the Polisario Front, with periodic mobilization of forces. A military standoff began in 2016 when the Polisario accused Morocco of breaking the terms of the cease-fire by attempting to build a road in the UN buffer zone. The standoff ended in 2017 when Morocco withdrew its troops.

In 2018, the first UN-brokered talks between the Polisario and the Moroccan government in six years took place. Both sides agreed to continue talks in 2019; two rounds were held in January and March, but little progress was made. The UN's envoy to Western Sahara, former German president Horst Köhler, resigned in May for health reasons; his position remained unfilled at year's end. Morocco ritually offers autonomy to the Western Sahara, but the Polisario demands an independence referendum.

Torture and degrading treatment by Moroccan authorities continues to be a problem, especially against proindependence advocates.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Sahrawis experience discrimination in access to education and employment. According to Sahrawi activists, Moroccan settlers are favored by employers in the phosphate mining industry, which is one of the predominant sources of jobs.

Women play leadership roles at the Sahrawi camps in Algeria, and some Sahrawi have described life in these camps as matriarchal; however, cultural norms also dictate that women stay at home and manage the household. Moroccan law prohibits same-sex sexual acts.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 4 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4**

Morocco and the Polisario Front both restrict free movement in Western Sahara. The sand berm, constructed by Morocco in the 1980s, is 1,700 miles long. The wall is surrounded on both sides by land mines, and constitutes what may be the longest continuous land mine field in the world.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The territory's occupied status leaves property rights insecure. No credible free market exists within the territory. The SADR government routinely signs contracts with firms for the exploration of oil and gas, although these cannot be implemented given the territory's status.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

In the Polisario-controlled territory and in Tindouf, women have a relatively higher social status than in Morocco. However, social freedoms are curtailed. Moroccan law criminalizes both adultery and premarital sex. Spousal rape is not considered a crime.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

Economic opportunity is inhibited by the territory's undetermined status. The economic activity generated by companies that exploit the country's natural resources generally does not benefit the Sahrawi population. Sex trafficking, often affecting young girls, takes place in coastal fishing villages.

Freedom in the World 2020

Survey Methodology

INTRODUCTION

Freedom in the World is an annual global report on political rights and civil liberties, composed of numerical ratings and descriptive texts for each country and a select group of territories. The 2020 edition covers developments in 195 countries and 15 territories from January 1, 2019, through December 31, 2019.

The report's methodology is derived in large measure from the Universal Declaration of Human Rights, adopted by the UN General Assembly in 1948. *Freedom in the World* is based on the premise that these standards apply to all countries and territories, irrespective of geographical location, ethnic or religious composition, or level of economic development. *Freedom in the World* operates from the assumption that freedom for all people is best achieved in liberal democratic societies.

Freedom in the World assesses the real-world rights and freedoms enjoyed by individuals, rather than governments or government performance per se. Political rights and civil liberties can be affected by both state and nonstate actors, including insurgents and other armed groups.

Freedom House does not believe that legal guarantees of rights are sufficient for on-the-ground fulfillment of those rights. While both laws and actual practices are factored into scoring decisions, greater emphasis is placed on implementation.

Territories are selected for assessment in *Freedom in the World* based on the following criteria: whether the area is governed separately from the rest of the relevant country or countries, either de jure or de facto; whether conditions on the ground for political rights and civil liberties are significantly different from those in the rest of the relevant country or countries, meaning a separate assessment is likely to yield different ratings; whether the territory is the subject of enduring popular or diplomatic pressure for autonomy, independence, or incorporation into another country; whether the territory's boundaries are sufficiently stable to allow an assessment of conditions for the year under review, and whether they can be expected to remain stable in future years so that year-on-year comparisons are possible; and whether the territory is large and/or politically significant. Freedom House typically takes no position on territorial or separatist disputes as such, focusing instead on the level of political rights and civil liberties in a given geographical area.

HISTORY OF FREEDOM IN THE WORLD

Freedom House's first year-end reviews of freedom began in the 1950s as the *Balance Sheet of Freedom*. This modest report provided assessments of political trends and their implications for individual freedom. In 1972, Freedom House launched a new, more comprehensive annual study called *The Comparative Study of Freedom*. Raymond Gastil, a Harvard-trained specialist in regional studies from the University of Washington in Seattle, developed the methodology, which assigned political rights and civil liberties ratings to 151 countries and 45 territories and categorized them as Free, Partly Free, or Not Free. The findings appeared each year in Freedom House's bimonthly journal *Freedom at Issue* (later titled *Freedom*

Review). *Freedom in the World* first appeared in book form in 1978 and included short narratives for each country and territory rated in the study, as well as a series of essays by leading scholars on related issues. *Freedom in the World* continued to be produced by Gastil until 1989, when a larger team of in-house analysts was established. In the mid-1990s, the expansion of the country and territory narratives necessitated the hiring of outside analysts—a group of regional experts from the academic, media, and human rights communities—and the project has continued to grow in size and scope in the years since.

A number of modest updates have been made to the methodology over time to adapt to evolving ideas about political rights and civil liberties. These changes are introduced incrementally in order to ensure the comparability of the ratings from year to year. Occasionally, language has been updated to explain more precisely what conditions are being assessed.

A structural change affecting a very small number of countries, beginning with the 2018 edition of *Freedom in the World*, was the elimination of Additional Discretionary Political Rights Question A. This indicator had awarded points to traditional monarchies that had no political parties or significant electoral processes but provided for some form of consultation with the public. Such consultation is now addressed elsewhere in the methodology.

Also beginning with the 2018 edition, countries/territories require an overall Civil Liberties score of 30 or better—in addition to a score of 7 or better in subcategory A (Electoral Process), and an overall Political Rights score of 20 or better—to qualify as an electoral democracy.

RESEARCH AND RATINGS REVIEW PROCESS

Freedom in the World is produced each year by a team of in-house and external analysts and expert advisers from the academic, think tank, and human rights communities. The 2020 edition involved more than 125 analysts, and 40 advisers. The analysts, who prepare the draft reports and scores, use a broad range of sources, including news articles, academic analyses, reports from nongovernmental organizations, individual professional contacts, and on-the-ground research. The analysts score countries and territories based on the conditions and events within their borders during the coverage period. The analysts' proposed scores are discussed and defended at a series of review meetings, organized by region and attended by Freedom House staff and a panel of expert advisers. The end product represents the consensus of the analysts, outside advisers, and Freedom House staff, who are responsible for any final decisions. Although an element of subjectivity is unavoidable in such an enterprise, the ratings process emphasizes methodological consistency, intellectual rigor, and balanced and unbiased judgments.

SCORING PROCESS

Freedom in the World uses a two-tiered system consisting of **scores** and **status**. The complete list of the questions used in the scoring process, and the tables for converting scores to status, appear at the end of this essay.

Scores – A country or territory is awarded 0 to 4 points for each of 10 political rights indicators and 15 civil liberties indicators, which take the form of questions; a score of 0 represents the smallest degree of freedom and 4 the greatest degree of freedom. The political rights questions are grouped into three subcategories: Electoral Process (3 questions), Political Pluralism and Participation (4), and Functioning of Government (3). The civil liberties questions are grouped into four subcategories: Freedom of Expression and Belief (4 questions), Associational and Organizational Rights (3), Rule of Law (4), and Personal

Autonomy and Individual Rights (4). The political rights section also contains an additional discretionary question addressing forced demographic change. For the discretionary question, a score of 1 to 4 may be subtracted, as applicable (the worse the situation, the more points may be subtracted). The highest overall score that can be awarded for political rights is 40 (or a score of 4 for each of the 10 questions). The highest overall score that can be awarded for civil liberties is 60 (or a score of 4 for each of the 15 questions). The scores from the previous edition are used as a benchmark for the current year under review. A score is typically changed only if there has been a real-world development during the year that warrants a decline or improvement (e.g., a crackdown on the media, the country's first free and fair elections), though gradual changes in conditions—in the absence of a signal event—are occasionally registered in the scores.

Free, Partly Free, Not Free Status – The combination of the overall score awarded for political rights and the overall score awarded for civil liberties, after being equally weighted, determines the status of Free, Partly Free, or Not Free (see table below).

Electoral Democracy – *Freedom in the World* assigns the designation “electoral democracy” to countries that have met certain minimum standards for political rights and civil liberties; territories are not included in the list of electoral democracies. According to the methodology, an electoral democracy designation requires a score of 7 or better in the Electoral Process subcategory, an overall political rights score of 20 or better, and an overall civil liberties score of 30 or better. Freedom House’s “electoral democracy” designation should not be equated with “liberal democracy,” a term that implies a more robust observance of democratic ideals and a wider array of civil liberties. In *Freedom in the World*, most Free countries could be considered liberal democracies, while some Partly Free countries might qualify as electoral, but not liberal, democracies.

Prior to the 2020 edition, *Freedom in the World* assigned a country or territory two ratings—one for political rights and one for civil liberties—based on its total scores for the political rights and civil liberties questions. Each rating of 1 to 7, with 1 representing the greatest degree of freedom and 7 the smallest degree of freedom, corresponded to a specific range of total scores. The average of the ratings determined the status of Free, Partly Free, or Not Free. While the underlying formula for converting scores into status remains identical, starting in the 2020 edition *Freedom in the World* no longer presented the 1–7 ratings as a separate element of its findings. The ratings are still included in the raw data available for download.

STATUS CHARACTERISTICS

Because the designations of Free, Partly Free, and Not Free each cover a broad swath of the available scores, countries or territories within any one category, especially those at either end of the range, can have quite different human rights situations. For example, those at the lowest end of the Free category (with lower political rights or civil liberties scores) differ from those at the upper end of the Free group (with higher political rights or civil liberties scores). Also, a designation of Free does not mean that a country or territory enjoys perfect freedom or lacks serious problems, only that it enjoys comparatively more freedom than those rated Partly Free or Not Free (and some others rated Free).

FREEDOM IN THE WORLD 2020
METHODOLOGY QUESTIONS

The bulleted subquestions are intended to provide guidance to the analysts regarding what issues are meant to be considered in scoring each checklist question. The analysts do not need to consider every subquestion during the scoring process, as the relevance of each varies from one place to another.

A. ELECTORAL PROCESS

A1. Was the current head of government or other chief national authority elected through free and fair elections? (Note: Heads of government chosen through various electoral frameworks, including direct elections for president, indirect elections for prime minister by parliament, and the electoral college system for electing presidents, are covered under this question. In cases of indirect elections for the head of government, the elections for the legislature or other body that chose the head of government, as well as the selection process for the head of government itself, should be taken into consideration. In systems where executive authority is formally divided between a head of state and a head of government, greater weight should be given to elections for the official with the most executive authority.)

- Did independent, established, and reputable national and/or international election monitoring organizations judge the most recent election for head of government to have met democratic standards?
 - Was the most recent election for head of government called in a timely manner, without undue, politically motivated delays or an accelerated schedule that unfairly limited campaign opportunities for some candidates?
 - Was the registration of voters and candidates conducted in an accurate, timely, transparent, and nondiscriminatory manner?
 - Were women allowed to register and run as candidates?
 - Could all candidates make speeches, hold public meetings, and enjoy fair or proportionate media access throughout the campaign, free of intimidation?
 - Did voting take place by secret ballot?
 - Were voters able to vote for the candidate or party of their choice without undue pressure or intimidation?
 - Was the vote count transparent and timely, and were the official results reported honestly to the public?
 - Could election monitors from independent groups and representing parties/candidates watch the counting of votes to ensure its honesty?
 - Did voters have equal access to polling places and opportunities to cast ballots?
 - Has the most recently elected head of government been removed from office through violent, irregular, unconstitutional, or otherwise undemocratic means? (Note: Although a bloodless coup may ultimately lead to a positive outcome—particularly if it removes a head of government who was not freely and fairly elected—the new leader has not been freely and fairly elected and cannot be treated as such.)
 - Has the head of government’s electorally mandated term expired or been extended without new elections?
 - In cases where elections for regional, provincial, or state governors and/or other subnational executive officials differ significantly in conduct from national elections, does the conduct of the subnational elections reflect an opening toward
-

improved political rights in the country, or, alternatively, a worsening of political rights?

A2. Were the current national legislative representatives elected through free and fair elections?

- Did independent, established, and reputable domestic and/or international election monitoring organizations judge the most recent national legislative elections to have met democratic standards?
- Were the most recent legislative elections called in a timely manner, without undue, politically motivated delays or an accelerated schedule that unfairly limited campaign opportunities for some parties or candidates?
- Was the registration of voters and candidates conducted in an accurate, timely, transparent, and nondiscriminatory manner?
- Were women allowed to register and run as candidates?
- Could all candidates make speeches, hold public meetings, and enjoy fair or proportionate media access throughout the campaign, free of intimidation?
- Did voting take place by secret ballot?
- Were voters able to vote for the candidate or party of their choice without undue pressure or intimidation?
- Was the vote count transparent and timely, and were the official results reported honestly to the public?
- Could election monitors from independent groups and representing parties/candidates watch the counting of votes to ensure its honesty?
- Have members of the most recently elected national legislature been removed from office through violent, irregular, unconstitutional, or otherwise undemocratic means? (Note: Although a bloodless coup may ultimately lead to a positive outcome—particularly if it removes a legislature that was not freely and fairly elected—an appointed postcoup legislative body has not been freely and fairly elected and cannot be treated as such.)
- Has the legislature’s electorally mandated term expired or been extended without new elections?
- In cases where elections for subnational councils/parliaments differ significantly in conduct from national elections, does the conduct of the subnational elections reflect an opening toward improved political rights in the country, or, alternatively, a worsening of political rights?

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

- Is there a clear, detailed, and fair legislative framework for conducting elections? (Note: Changes to electoral laws should not be made immediately preceding an election if these changes infringe on the ability of voters, candidates, or parties to fulfill their roles in the election.)
- Does the composition of election commissions ensure their independence?
- Are election commissions or other election authorities free from government or other pressure and interference?
- Do adult citizens enjoy universal and equal suffrage?
- Is the drawing of election districts conducted in a fair and nonpartisan manner, as opposed to malapportionment or gerrymandering for personal or partisan advantage?

- Has the selection of a system for choosing legislative representatives (such as proportional versus majoritarian) been improperly manipulated to advance certain political interests or to influence the electoral results?
- Are procedures for changing the electoral framework at the constitutional level, including referendums, carried out fairly and transparently, with adequate opportunity for public debate and discussion?

B. POLITICAL PLURALISM AND PARTICIPATION

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

- Do political parties encounter undue legal or practical obstacles in their efforts to form and operate, including onerous registration requirements, excessively large membership requirements, etc.?
- Do parties face discriminatory or onerous restrictions in holding meetings or rallies, accessing the media, or engaging in other peaceful activities?
- Are laws and regulations governing party financing fair and equitably enforced? Do they impose excessive obstacles to political and campaign activity, or give an effective advantage to certain parties?
- Are party members or leaders intimidated, harassed, arrested, imprisoned, or subjected to violent attacks as a result of their peaceful political activities?
- In systems dominated by political parties, can independent candidates register and operate freely?

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

- Are various legal/administrative restrictions selectively applied to opposition parties to prevent them from increasing their support base or successfully competing in elections?
- Are there genuine opposition forces in positions of authority, such as in the national legislature or in subnational governments?
- Does intimidation, harassment, arrest, imprisonment, or violent attack as a result of peaceful political activities affect the ability of opposition party members or leaders to increase their support or gain power through elections?
- Is there a significant opposition vote?
- Did major opposition parties choose to boycott the most recent elections rather than participate in a flawed process?

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

- Do entities that are external to the political system (the military, foreign powers, economic oligarchies, criminal organizations, armed militants, or any other powerful group) intimidate, harass, or attack voters or political figures in order to influence their political choices?
- Do such groups offer bribes or other incentives to voters or political figures in order to influence their political choices?
- Do entities within the political system, such as major parties and incumbent leaders, use extrapolitical means (corrupt patronage networks, control over land or employment, control over security forces, control over party militias, manipulation of state institutions or resources) to exert improper influence over the political choices of voters or political figures?

- Do traditional or religious leaders use extrapolitical means (control over communal land or resources, bribes or economic incentives, violence or intimidation) to exert improper influence over the political choices of voters or political figures?
- Do major private or public-sector employers directly or indirectly control the political choices of their workers?
- Do major private donors to political parties or causes use opaque or illegal methods to exert improper influence over voters or political figures?
- Does the formal structure of the political system give overriding authority to entities that are not accountable to voters (hereditary monarchs, religious hierarchies, unelected military or party officials, the sole legal party in one-party states), thus excluding the public from meaningful political participation?

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?

- Do national political parties of various ideological persuasions address issues of specific concern to minority or other relevant groups?
- When other parties fail to address the interests of certain groups, are political parties that are focused on those groups—provided they espouse peaceful, democratic values—legally permitted and de facto allowed to operate?
- Does the government inhibit the participation of certain groups in national or subnational political life through laws and/or practical obstacles—for example, by limiting access to voter registration or failing to publish public documents in certain languages?
- Are the interests of women represented in political parties—for example, through party manifestos that address gender issues, gender equality policies within parties, and mechanisms to ensure women’s full and equal participation in internal party elections and decision-making?
- Are there unusually excessive or discriminatory barriers to acquiring citizenship that effectively deny political rights to a majority or large portion of the native-born or legal permanent population, or is citizenship revoked to produce a similar result?

C. FUNCTIONING OF GOVERNMENT

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? (Note: Because the score for question C1 is partly dependent on the presence of a freely elected head of government and national legislative representatives, under most circumstances it will not exceed the average of the scores for questions A1 and A2.)

- Are the candidates who were elected freely and fairly duly installed in office, and were they able to form a functioning government within a reasonable period of time?
- Do other appointed or non-freely elected state actors interfere with or prevent freely elected representatives from adopting and implementing legislation and making meaningful policy decisions?
- Do nonstate actors, including criminal gangs and insurgent groups, interfere with or prevent elected representatives from adopting and implementing legislation and making meaningful policy decisions?
- Do the armed forces or other security services control or enjoy a preponderant influence over government policy and activities, including in countries that are nominally under civilian control?

- Do foreign governments control or enjoy a preponderant influence over government policy and activities by means including the presence of foreign military troops and the use of significant economic threats or sanctions? (Note: If a treaty was signed and ratified by a freely elected government, adherence to that treaty is typically not considered an improper external influence on policymaking, even if it limits a government's options in practice.)
- Is the freely elected government able to implement its decisions across the entire territory without interference from nonstate actors?
- Does the executive exhibit excessive dominance over the legislature?
- Has partisan polarization or obstructionism seriously impaired basic executive or legislative functions, such as approving a budget or filling important vacancies?

C2. Are safeguards against official corruption strong and effective?

- Has the government implemented effective anticorruption laws or programs to prevent, detect, and punish corruption among public officials, including conflicts of interest?
- Is the government free from excessive bureaucratic regulations, registration requirements, or other controls that increase opportunities for corruption?
- Are there independent and effective auditing and investigative bodies that function without impediment or political pressure or influence?
- Are allegations of corruption involving government officials thoroughly investigated and prosecuted without prejudice or political bias?
- Are allegations of corruption given extensive and substantive airing in the media?
- Do whistleblowers, anticorruption activists, investigators, and journalists enjoy legal protections that allow them to freely and safely report abuses?

C3. Does the government operate with openness and transparency?

- Do citizens have the legal right and practical ability to obtain information about state operations and the means to petition government agencies for it?
- Does the government publish information online, in machine-readable formats, for free, and is this information accessible by default?
- Are civil society groups, interest groups, journalists, and other citizens given a fair and meaningful opportunity to comment on and influence pending policies or legislation?
- Are elected representatives accessible to their constituents?
- Is the budget-making process subject to meaningful legislative review and public scrutiny?
- Does the state ensure transparency and effective competition in the awarding of government contracts?
- Are the asset declarations of government officials open to public and media scrutiny and verification?

ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTION

Q. Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group?

- Is the government providing economic or other incentives to certain people in order to change the ethnic composition of a region or regions?
-

- Is the government forcibly moving people in or out of certain areas in order to change the ethnic composition of those regions?
- Is the government arresting, imprisoning, or killing members of certain ethnic groups in order to change the ethnic composition of a region or regions?

CIVIL LIBERTIES

D. FREEDOM OF EXPRESSION AND BELIEF

D1. Are there free and independent media? (Note: “Media” refers to all relevant sources of news and commentary—including formal print, broadcast, and online news outlets, as well as social media and communication applications when they are used to gather or disseminate news and commentary for the general public. The question also applies to artistic works in any medium.)

- Are the media directly or indirectly censored?
- Is self-censorship common among journalists (the term includes professional journalists, bloggers, and citizen journalists), especially when reporting on sensitive issues, including politics, social controversies, corruption, or the activities of powerful individuals?
- Are journalists subject to pressure or surveillance aimed at identifying their sources?
- Are libel, blasphemy, security, or other restrictive laws used to punish journalists who scrutinize government officials and policies or other powerful entities through either onerous fines or imprisonment?
- Is it a crime to insult the honor and dignity of the president and/or other government officials? How broad is the range of such prohibitions, and how vigorously are they enforced?
- If media outlets are dependent on the government for their financial survival, does the government condition funding on the outlets’ cooperation in promoting official points of view and/or denying access to opposition parties and civic critics? Do powerful private actors engage in similar practices?
- Do the owners of private media exert improper editorial control over journalists or publishers, skewing news coverage to suit their personal business or political interests?
- Is media coverage excessively partisan, with the majority of outlets consistently favoring either side of the political spectrum?
- Does the government attempt to influence media content and access through means including politically motivated awarding or suspension of broadcast frequencies and newspaper registrations, unfair control and influence over printing facilities and distribution networks, blackouts of internet or mobile service, selective distribution of advertising, onerous operating requirements, prohibitive tariffs, and bribery?
- Are journalists threatened, harassed online, arrested, imprisoned, beaten, or killed by government or nonstate actors for their legitimate journalistic activities, and if such cases occur, are they investigated and prosecuted fairly and expeditiously?
- Do women journalists encounter gender-specific obstacles to carrying out their work, including threats of sexual violence or strict gender segregation?
- Are works of literature, art, music, or other forms of cultural expression censored or banned for political purposes?

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private?

- Are registration requirements employed to impede the free functioning of religious institutions?
- Are members of religious groups, including minority faiths and movements, harassed, fined, arrested, or beaten by the authorities for engaging in their religious practices?
- Is state monitoring of peaceful religious activity so indiscriminate, pervasive, or intrusive that it amounts to harassment or intimidation?
- Are religious practice and expression impeded by violence or harassment by nonstate actors?
- Does the government appoint or otherwise influence the appointment of religious leaders?
- Does the government control or restrict the production and distribution of religious writings or materials?
- Is the construction of religious buildings banned or restricted?
- Does the government place undue restrictions on religious education? Does the government require religious education?
- Are individuals free to eschew religious beliefs and practices in general?

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination?

- Are teachers and professors at both public and private institutions free to pursue academic activities of a political and quasi-political nature without fear of physical violence or intimidation by state or nonstate actors?
- Does the government pressure, strongly influence, or control the content of school curriculums for political purposes?
- Is the allocation of funding for public educational institutions free from political manipulation?
- Are student associations that address issues of a political nature allowed to function freely?
- Does the government, including through school administration or other officials, pressure students and/or teachers to support certain political figures or agendas, including by requiring them to attend political rallies or vote for certain candidates? Conversely, does the government, including through school administration or other officials, discourage or forbid students and/or teachers from supporting certain candidates and parties?

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

- Are people able to engage in private discussions, particularly of a political nature, in public, semipublic, or private places—including restaurants, public transportation, and their homes, in person or on the telephone—without fear of harassment or detention by the authorities or nonstate actors?
- Do users of personal online communications—including direct messages, voice or video applications, or social media accounts with a limited audience—face legal penalties, harassment, or violence from the government or powerful nonstate actors in retaliation for critical remarks?
- Does the government employ people or groups to engage in public surveillance and to report alleged antigovernment conversations to the authorities?

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS

E1. Is there freedom of assembly?

- Are peaceful protests, particularly those of a political nature, banned or severely restricted?
- Are the legal requirements to obtain permission to hold peaceful demonstrations particularly cumbersome or time-consuming?
- Are participants in peaceful demonstrations intimidated, arrested, or assaulted?
- Are peaceful protesters detained by police in order to prevent them from engaging in such actions?
- Are organizers blocked from using online media to plan or carry out a protest, for example through DDoS attacks or wholesale blackouts of internet or mobile services?
- Are similar restrictions and obstacles used to impede other public events, such as conferences, panel discussions, and town hall-style meetings?
- Are public petitions, in which citizens gather signatures to support a particular policy or initiative, banned or severely restricted?

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? (Note: This includes civic organizations, interest groups, foundations, think tanks, gender rights groups, etc.)

- Are registration and other legal requirements for nongovernmental organizations particularly onerous or intended to prevent them from functioning freely?
- Are laws related to the financing of nongovernmental organizations unduly complicated and cumbersome, or are there obstacles to citizens raising money for charitable causes or civic activism?
- Are donors and funders of nongovernmental organizations free from government pressure?
- Are members of nongovernmental organizations intimidated, arrested, imprisoned, or assaulted because of their work?

E3. Is there freedom for trade unions and similar professional or labor organizations?

- Are trade unions allowed to be established and to operate without government interference?
- Are workers pressured by the government or employers to join or not to join certain trade unions, and do they face harassment, violence, or dismissal from their jobs if they fail to comply?
- Are workers permitted to engage in strikes, and do participants in peaceful strikes face reprisals? (Note: This question may not apply to workers in narrowly defined essential government services or public safety jobs.)
- Are unions able to bargain collectively with employers and negotiate agreements that are honored in practice?
- For states with primarily agricultural economies that do not necessarily support the formation of trade unions, does the government allow for the establishment of agricultural workers' organizations or their equivalents? Is there legislation expressly forbidding the formation of trade unions?
- Are professional organizations, including business associations, allowed to operate freely and without government interference?

F. RULE OF LAW

F1. Is there an independent judiciary?

- Is the judiciary subject to interference from the executive branch of government or from other political, economic, or religious influences?
- Are judges appointed and dismissed in a fair and unbiased manner?
- Do judges rule fairly and impartially, or do they commonly render verdicts that favor the government or particular interests, whether in return for bribes or for other reasons?
- Do executive, legislative, and other governmental authorities comply with judicial decisions, and are these decisions effectively enforced?
- Do powerful private entities comply with judicial decisions, and are decisions that run counter to the interests of powerful actors effectively enforced?

F2. Does due process prevail in civil and criminal matters?

- Are defendants' rights, including the presumption of innocence until proven guilty, protected?
- Do detainees have access to independent, competent legal counsel regardless of their financial means?
- Are defendants given a fair, public, and timely hearing by a competent, independent, and impartial tribunal?
- Is access to the court system in general dependent on an individual's financial means?
- Are prosecutors independent of political control and influence?
- Are prosecutors independent of powerful private interests, whether legal or illegal?
- Do law enforcement and other security officials operate professionally, independently, and accountably?
- Do law enforcement officials make arbitrary arrests and detentions without warrants, or fabricate or plant evidence on suspects?
- Do law enforcement and other security officials fail to uphold due process because of influence by nonstate actors, including organized crime, powerful commercial interests, or other groups?

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

- Do law enforcement officials beat detainees during arrest or use excessive force or torture to extract confessions?
- Are conditions in pretrial detention facilities and prisons humane and respectful of the human dignity of inmates?
- Do citizens have the means of effective petition and redress when they suffer physical abuse by state authorities?
- Does the law allow corporal punishment, and are such penalties employed in practice?
- In countries that allow the death penalty, is it applied for crimes other than murder or in a manner that violates basic standards of justice?
- Is violent crime common, either in particular areas or among the general population?
- Is the population subjected to physical harm, forced removal, or other acts of violence or terror due to civil conflict or war?

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population?

- Are members of various distinct groups—including ethnic, religious, gender, LGBT, and other relevant groups—able to effectively exercise their human rights with full equality before the law?
- Is violence against such groups considered a crime, is it widespread, and are perpetrators brought to justice?
- Do members of such groups face legal and/or de facto discrimination in areas including employment, education, and housing because of their identification with a particular group?
- Do noncitizens—including migrant workers and noncitizen immigrants—enjoy basic internationally recognized human rights, including the right not to be subjected to torture or other forms of ill-treatment, the right to due process of law, and the freedoms of association, expression, and religion?
- Do the country's laws provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention Relating to the Status of Refugees, its 1967 Protocol, and other regional treaties regarding refugees? Has the government established a system for providing protection to refugees, including against *refoulement* (the return of persons to a country where there is reason to believe they would face persecution)?

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

- Are there restrictions on foreign travel, including an exit visa system, which may be enforced selectively?
- Is permission required from the authorities or nonstate actors to move within the country?
- Do state or nonstate actors control or constrain a person's ability to change their type and place of employment?
- Are bribes or other inducements needed to obtain the necessary documents to travel, change one's place of residence or employment, enter institutions of higher education, or advance in school?
- Is freedom of movement impaired by general threats to physical safety, such as armed conflict? Do such threats lead to forced displacement?
- Do women enjoy the same freedom of movement as men?

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

- Are people legally allowed to purchase and sell land and other property, and can they do so in practice without undue interference from the government or nonstate actors?
- Do women face discrimination in property and inheritance rights?
- Are individuals protected from arbitrary expropriation, and do they receive adequate and timely compensation when property is seized?
- Are people legally allowed to establish and operate private businesses with a reasonable minimum of registration, licensing, and other requirements?
- Are bribes or other inducements needed to obtain the necessary legal documents to operate private businesses?
- Do private/nonstate actors, including criminal groups, seriously impede private business activities through such measures as extortion?

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?


- Are personalized forms of violence—including domestic violence, female genital mutilation/cutting, sexual abuse, and rape—widespread, and are perpetrators brought to justice?
- Does the government directly or indirectly control choice of marriage partner or other personal relationships through means such as bans on interfaith marriages, failure to enforce laws against child marriage or dowry payments, restrictions on same-sex relationships, or criminalization of extramarital sex?
- Do individuals enjoy equal rights in divorce proceedings and child custody matters?
- Do citizenship or residency rules undermine family integrity through excessively high or discriminatory barriers for foreign spouses or transmission of citizenship to children?
- Does the government determine the number of children that a couple may have, including by denying access to or imposing birth control, or by criminalizing or imposing abortion?
- Does the government restrict individuals' choice of dress, appearance, or gender expression?
- Do private institutions or individuals, including religious groups or family members, unduly infringe on the personal social freedoms of individuals, including choice of marriage partner, family size, dress, gender expression, etc.?

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation?

- Do state or private employers exploit their workers through practices including unfairly withholding wages, permitting or forcing employees to work under unacceptably dangerous conditions, or adult slave labor and child labor?
- Does tight government control over the economy, including through state ownership or the setting of prices and production quotas, inhibit individuals' economic opportunity?
- Do the revenues from large state industries, including the energy sector, benefit the general population or only a privileged few?
- Do private interests exert undue influence on the economy—through monopolistic practices, concentration of ownership, cartels, or illegal blacklists—that impedes economic opportunity for the general population?
- Do laws, policies, or persistent socioeconomic conditions effectively impose rigid barriers to social mobility, generally preventing individuals from rising to higher income levels over the course of their lives?
- Is the trafficking of persons for labor, sexual exploitation, forced begging, etc., widespread, and is the government taking adequate steps to address the problem?

KEY TO SCORES AND STATUS

A country or territory’s *Freedom in the World* status depends on its aggregate Political Rights score, on a scale of 0–40, and its aggregate Civil Liberties score, on a scale of 0–60. The total Political Rights and Civil Liberties scores are equally weighted in this calculation, leading to the following possible ranges.

 Status	Political Rights score							
	0-5*	6-11	12-17	18-23	24-29	30-35	36-40	
Civil Liberties score	53-60	PF	PF	PF	F	F	F	F
	44-52	PF	PF	PF	PF	F	F	F
	35-43	PF	PF	PF	PF	PF	F	F
	26-34	NF	PF	PF	PF	PF	PF	F
	17-25	NF	NF	PF	PF	PF	PF	PF
	8-16	NF	NF	NF	PF	PF	PF	PF
	0-7	NF	NF	NF	NF	PF	PF	PF

F = Free, PF = Partly Free, and NF = Not Free

* It is possible for a country or territory’s total political rights score to be less than zero (between –1 and –4) if it receives mostly or all zeros for each of the 10 political rights questions *and* it receives a sufficiently large negative score for the political rights discretionary question.

Tables and Ratings

Countries

Country	PR	CL	Freedom Status
Afghanistan	5	6	Not Free
Albania*	3	3	Partly Free
Algeria	6	5	Not Free
Andorra*	1	1	Free
Angola	6	5	Not Free
Antigua and Barbuda*	2	2	Free
Argentina*	2	2	Free
Armenia	4	4	Partly Free
Australia*	1	1	Free
Austria*	1	1	Free
Azerbaijan	7	6	Not Free
Bahamas*	1	1	Free
Bahrain	7	6	Not Free
Bangladesh	5	5	Partly Free
Barbados*	1	1	Free
Belarus	7	6	Not Free
Belgium*	1	1	Free
Belize*	2 ▼	2	Free
Benin	4 ▼	2	Partly Free ▼
Bhutan*	3	4	Partly Free
Bolivia*	3	3	Partly Free
Bosnia and Herzegovina	4	4	Partly Free
Botswana*	3	2	Free
Brazil*	2	2	Free
Brunei	6	5	Not Free
Bulgaria*	2	2	Free
Burkina Faso*	4	4 ▼	Partly Free
Burundi	7	6	Not Free
Cabo Verde*	1	1	Free

Country	PR	CL	Freedom Status
Cambodia	7 ▼	5	Not Free
Cameroon	6	6	Not Free
Canada*	1	1	Free
Central African Republic	7	7	Not Free
Chad	7	6	Not Free
Chile*	1	2 ▼	Free
China	7	6	Not Free
Colombia*	3	3	Partly Free
Comoros	4	4	Partly Free
Congo (Brazzaville)	7	5	Not Free
Congo (Kinshasa)	7	6	Not Free
Costa Rica*	1	1	Free
Côte d'Ivoire	4	4	Partly Free
Croatia*	1	2	Free
Cuba	7	6	Not Free
Cyprus*	1	1	Free
Czech Republic*	1	1	Free
Denmark*	1	1	Free
Djibouti	7 ▼	5	Not Free
Dominica*	1	1	Free
Dominican Republic*	3	3	Partly Free
Ecuador*	3	3	Partly Free
Egypt	6	6	Not Free
El Salvador*	2	4 ▼	Partly Free ▼
Equatorial Guinea	7	7	Not Free
Eritrea	7	7	Not Free
Estonia*	1	1	Free
Eswatini	7	5 ▲	Not Free
Ethiopia	6	6	Not Free
Fiji*	3	3	Partly Free
Finland*	1	1	Free
France*	1	2	Free
Gabon	7	5	Not Free
Georgia*	3	3	Partly Free
Germany*	1	1	Free
Ghana*	2 ▼	2	Free

Country	PR	CL	Freedom Status
Greece*	1	2	Free
Grenada*	1	2	Free
Guatemala*	4	4	Partly Free
Guinea	5	5 ▼	Partly Free
Guinea-Bissau	5	4	Partly Free
Guyana*	2	3	Free
Haiti	5	5	Partly Free
Honduras	4	4	Partly Free
Hungary*	3	3	Partly Free
Iceland*	1	1	Free
India*	2	3	Free
Indonesia*	2	4	Partly Free
Iran	6	6	Not Free
Iraq	5	6	Not Free
Ireland*	1	1	Free
Israel*	2	3	Free
Italy*	1	1	Free
Jamaica*	2	2	Free
Japan*	1	1	Free
Jordan	5	5	Partly Free
Kazakhstan	7	5	Not Free
Kenya	4	4	Partly Free
Kiribati*	1	1	Free
Kosovo*	3	4	Partly Free
Kuwait	5	5	Partly Free
Kyrgyzstan	5	4	Partly Free
Laos	7	6	Not Free
Latvia*	1 ▲	2	Free
Lebanon	5	4	Partly Free
Lesotho*	3	3	Partly Free
Liberia*	3	4 ▼	Partly Free
Libya	7	6	Not Free
Liechtenstein*	2	1	Free
Lithuania*	1	1	Free
Luxembourg*	1	1	Free
Madagascar*	3	3 ▲	Partly Free

Country	PR	CL	Freedom Status
Malawi*	3	3	Partly Free
Malaysia	4	4	Partly Free
Maldives	4 ▲	5	Partly Free
Mali	5 ▼	5 ▼	Partly Free
Malta*	2	1	Free
Marshall Islands*	1	1	Free
Mauritania	5 ▲	5	Partly Free ▲
Mauritius*	1	2	Free
Mexico*	3	3	Partly Free
Micronesia*	1	1	Free
Moldova*	3	4	Partly Free
Monaco*	3	1	Free
Mongolia*	1	2	Free
Montenegro*	4	3	Partly Free
Morocco	5	5	Partly Free
Mozambique	5 ▼	4	Partly Free
Myanmar	5	6 ▼	Not Free ▼
Namibia*	2 ▲	2	Free
Nauru*	2	3 ▼	Free
Nepal	3	4	Partly Free
Netherlands*	1	1	Free
New Zealand*	1	1	Free
Nicaragua	6	5	Not Free
Niger	4	4	Partly Free
Nigeria	4 ▼	5	Partly Free
North Korea	7	7	Not Free
North Macedonia	3 ▲	3	Partly Free
Norway*	1	1	Free
Oman	6	5	Not Free
Pakistan	5	5	Partly Free
Palau*	1	1	Free
Panama*	1	2	Free
Papua New Guinea*	4	3	Partly Free
Paraguay*	3	3	Partly Free
Peru*	2	3	Free
Philippines*	3	4 ▼	Partly Free

Country	PR	CL	Freedom Status
Poland*	2	2	Free
Portugal*	1	1	Free
Qatar	6	5	Not Free
Romania*	2	2	Free
Russia	7	6	Not Free
Rwanda	6	6	Not Free
Samoa*	2	2	Free
San Marino*	1	1	Free
São Tomé and Príncipe*	2	2	Free
Saudi Arabia	7	7	Not Free
Senegal*	3 ▼	3	Partly Free ▼
Serbia*	4 ▼	3	Partly Free
Seychelles*	3	3	Partly Free
Sierra Leone*	3	3	Partly Free
Singapore	4	4	Partly Free
Slovakia*	1	2	Free
Slovenia*	1	1	Free
Solomon Islands*	2	2	Free
Somalia	7	7	Not Free
South Africa*	2	2	Free
South Korea*	2	2	Free
South Sudan	7	7	Not Free
Spain*	1	1	Free
Sri Lanka*	4 ▼	4	Partly Free
St. Kitts and Nevis*	1	1	Free
St. Lucia*	1	1	Free
St. Vincent and the Grenadines*	1	1	Free
Sudan	7	6 ▲	Not Free
Suriname*	2	3	Free
Sweden*	1	1	Free
Switzerland*	1	1	Free
Syria	7	7	Not Free
Taiwan*	1	1	Free
Tajikistan	7	6	Not Free
Tanzania	5 ▼	5	Partly Free
Thailand	6 ▲	4 ▲	Partly Free ▲

Country	PR	CL	Freedom Status
The Gambia	4	4 ▲	Partly Free
Timor-Leste*	2	3	Free
Togo	5	4	Partly Free
Tonga*	2	2	Free
Trinidad and Tobago*	2	2	Free
Tunisia*	2	3	Free
Turkey	5	6	Not Free
Turkmenistan	7	7	Not Free
Tuvalu*	1	1	Free
Uganda	6	5	Not Free
Ukraine*	3	3 ▲	Partly Free
United Arab Emirates	7	6	Not Free
United Kingdom*	1	1	Free
United States*	2	1	Free
Uruguay*	1	1	Free
Uzbekistan	7	6	Not Free
Vanuatu*	2	2	Free
Venezuela	7	6	Not Free
Vietnam	7	5	Not Free
Yemen	7	6	Not Free
Zambia	4	4	Partly Free
Zimbabwe	5	5	Partly Free

PR and CL stand for political rights and civil liberties, respectively; 1 represents the most free and 7 the least free rating.

▲ ▼ up or down indicates an improvement or decline in ratings or status since the last survey.

* indicates a country's status as an electoral democracy.

NOTE: The ratings reflect global events from January 1, 2019, through December 31, 2019.

Territories

Territory	PR	CL	Freedom Status
Abkhazia	5 ▼	5	Partly Free
Crimea	7	6	Not Free
Eastern Donbas	7	7	Not Free
Gaza Strip	7	6	Not Free
Hong Kong	5	3 ▼	Partly Free
Indian Kashmir	6 ▼	5 ▼	Not Free ▼
Nagorno-Karabakh	5	5	Partly Free
Northern Cyprus	2	2	Free
Pakistani Kashmir	6	5	Not Free
Somaliland	5 ▼	5	Partly Free
South Ossetia	7	6	Not Free
Tibet	7	7	Not Free
Transnistria	6	6	Not Free
West Bank	7	5	Not Free
Western Sahara	7	7	Not Free

PR and CL stand for political rights and civil liberties, respectively; 1 represents the most free and 7 the least free rating.

▲ ▼ up or down indicates an improvement or decline in ratings or status since the last survey.

NOTE: The ratings reflect global events from January 1, 2019, through December 31, 2019.

Freedom Ratings - Countries

FREE	Panama	Seychelles	Angola
1.0	Slovakia	Sierra Leone	Brunei
Andorra	United States	Ukraine	Iraq
Australia			Myanmar
Austria	2.0	3.5	Nicaragua
Bahamas	Belize	Bhutan	Oman
Barbados	Antigua and Barbuda	Kosovo	Qatar
Belgium	Argentina	Liberia	Turkey
Cabo Verde	Brazil	Moldova	Uganda
Canada	Bulgaria	Montenegro	
Costa Rica	Ghana	Nepal	6.0
Cyprus	Jamaica	Papua New Guinea	Cambodia
Czech Republic	Monaco	Philippines	Cameroon
Denmark	Namibia		Congo (Brazzaville)
Dominica	Poland	4.0	Djibouti
Estonia	Romania	Armenia	Egypt
Finland	Samoa	Bosnia and Herzegovina	Eswatini
Germany	São Tomé and Príncipe	Burkina Faso	Ethiopia
Iceland	Solomon Islands	Comoros	Gabon
Ireland	South Africa	Côte d'Ivoire	Iran
Italy	South Korea	Guatemala	Kazakhstan
Japan	Tonga	Honduras	Rwanda
Kiribati	Trinidad and Tobago	Kenya	Vietnam
Lithuania	Vanuatu	Malaysia	
Luxembourg		Niger	
Marshall Islands	2.5	Singapore	6.5
Micronesia	Botswana	Sri Lanka	Azerbaijan
Netherlands	Guyana	The Gambia	Bahrain
New Zealand	India	Zambia	Belarus
Norway	Israel		Burundi
Palau	Nauru	4.5	Chad
Portugal	Peru	Guinea-Bissau	China
San Marino	Suriname	Kyrgyzstan	Congo (Kinshasa)
Slovenia	Timor-Leste	Lebanon	Cuba
Spain	Tunisia	Maldives	Laos
St. Kitts and Nevis		Mozambique	Libya
St. Lucia	PARTLY FREE	Nigeria	Russia
St. Vincent and the	3.0	Togo	Sudan
Grenadines	Albania		Swaziland
Sweden	Benin	5.0	Tajikistan
Switzerland	Bolivia	Guinea	United Arab Emirates
Taiwan	Colombia	Bangladesh	Uzbekistan
Tuvalu	Dominican Republic	Haiti	Venezuela
United Kingdom	Ecuador	Jordan	Yemen
Uruguay	El Salvador	Kuwait	
	Fiji	Mali	7.0
1.5	Georgia	Mauritania	Central African Republic
Chile	Hungary	Morocco	Equatorial Guinea
Croatia	Indonesia	Pakistan	Eritrea
France	Lesotho	Tanzania	North Korea
Greece	Madagascar	Thailand	Saudi Arabia
Grenada	Malawi	Zimbabwe	Somalia
Latvia	Mexico		South Sudan
Liechtenstein	North Macedonia	NOT FREE	Syria
Malta	Paraguay	5.5	Turkmenistan
Mauritius	Senegal	Afghanistan	
Mongolia	Serbia	Algeria	

Freedom Ratings - Territories

FREE

2.0

Northern Cyprus

PARTLY FREE

4.0

Hong Kong

5.0

Abkhazia
Nagorno-Karabakh
Somaliland

NOT FREE

5.5

Indian Kashmir
Pakistani Kashmir

6.0

Transnistria
West Bank

6.5

Crimea
Gaza Strip
South Ossetia

7.0

Eastern Donbas
Tibet
Western Sahara

Electoral Democracies (114)

Albania	Jamaica
Andorra	Japan
Antigua and Barbuda	Kiribati
Argentina	Kosovo
Australia	Latvia
Austria	Lesotho
Bahamas	Liberia
Barbados	Liechtenstein
Belgium	Lithuania
Belize	Luxembourg
Bhutan	Madagascar
Bolivia	Malawi
Botswana	Malta
Brazil	Marshall Islands
Bulgaria	Mauritius
Burkina Faso	Mexico
Cabo Verde	Micronesia
Canada	Moldova
Chile	Monaco
Colombia	Mongolia
Costa Rica	Montenegro
Croatia	Namibia
Cyprus	Nauru
Czech Republic	Nepal
Denmark	Netherlands
Dominica	New Zealand
Dominican Republic	North Macedonia
Ecuador	Norway
El Salvador	Palau
Estonia	Panama
Fiji	Papua New Guinea
Finland	Paraguay
France	Peru
Georgia	Philippines
Germany	Poland
Ghana	Portugal
Greece	Romania
Grenada	Samoa
Guatemala	San Marino
Guyana	Sao Tome and Principe
Hungary	Senegal
Iceland	Serbia
India	Seychelles
Indonesia	Sierra Leone
Ireland	Slovakia
Israel	Slovenia
Italy	Solomon Islands

South Africa	Timor-Leste
South Korea	Tonga
Spain	Trinidad and Tobago
Sri Lanka	Tunisia
St. Kitts and Nevis	Tuvalu
St. Lucia	Ukraine
St. Vincent and the Grenadines	United Kingdom
Suriname	United States
Sweden	Uruguay
Switzerland	Vanuatu
Taiwan	

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