

FREEDOM  
IN THE  
WORLD  
2015

THE ANNUAL SURVEY OF  
POLITICAL RIGHTS AND  
CIVIL LIBERTIES

F R E E D O M   H O U S E

# **Freedom in the World 2015**

The findings of *Freedom in the World 2015* include events from January 1, 2014, through December 31, 2014.

**Freedom in the World 2015**  
**The Annual Survey of**  
**Political Rights & Civil Liberties**

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# *Freedom in the World 2015:* **Discarding Democracy** **A Return to the Iron Fist**

Arch Puddington, Vice President for Research

In a year marked by an explosion of terrorist violence, autocrats' use of more brutal tactics, and Russia's invasion and annexation of a neighboring country's territory, the state of freedom in 2014 worsened significantly in nearly every part of the world.

For the ninth consecutive year, *Freedom in the World*, Freedom House's annual report on the condition of global political rights and civil liberties, showed an overall decline. Indeed, acceptance of democracy as the world's dominant form of government—and of an international system built on democratic ideals—is under greater threat than at any point in the last 25 years.

Even after such a long period of mounting pressure on democracy, developments in 2014 were exceptionally grim. The report's findings show that nearly twice as many countries suffered declines as registered gains, 61 to 33, with the number of gains hitting its lowest point since the nine-year erosion began.

This pattern held true across geographical regions, with more declines than gains in the Middle East and North Africa, Eurasia, sub-Saharan Africa, Europe, and the Americas, and an even split in Asia-Pacific. Syria, a dictatorship mired in civil war and ethnic division and facing uncontrolled terrorism, received the lowest *Freedom in the World* country score in over a decade.

The lack of democratic gains around the world was conspicuous. The one notable exception was Tunisia, which became the first Arab country to achieve the status of Free since Lebanon was gripped by civil war 40 years ago.

By contrast, a troubling number of large, economically powerful, or regionally influential countries moved backward: Russia, Venezuela, Egypt, Turkey, Thailand, Nigeria, Kenya, and Azerbaijan. Hungary, a European Union member state, also saw a sharp slide in its democratic standards as part of a process that began in 2010.

There were also net declines across five of the seven categories of democratic indicators assessed by the report. Continuing a recent trend, the worst reversals affected freedom of expression, civil society, and the rule of law. In a new and disquieting development, a number of countries lost ground due to state surveillance, restrictions on internet communications, and curbs on personal autonomy—including the freedom to make decisions about education and employment and the ability to travel freely.

## **A MORE EXPLICIT REJECTION OF DEMOCRATIC STANDARDS**

Just as disturbing as the statistical decline was the open disdain for democratic standards that colored the words and actions of autocratic governments during the year. Until recently, most authoritarian regimes claimed to respect international agreements and paid lip service to the norms of competitive elections and human rights. They now increasingly flout

democratic values, argue for the superiority of what amounts to one-party rule, and seek to throw off the constraints of fundamental diplomatic principles.

Russia's invasion of Ukraine, including the outright seizure and formal annexation of Crimea, is the prime example of this phenomenon. The Russian intervention was in direct violation of an international agreement that had guaranteed Ukraine's territorial integrity. President Vladimir Putin made his contempt for the values of liberal democracy unmistakably clear. He and his aides equated raw propaganda with legitimate journalism, treated human rights activists as enemies of the state, and denounced the LGBT (lesbian, gay, bisexual, and transgender) community as moral degenerates.

In Egypt, the rise of President Abdel Fattah el-Sisi has been accompanied by a relentless campaign to roll back the gains of the Arab Spring. In an unprecedented trampling of the rule of law, Egyptian courts sentenced 1,400 political detainees to death in a series of drumhead trials that lacked the most basic elements of due process. Under Sisi, a once-vibrant media sector has been bent into submission, human rights organizations suppressed to the point that they can no longer operate, foreign scholars barred, and domestic critics (both secular and Islamist) arrested or forced into exile. As the year drew to a close, a court dismissed charges against former president Hosni Mubarak for the murder of demonstrators in 2011, a depressing symbol of the country's undisguised return to autocratic rule.

In Turkey, President Recep Tayyip Erdoğan consolidated power during the year and waged an increasingly aggressive campaign against democratic pluralism. He openly demanded that media owners censor coverage or fire critical journalists, told the Constitutional Court he does not respect its rulings, threatened reporters (and rebuked women journalists), and ordered radical, even bizarre changes to the school curriculum. Having risen from the premiership to the presidency in August, he formed a "shadow cabinet" that allows him to run the country from the presidential palace, circumventing constitutional rules and the ministries of his own party's government.

In China, President Xi Jinping continued to centralize authority and maintain hands-on involvement in policy areas ranging from domestic security to internet management to ethnic relations, emerging as the most powerful Chinese Communist Party leader since Deng Xiaoping. He continued to bolster China's sweeping maritime territorial claims with armed force and personnel, and while his aggressive anticorruption campaign reached the highest echelons of the party, culminating in the arrest of former security czar Zhou Yongkang, it remained selective and ignored the principles of due process. Moreover, the campaign has been compromised by an intensified crackdown on grassroots anticorruption activists and other elements of civil society, including a series of politically motivated convictions. The government also intensified its persecution of the Uighur community, imposing layers of restriction on Uighurs' ability to observe their Muslim faith and sentencing activists and journalists to long prison terms.

The Communist authorities also tightened China's sophisticated system of internet control, such as shuttering of dozens of accounts on the popular WeChat messaging service that had been used to disseminate news. And despite official rhetoric about improving the rule of law, an array of extralegal forms of detention for political and religious dissidents continued to proliferate.

### **THE EFFECTS AND CAUSES OF TERRORISM**

In a variety of ways, lack of democratic governance creates an enabling environment for terrorism, and the problem rapidly metastasized as a threat to human life and human freedom during 2014. In a wide swath of the globe stretching from West Africa through the Middle East to South Asia, radical jihadist forces plagued local governments and pop-

### Freedom in the World Methodology

*Freedom in the World 2015* evaluates the state of freedom in 195 countries and 15 territories during 2014. Each country and territory is assigned two numerical ratings—from 1 to 7—for political rights and civil liberties, with 1 representing the most free and 7 the least free. The two ratings are based on scores assigned to 25 more detailed indicators. The average of a country or territory's political rights and civil liberties ratings determines whether it is Free, Partly Free, or Not Free.

The methodology, which is derived from the Universal Declaration of Human Rights, is applied to all countries and territories, irrespective of geographic location, ethnic or religious composition, or level of economic development.

*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.

For complete information on the methodology, visit <https://freedomhouse.org/report/freedom-world/freedom-world-2015/methodology>.

ulations. Their impact on countries like Iraq, Syria, Pakistan, and Nigeria was devastating, as they massacred security forces and civilians alike, took foreigners hostage, and killed or enslaved religious minorities, including Muslims whom they did not recognize as such. Women were particular targets: Young women and teenage girls were seized as war prizes, schoolgirls were kidnapped and raped, women educators and health workers were assassinated, and women suffered disproportionately in refugee camps. As horror followed horror, the year ended with a slaughter of more than 130 schoolchildren by the Pakistani Taliban.

The spike in terrorist violence laid bare widespread corruption, poor governance, and counterproductive security strategies in a number of countries with weak or nonexistent democratic institutions. The Syrian regime had opened the door to the growth of the Islamic State and other extremist movements by brutally repressing first peaceful protesters and the political opposition, then the various rebel groups that rose up to defend them. The Iraqi government of Nouri al-Maliki also smoothed the militants' path by persecuting opposition leaders, rebuking peaceful Sunni protests, and fostering corruption and cronyism in the security forces. More recently, the Sisi government in Egypt has made the same mistake in its remorseless drive to eliminate the Muslim Brotherhood, indirectly fueling an armed insurgency and contributing to the formation of an Islamic State affiliate in the country.

In Nigeria, neither the government nor the military has proved capable of dealing effectively with Boko Haram, which operates with impunity in parts of the country's north. While the military has for decades played a large role in Nigerian political life, it has proved poorly equipped, badly trained, hollowed out by graft, and prone to scattershot tactics that fail to distinguish between terrorists and civilians. In Pakistan, the military and intelligence services have a long history of colluding with certain extremist groups, including some that are responsible for mass killings of civilians. When they do move against militant bastions, they too often resort to indiscriminate violence and fail to follow up with improved governance.

Many governments have exploited the escalation of terrorism as a justification for new and essentially unrelated repressive measures. While a vigorous debate over how democracies should respond to terrorism at home and abroad is under way in Europe, Australia, and North America, leaders elsewhere are citing the threat as they silence dissidents, shutter

critical media, and eliminate civil society groups. Thus the regime of Venezuelan president Nicolás Maduro has imprisoned opposition political figures as terrorists, Kenyan authorities have deregistered hundreds of nongovernmental organizations and unleashed security agencies while pursuing links to Somali militants, and China has invoked terrorism to support harsh prison sentences against nonviolent Uighur activists and internet users, including a life sentence for well-known Uighur scholar Ilham Tohti.

### **A RETURN TO CRUDER AUTHORITARIAN METHODS**

The exploitation of the terrorism threat is just one aspect of a general trend in which repressive regimes are returning to blunt, retrograde tactics in their ongoing effort to preserve political control. In recent decades, autocrats had favored more “modern,” nuanced methods that aimed to protect de facto monopolies on power while maintaining a veneer of democratic pluralism and avoiding practices associated with the totalitarian regimes and military dictatorships of the 20th century.

Over the past year, however, there were signs that authoritarian regimes were beginning to abandon the quasi-democratic camouflage that allowed them to survive and prosper in the post-Cold War world. Again, the most blatant example is Russia’s invasion of Ukraine, whose official justifications included ethnic nationalist, irredentist claims and which quickly drew comparisons to the land grabs of Hitler or Stalin. The move exposed Moscow as a committed enemy of European peace and democratization rather than a would-be strategic partner. China’s government responded to public discontent with campaigns reminiscent of the Mao era, including televised confessions that have gained prominence under Xi Jinping. The Chinese authorities are also resorting to criminal and administrative detention to restrict activists instead of softer tactics like house arrest or informal interrogations. Both China and Russia have made use of one of the Cold War’s most chilling instruments, the placement of dissidents in psychiatric hospitals.

In Venezuela and Azerbaijan, the ranks of political prisoners steadily increased in 2014, as leading officials railed against foreign conspiracies aimed at fomenting revolution. Meanwhile, rulers in Egypt, Bahrain, and other Middle Eastern countries, which just a decade ago felt obliged to move toward competitive elections, now resort to violent police tactics, sham trials, and severe sentences as they seek to annihilate political opposition. And whereas the most successful authoritarian regimes previously tolerated a modest opposition press, some civil society activity, and a comparatively vibrant internet environment, they are now reducing or closing these remaining spaces for dissent and debate.

The return to older authoritarian practices has included increased military involvement in governance and political affairs. In Thailand, the military leaders responsible for the removal of Prime Minister Yingluck Shinawatra and her elected government made clear that a return to democratic rule will not take place in the foreseeable future. The military commandeered the political transition after the ouster of the president in Burkina Faso, and armed forces continued to play a major role in a number of other African states, including Ethiopia, Rwanda, Uganda, and Zimbabwe. In Egypt, the Sisi government has cemented the military’s position as the leading force in society. A similar phenomenon has emerged in Venezuela, where the armed forces are involved in the economy, social programs, and internal security, and are thought to play a critical part in drug trafficking and other criminal ventures.

### **NOTABLE DEVELOPMENTS IN 2014**

In addition to those described above, five major phenomena stood out during the year:

- **Humanitarian Crises Rooted in Undemocratic Governance:** In Africa, the Middle East, and parts of Asia, millions of refugees were forced into squalid camps, risked their

lives in overcrowded boats, or found tenuous shelter on the margins of foreign societies. Authoritarian misrule was a primary cause of these humanitarian crises. In Syria, the civil war was originally sparked by the regime's attacks on demonstrators who were protesting the torture of students accused of antigovernment graffiti. In South Sudan, a political dispute between the president and his former vice president—in the context of an interim constitution that gives sweeping powers to the executive—led to fighting within the army that developed into full-scale civil war. The combatants have targeted civilians, who are also facing acute food shortages and massive internal displacement. While the conflict in Ukraine has not reached the same level, authoritarian Russia's invasion has created a crisis like none seen in Europe since the Balkan wars of the 1990s. The aggression was precipitated in part by a confrontation between the Ukrainian people and their increasingly authoritarian president, following decades of corrupt Ukrainian administrations.

- **Tunisia's Exceptional Success Story:** In 2014, Tunisia took its place among the Free countries of the world. This is remarkable not just because it was ranked Not Free only five years ago, with scores that placed it among some of the most repressive regimes in the world, but also because Tunisia is so far the only successful case among the many Arab countries that exhibited some political opening in the 2011 Arab Spring. The improvements that pushed it into the Free category included a progressive constitution adopted in January 2014 and well-regarded elections for parliament and president later in the year. As the only full-fledged Arab democracy, Tunisia can set a strong positive example for the region and for all countries that still struggle under authoritarian rule.

- **The Decline of Internet Freedom:** Restrictions on internet freedom have long been less severe than those imposed on traditional media, but the gap is closing as governments crack down on online activity. Censorship and surveillance, repressive new laws, criminal penalties, and arrests of users have been on the rise in numerous settings. For example, officials in Ecuador increased online monitoring in 2014, hiring firms to remove content deemed unfavorable to the government from sites like YouTube and invoking the 2013 communications law to prosecute social media users who were critical of the president. The Rwandan government stepped up use of a new law that allows security officials to monitor online communications, and surveillance appears to have increased in practice. Such restrictions affect Free countries as well. After the *Sewol* ferry accident in South Korea in April and related criticism and rumors surrounding the president, the government began routine monitoring and censorship of online discussions. Israel also featured a stricter environment for discussion on social media this year, especially regarding controversial views on the situation in the Gaza Strip.

- **Personal Autonomy under Pressure:** In addition to continued declines in freedom of expression and civil society rights, there were notable declines in freedom of movement during 2014. In some cases, a tightening of government control prevented ordinary people from moving within their own country or traveling abroad. Restrictions imposed by the authoritarian governments of Egypt and Russia were politically motivated. In Liberia and Sierra Leone, authorities limited movement due to the Ebola crisis, at times using measures beyond those necessary to control the disease's spread. The most extreme example was a 10-day quarantine on the impoverished

neighborhood of West Point in Monrovia, Liberia, which according to many experts actually increased the risk of contagion. In Libya, the worsening civil war hampered internal movement. In El Salvador and Honduras, worsening gang-related violence and lawlessness limited where people could safely travel.

• **Overlooked Autocrats:** While some of the world's worst dictatorships regularly made headlines, others continued to fly below the radar. Azerbaijani president Ilham Aliyev won a landslide reelection victory against an opposition that was crippled by arrests and legal constraints, and the regime stepped up its jailing of human rights activists, journalists, and other perceived enemies. Despite year after year of declines in political rights and civil liberties, however, Azerbaijan has avoided the democratic world's opprobrium due to its energy wealth and cooperation on security matters. Vietnam is also an attractive destination for foreign investment, and the United States and its allies gave the country special attention in 2014 as the underdog facing Chinese aggression in the South China Sea. But like China, Vietnam remains an entrenched one-party state, and the regime imposed harsher penalties for free speech online, arrested protesters, and continued to ban work by human rights organizations. Ethiopia is held up as a model for development in Africa, and is one of the world's largest recipients of foreign assistance. But in 2014 its security forces opened fire on protesters, carried out large-scale arrests of bloggers and other journalists as well as members of the political opposition, and evicted communities from their land to make way for opaque development projects. Finally, while several countries in the Middle East—most notably oil-rich Saudi Arabia—receive special treatment from the United States and others, the United Arab Emirates stands out for how little international attention is paid to its systematic denial of rights for foreign workers, who make up the vast majority of the population; its enforcement of one of the most restrictive press laws in the Arab world; and its dynastic political system, which leaves no space for opposition.

## GLOBAL FINDINGS

The number of countries designated by *Freedom in the World* as Free in 2014 stood at 89, representing 46 percent of the world's 195 polities and nearly 2.9 billion people—or 40 percent of the global population. The number of Free countries increased by one from the previous year's report.

The number of countries qualifying as Partly Free stood at 55, or 28 percent of all countries assessed, and they were home to just over 1.7 billion people, or 24 percent of the world's total. The number of Partly Free countries decreased by four from the previous year.

A total of 51 countries were deemed Not Free, representing 26 percent of the world's polities. The number of people living under Not Free conditions stood at 2.6 billion people, or 36 percent of the global population, though it is important to note that more than half of this number lives in just one country: China. The number of Not Free countries increased by three from 2013.

The number of electoral democracies stood at 125, three more than in 2013. Five countries achieved electoral democracy status: Fiji, Kosovo, Madagascar, the Maldives, and the Solomon Islands. Two countries, Libya and Thailand, lost their designation as electoral democracies.

Tunisia rose from Partly Free to Free, while Guinea-Bissau improved from Not Free to Partly Free. Four countries fell from Partly Free to Not Free: Burundi, Libya, Thailand, and Uganda.

### MIDDLE EAST AND NORTH AFRICA: TUNISIA A BRIGHT SPOT IN A TROUBLED REGION

Although Tunisia became the Arab world's only Free country after holding democratic elections under a new constitution, the rest of the Middle East and North Africa was racked by negative and often tragic events. The Syrian civil war ground on, the Islamic State and other extremist militant factions dramatically extended their reach, and Libya's tentative improvements following the downfall of Mu'ammar al-Qadhafi rapidly disintegrated as the country fell into a new internal conflict. Rival armed groups also overran a fragile political process in Yemen, and the effects of the Syrian war paralyzed elected institutions in Lebanon. Egypt continued its rollback of post-Mubarak reforms and solidified its return to autocracy with sham elections and a crackdown on all forms of dissent.

Following high-profile killings of Israeli and Palestinian civilians and a campaign of rocket attacks on Israel by Gaza-based militants, the Israel Defense Forces launched a 50-day air and ground offensive in Gaza over the summer. More than 2,200 people died, mostly Gazan civilians, and tens of thousands of homes in Gaza were damaged or destroyed. Israel was criticized for responding to attacks by Hamas militants in a disproportionate way, while Hamas was criticized for entrenching rocket launchers and fighters in civilian neighborhoods.

#### Notable Gains or Declines:

- **Bahrain's** political rights rating declined from 6 to 7 due to grave flaws in the 2014 legislative elections and the government's unwillingness to address long-standing grievances among the majority Shiite community about the drawing of electoral districts and the possibility of fair representation.
- **Egypt** received a downward trend arrow due to the complete marginalization of the opposition, state surveillance of electronic communications, public exhortations to report critics of the government to the authorities, and the mass trials and unjustified imprisonment of members of the Muslim Brotherhood.
- **Iraq's** political rights rating declined from 5 to 6 due to the Islamic State's attempts to destroy Christian, Shiite, Yazidi, and other communities under its control, as well as attacks on Sunnis by state-sponsored Shiite militias.
- **Lebanon** received a downward trend arrow due to the parliament's repeated failure to elect a president and its postponement of overdue legislative elections for another two and a half years, which left the country with a presidential void and a National Assembly whose mandate expired in 2013.
- **Libya's** political rights rating declined from 4 to 6, its civil liberties rating declined from 5 to 6, and its status declined from Partly Free to Not Free due to the country's descent into a civil war, which contributed to a humanitarian crisis as citizens fled embattled cities, and led to pressure on civil society and media outlets amid the increased political polarization.
- **Syria** received a downward trend arrow due to worsening religious persecution, weakening of civil society groups and rule of law, and the large-scale starvation and torture of civilians and detainees.



- **Tunisia's** political rights rating improved from 3 to 1 and its status improved from Partly Free to Free due to the adoption of a progressive constitution, governance improvements under a consensus-based caretaker administration, and the holding of free and fair parliamentary and presidential elections, all with a high degree of transparency.
- **Yemen** received a downward trend arrow due to the Houthi militant group's seizure and occupation of the capital city, its forced reconfiguration of the cabinet, and its other demands on the president, which paralyzed Yemen's formal political process.

#### **EURASIA: UKRAINE IN TURMOIL, CONDITIONS WORSEN IN CENTRAL ASIA**

Events in Eurasia in 2014 were dominated by the upheaval in Ukraine. Gains related to the ouster of President Viktor Yanukovich through the Euromaidan protests in February, which led to the election of a new president and parliament later in the year, were offset by Russia's seizure of Crimea in March and ongoing battles with pro-Russian separatists in eastern Ukraine. Crimea, evaluated separately for the first time for *Freedom in the World 2015*, emerged with a dismal freedom rating of 6.5 on a 7-point scale and a Not Free status, reflecting repressive conditions in which residents—especially Tatars and others who opposed the forced annexation—were deprived of their political rights and civil liberties.

The Russian government coupled its rejection of international pressure over Ukraine with intensified domestic controls on dissent, tightening its grip on the media sector and nongovernmental organizations.

Central Asia also took a turn for the worse in 2014. Kyrgyzstan, typically rated better than its neighbors, suffered from increased government restrictions on freedom of assembly and civil society groups. In Tajikistan, a sustained offensive against political pluralism continued with the persecution of opposition parties and the designation of one opposition movement, Group 24, as an extremist organization.

The government of Azerbaijan similarly renewed its assault on dissent in 2014, targeting traditional media and civil society organizations for legal harassment, arbitrary detention, and physical abuse.

Ratings for the region as a whole are the second worst in the world after the Middle East, and Crimea joins three other Eurasian states—Belarus, Turkmenistan, and Uzbekistan—on Freedom House's list of the world's most repressive countries and territories for 2014.

#### **Notable Gains or Declines:**

- **Azerbaijan** received a downward trend arrow due to an intensified crackdown on dissent, including the imprisonment and abuse of human rights advocates and journalists.
- **Kyrgyzstan** received a downward trend arrow due to a government crackdown on freedom of assembly and the ability of nongovernmental organizations to operate.
- **Russia's** civil liberties rating declined from 5 to 6 due to expanded media controls, a dramatically increased level of propaganda on state-controlled television, and new restrictions on the ability of some citizens to travel abroad.
- **Tajikistan** received a downward trend arrow due to constant abuse of opposition parties at the local level in the run-up to parliamentary elections, the designation of

the political reform and opposition movement Group 24 as an extremist entity in October, and the arrest and temporary detention of academic researcher Alexander Sodiqov on treason charges.

- **Ukraine**'s political rights rating rose from 4 to 3 due to improvements in political pluralism, parliamentary elections, and government transparency following the departure of President Viktor Yanukovich.

#### **ASIA-PACIFIC: FAIR ELECTIONS, A COUP, AND STALLED REFORMS**

Citizens of three major Asian states—India, Japan, and Indonesia—went to the polls in 2014, handing their leaders strong mandates through what were largely open and fair electoral processes. These positive achievements contrasted sharply with the coup d'état in Thailand, in which the military ousted an elected government, suspended the constitution, and implemented martial law restrictions that drastically rolled back political rights and civil liberties.

Myanmar, which has only partly abandoned military rule, began to veer from the path to democracy. Journalists and demonstrators faced greater restrictions, the Rohingya minority continued to suffer from violence and official discrimination, and proposed laws that would ban religious conversions and interfaith marriages threatened to legitimize anti-Muslim extremism.

#### **Notable Gains or Declines:**

- **Afghanistan** received a downward trend arrow due to increased violence against journalists and civilians amid the withdrawal of international combat troops.
- **Bangladesh**'s political rights rating declined from 3 to 4 due to national elections that were marred by an opposition boycott, as well as widespread violence and intimidation by a range of political parties.
- **East Timor**'s civil liberties rating improved from 4 to 3 due to a decrease in restrictions on peaceful assembly and an overall improvement in the internal security situation over the past several years.
- **Fiji**'s political rights rating improved from 6 to 3 due to September general elections—the first since a 2006 coup—that were deemed free and fair.
- **Hong Kong** received a downward trend arrow due to restrictions on press freedom and freedom of assembly surrounding protests against a Chinese government decision to limit candidate nominations for future executive elections.
- **Malaysia** received a downward trend arrow due to the government's use of the Sedition Act to intimidate political opponents, an increase in arrests and harassment of Shiite Muslims and transgender Malaysians, and more extensive use of defamation laws to silence independent or critical voices.
- **Myanmar**'s civil liberties rating declined from 5 to 6 due to restrictions on media freedom, including the arrest and imprisonment of a number of journalists.

- **Nauru**'s civil liberties rating declined from 1 to 2 due to government attempts to limit freedom of expression among foreign journalists and opposition figures, as well as the dismissal of judicial officials who refused the government's push to try asylum seekers charged with rioting at a detention center in 2013.
- **Nepal**'s political rights rating improved from 4 to 3 due to the functioning of a stable government for the first time in over five years following 2013 elections, and significant progress by the main political parties toward the completion of a draft constitution.
- The **Solomon Islands**' political rights rating improved from 4 to 3 as a result of relatively successful October elections, which featured biometric registration and were accepted as legitimate by both the opposition and voters.
- **South Korea** received a downward trend arrow due to the increased intimidation of political opponents of President Park Geun-hye and crackdowns on public criticism of her performance following the *Sewol* ferry accident.
- **Sri Lanka**'s civil liberties rating declined from 4 to 5 due to increased pressure on freedom of expression and association, including curbs on traditional media and internet-based news and opinion, and surveillance and harassment of civil society activists.
- **Thailand**'s political rights rating declined from 4 to 6, its civil liberties rating declined from 4 to 5, and its status declined from Partly Free to Not Free due to the May military coup, whose leaders abolished the 2007 constitution and imposed severe restrictions on speech and assembly.

#### **EUROPE: DEMOCRATIC SETBACKS IN HUNGARY, TURKEY**

In Hungary, parliamentary and local elections revealed the extent to which recent legislative and other changes have tilted the playing field in favor of the ruling party, Fidesz. Observers noted slanted media coverage, the misuse of state resources, gerrymandering, and campaign spending problems. With its renewed parliamentary supermajority, Fidesz continued to transform the country's institutions, facing few obstacles from the divided and enfeebled opposition.

Turkey drifted much further from democratic norms, with longtime prime minister Recep Tayyip Erdoğan rising to the presidency and overseeing government attempts to quash corruption cases against his allies and associates. The media and judiciary both faced greater interference by the executive and legislative branches, including a series of raids and arrests targeting media outlets affiliated with Erdoğan's political enemies.

#### **Notable Gains or Declines:**

- **Bosnia and Herzegovina**'s political rights rating declined from 3 to 4 because the government largely ignored a significant civic movement protesting corruption and calling for reforms in early 2014, and proved generally unresponsive to the population's concerns.
  - **Hungary**'s political rights rating declined from 1 to 2 due to an election campaign that demonstrated the diminished space for fair competition given legislative and other advantages accrued by the ruling party.
-

- **Kosovo**'s political rights rating improved from 5 to 4 due to the comparatively successful conduct of June elections and a subsequent agreement by rival parties to form a coalition government.
- **Macedonia**'s political rights rating declined from 3 to 4 due to serious shortcomings in the April general elections and a related legislative boycott by the opposition.
- **Turkey** received a downward trend arrow due to more pronounced political interference in anticorruption mechanisms and judicial processes, and greater tensions between majority Sunni Muslims and minority Alevis.

### **SUB-SAHARAN AFRICA: FRAGILE STATES FACE CHALLENGES FROM EBOLA, ISLAMIST MILITANTS**

Sub-Saharan Africa again experienced extreme volatility in 2014. News from the continent was dominated by the Ebola outbreak in Guinea, Liberia, and Sierra Leone, and a sharp rise in violence by Islamist militants from Boko Haram in Nigeria and Al-Shabaab in Kenya. However, several other countries, particularly in East Africa, suffered democratic declines during the year, as repressive governments further limited the space for critical views.

In Uganda, a series of recent laws that targeted the opposition, civil society, the LGBT community, and women led to serious rights abuses and increased suppression of dissent. Burundi's government cracked down further on the already-restricted opposition in advance of 2015 elections, and critics of the authorities in Rwanda faced increased surveillance and harassment online.

Civil conflicts sparked by poor governance continued to rage in South Sudan and Central African Republic in 2014. In South Sudan, the war fueled widespread ethnic violence and displacement, and the rival factions failed to agree on a peace deal that would allow the country to hold elections on schedule in 2015. Although Central African Republic formed a transitional government in January in the wake of a March 2013 coup, attacks by Muslim and Christian militias led to a rise in intercommunal clashes and thousands of civilian deaths, and forced more than 800,000 people to flee their homes.

In Burkina Faso, President Blaise Compaoré was forced to resign amid popular protests over his attempt to change the constitution and extend his 27-year rule in 2015. This led to the dissolution of the government and parliament by the military, which took charge of the country.

Improvements were seen in Madagascar and Guinea-Bissau, which held their first elections during late 2013 and 2014 following coups in previous years. It remained uncertain whether these gains would be consolidated.

#### **Notable Gains or Declines:**

- **Burkina Faso**'s political rights rating declined from 5 to 6 as a result of the dissolution of the government and parliament by the military, which took charge of the country after President Blaise Compaoré was forced to resign amid popular protests over his attempt to run for reelection in 2015.
- **Burundi**'s political rights rating declined from 5 to 6, and its status declined from Partly Free to Not Free, due to a coordinated government crackdown on opposition party members and critics, with dozens of arrests and harsh sentences imposed on political activists and human rights defenders.

- **The Gambia** received a downward trend arrow due to an amendment to the criminal code that increased the penalty for “aggravated homosexuality” to life in prison, leading to new arrests of suspected LGBT people and an intensified climate of fear.
- **Guinea-Bissau**’s political rights rating improved from 6 to 5, and its status improved from Not Free to Partly Free, because the 2014 elections—the first since a 2012 coup—were deemed free and fair by international and national observers, and the opposition was able to compete and increase its participation in government.
- **Lesotho** received a downward trend arrow due to a failed military coup in August, which shook the country’s political institutions and left lasting tensions.
- **Liberia** received a downward trend arrow due to the government’s imposition of ill-advised quarantines that restricted freedom of movement and employment in some of the country’s most destitute areas, as well as several new or revived restrictions on freedoms of the press and assembly.
- **Madagascar**’s political rights rating improved from 5 to 4 due to a peaceful transition after recovery from an earlier coup and the seating of a new parliament that included significant opposition representation.
- **Nigeria**’s civil liberties rating declined from 4 to 5 due a sharp deterioration in conditions for residents of areas affected by the Boko Haram insurgency, including mass displacement and a dramatic increase in violence perpetrated by both the militants and security forces.
- **Rwanda**’s civil liberties rating declined from 5 to 6 due to the narrowing space for expression and discussion of views that are critical of the government, particularly on the internet, amid increased suspicions of government surveillance of private communications.
- **South Sudan**’s political rights rating declined from 6 to 7 due to the intensification of the civil war, which derailed the electoral timetable and featured serious human rights abuses by the combatants, including deliberate attacks on rival ethnic groups for political reasons.
- **Swaziland** received a downward trend arrow due to an intensified crackdown on freedom of expression, including the jailing of a journalist and a lawyer for criticizing the country’s chief justice.
- **Uganda**’s civil liberties rating declined from 4 to 5, and its status declined from Partly Free to Not Free, due to increased violations of individual rights and the freedoms of expression, assembly, and association, particularly for opposition supporters, civil society groups, women, and the LGBT community.

#### **AMERICAS: INSECURITY IN MEXICO, OPPORTUNITY IN CUBA**

In Mexico, public outrage at the authorities’ failure to stem criminal violence and corruption reached a boiling point after the disappearance of 43 politically active students in Guerrero. Protests initially led by the families of the students, who were killed by a criminal gang linked to local officials, grew into mass demonstrations across the country that

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challenged the administration of President Enrique Peña Nieto. Organized crime and gang violence also continued to rise in Honduras, Guatemala, and El Salvador, leading thousands of citizens to flee to the United States during the year.

A major development in the region was the announcement that the United States and Cuba had agreed to the normalization of relations after a rupture of more than 50 years. Although Cuba is the Americas' worst-rated country in *Freedom in the World*, it has shown modest progress over the past several years, with Cubans gaining more rights to establish private businesses and travel abroad. In 2014, Cuba registered improvement for a growth in independent media, most notably the new digital newspaper *14ymedio*. While it remains illegal to print and distribute such media, independent journalists have found ways to share their stories online and via data packets that circulate in the black market. As part of the normalization agreement, Cuba released a number of political prisoners, including U.S. contractor Alan Gross. However, the accord included no other human rights stipulations.

The United States experienced a wave of protests over separate police killings of unarmed black males in Missouri, New York, and elsewhere, and the repeated failure of prosecutors to secure indictments of the officers responsible. The protests led to a variety of proposals for reforming police tactics, including the introduction of video cameras to record officers' interactions with civilians. Separately, in December the Senate released a lengthy report on the Central Intelligence Agency (CIA)'s torture and mistreatment of terrorism suspects in the years immediately after the 2001 terrorist attacks on the country. The report detailed the frequency and severity of CIA interrogation techniques, as well as the lack of oversight by the White House and Congress. Human rights groups and others reiterated calls for the prosecution of those responsible for the abuses, but critics said the report was biased, and there were no immediate signs of a new criminal investigation.

The governments of Venezuela and Ecuador continued their pattern of cracking down on the political opposition and other critical voices. Venezuelan authorities responded to opposition-led demonstrations in the spring with particularly repressive measures, including mass arrests, excessive force, and alleged physical abuse of detained protesters.

#### **Notable Gains or Declines:**

- **Ecuador** received a downward trend arrow due to increased limits on freedom of expression, including the monitoring of online content and harassment of bloggers and social-media users.
- **Haiti's** political rights rating declined from 4 to 5 due to its failure to hold constitutionally mandated parliamentary and municipal elections for three years, use of the judicial system to persecute political opponents and human rights defenders, and tolerance of violence against media that are critical of the government.
- **Mexico** received a downward trend arrow due to the forced disappearance of 43 students who were engaging in political activities that reportedly angered local authorities in the town of Iguala, Guerrero, an atrocity that highlighted the extent of corruption among local authorities and the environment of impunity in the country.
- **Venezuela** received a downward trend arrow due to the government's repressive response to antigovernment demonstrations, including violence by security forces, the politicized arrests of opposition supporters, and the legal system's failure to protect basic due process rights for all detained Venezuelans.

**CONCLUSION: THE SYSTEM OF CHOICE**

For some time now, the momentum of world politics has favored democracy's adversaries. While the dramatic gains of the late 20th century have not been erased, the institutions meant to ensure fair elections, a combative press, checks on state power, and probity in government and commerce are showing wear and tear in the new or revived democracies of Central Europe, Latin America, and Asia. In the Middle East, the potential of the Arab Spring has given way to the chaos and carnage that prevail in Syria, Iraq, Libya, and Yemen, and to a ruthless dictatorship in Egypt. In Africa, the promise of freedom survives, but the dominant trend is one of corruption, internal conflict, terrorism, and ugly campaigns against the LGBT community. Even in the United States, the year's headlines featured racial strife, a renewed argument over counterterrorism tactics, and political gridlock.

There are, some might say, few compelling advertisements today for the benefits of democratic government, and few signs that the retreat of open political systems can be reversed. However, several major events during 2014 suggest that this gloomy assessment is off the mark.

In Ukraine, hundreds of thousands of people rose up to defy a kleptocratic leadership that offered the country a political and economic dead end. Given the choice between a future course patterned on Russian authoritarianism and a path toward Europe and its democratic standards, the majority did not hesitate in choosing the option of freedom, even with its uncertainties. The Kremlin has imposed a terrible punishment for this decision, but so far Ukrainians have not wavered in their defiance.

In Hong Kong, the student-led Umbrella Movement emerged after the Communist leadership in Beijing announced that contrary to previous commitments and public expectations, elections for chief executive would require candidates to be nominated by a pro-Beijing committee, making universal suffrage a hollow exercise. The controversy epitomized both Beijing's refusal to countenance the basic tenets of democracy and the ultimate weakness of its legitimacy among the public. It also stood as a powerful reminder that while China's model of state-driven growth combined with strict political control is attractive to elites in

**Worst of the Worst**

Of the 51 countries and territories designated as Not Free, 12 have been given the worst possible rating of 7 for both political rights and civil liberties:

- Central African Republic
- Equatorial Guinea
- Eritrea
- North Korea
- Saudi Arabia
- Somalia
- Sudan
- Syria
- Turkmenistan
- Uzbekistan
- Tibet
- Western Sahara

The following 7 countries and 3 territories received ratings that were slightly better than the worst possible, with 7 for political rights and 6 for civil liberties:

- Bahrain
- Belarus
- Chad
- China
- Cuba
- Laos
- South Sudan
- Crimea
- Gaza Strip
- South Ossetia

authoritarian settings (and to some in democracies as well), ordinary people, and especially the young, find China's rejection of freedom profoundly unappealing. Notably, the people of Taiwan, through student protests and local election results during the year, strongly voiced their preference for a future in which popular sovereignty prevails.

Along with the emergence of popular movements for democratic change, the past year brought clear evidence of crisis in major undemocratic states.

In Venezuela, a toxic mixture of corruption, misrule, and oil-price declines brought shortages, rampant inflation, and enhanced repression. Once touted as a possible template for leftist-populist governments across Latin America, the system set in place by the late Hugo Chávez now stands as a textbook case of political and economic dysfunction.

Plummeting oil prices also revealed the weaknesses of Vladimir Putin's dictatorship. But Russia's problems run deeper than a vulnerability to the energy market. Corruption, cronyism, and the absence of the rule of law have discouraged investment and economic diversification. Pervasive propaganda has virtually eliminated critical voices from policy debates. And the absence of checks on presidential power has led to disastrous foreign adventures and diplomatic blunders.

### **TOLERATING RISK**

These and other examples from the year should remind the world how much democracy matters. Antidemocratic practices lead to civil war and humanitarian crisis. They facilitate the growth of terrorist movements, whose effects inevitably spread beyond national borders. Corruption and poor governance fuel economic instability, which can also have regional or even global consequences.

Will the world's established democracies come to recognize that the global assault on free institutions poses a threat to their own national interests? The sanctions placed on Russia by the United States, Europe, and others are a welcome development. They send a message that invading one's neighbor will have repercussions. The same might be said for the coalition against the Islamic State.

But such firm messages have been lacking when despotic regimes intimidate, jail, or kill their own people. President Sisi is treated as a strong ruler and a partner in the fight against terrorism despite his enforcement of a level of repression not seen in Egypt in decades. The leaders of democracies compete for China's favor even as Beijing steps up internal controls and pushes its expansive territorial claims. In Latin America, Brazil and other democracies respond to Venezuela's deterioration with silence. In Asia, major democracies like India and Indonesia have declined to use their influence to encourage a return to civilian rule in Thailand.

In short, democracies often seem determined to wait for authoritarian misrule to blossom into international catastrophe before they take remedial action. This is unfortunate, as even the most powerful repressive regimes have shown that they are susceptible to pressures from their own people and from the outside as well. And ordinary citizens have exhibited a willingness to challenge rulers with established histories of bloodletting in the service of political control. Democracies face many problems of their own, but their biggest mistake would be to accept the proposition that they are impotent in the face of strongmen for whom bullying and lies are the fundamental currencies of political exchange. This is clearly not the case, even in such difficult times.



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# Introduction

The *Freedom in the World 2015* survey contains reports on 195 countries and 15 related and disputed territories. Each country report begins with a section containing the following information: **population**, **capital**, **political rights rating** (numerical rating), **civil liberties rating** (numerical rating), **freedom rating** (the average of the political rights and civil liberties ratings), **freedom status** (Free, Partly Free, or Not Free), “**electoral democracy**” **designation**, and a **10-year ratings timeline**. 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 *2014 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. Any improvements or declines in the ratings since the previous survey are noted next to the relevant number in each report. Positive or negative trends that were not sufficient to trigger a ratings change may be highlighted by upward or downward **trend arrows**, which are located next to the name of the country or territory. A brief explanation of ratings changes or trend arrows is provided for each country or territory as required. For a full description of the methods used to determine the survey’s ratings, please see the chapter on the survey’s methodology.

The **10-year ratings timeline** lists the political rights and civil liberties ratings and status for each of the last 10 years. Each year that is included in the timeline refers to the year under review, *not* the edition of the survey. Thus, the ratings and status from the *Freedom in the World 2015* edition are listed under “2014” (the year that was under review for the 2015 survey edition).

Following the section described above, each country and territory report is divided into two parts: an **introduction** and an analysis of **political rights and civil liberties**. The introduction provides a brief review of major events during the survey year. The political rights and civil liberties section summarizes each country or territory’s 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. The scores for each subcategory, and any changes from the previous year, are noted next to the relevant subheading.

## ↓ Afghanistan

**Political Rights Rating:** 6

**Population:** 31,281,000

**Civil Liberties Rating:** 6

**Capital:** Kabul

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Trend Arrow:** Afghanistan received a downward trend arrow due to increased violence against journalists and civilians amid the withdrawal of international combat troops.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,5,PF	5,5,PF	5,5,PF	5,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF

### INTRODUCTION

Events in Afghanistan during 2014 were shaped in large part by the tumultuous and protracted presidential election season and the announced withdrawal of North Atlantic Treaty Organization (NATO) troops. A sizable increase in violence against civilians and Afghan National Security Forces (ANSF) in the first six months of the year led to more trepidation and instability, which were exacerbated by the acrimonious eight-month presidential election period. The elections triggered fraud allegations that prompted a full international audit. Lengthy negotiations were required to broker a unity government, with former finance minister Ashraf Ghani becoming president and his rival, former foreign minister Abdullah Abdullah, becoming chief executive. Provincial elections were also marred by allegations of fraud.

Political uncertainty and the announced NATO withdrawal took a toll on the economy. In September, the Afghan currency dropped to a 13-year low due to a lack of trust in the new government. Public finances also suffered, with the government scrambling to pay the more than 500,000 Afghan civil servants. In November, the Finance Ministry received \$75 million from the U.S. Agency for International Development (USAID) toward government salaries.

In an effort to diffuse the crisis and regain international confidence in Afghanistan's stabilization effort, newly elected president Ghani quickly signed the U.S.-Afghan bilateral security agreement (BSA), which former president Hamid Karzai had long opposed. Ghani also reopened an investigation into the 2010 Kabul Bank embezzlement case, convening a special tribunal that delivered heavy sentences to some of the high-ranking executives accused of fraud. Ghani's failure to form a new government within 45 days of his inauguration, however, highlighted the persistent political rifts between the Ghani and Abdullah factions.

The year also saw an increase in deadly attacks against journalists and a regressive trend for women's rights, which Ghani tried to alleviate through a commitment to equality and representation for women in all echelons of society.

**POLITICAL RIGHTS:** 11 / 40

**A. Electoral Process:** 3 / 12

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 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 one-third for five-year terms. Ten Wolesi Jirga seats are reserved for the nomadic Kuchi community, including at least three women, and another 65 seats are reserved for women. Provisions for women's representation have also been implemented for the Meshrano Jirga and provincial councils.

The September 2010 parliamentary elections were deeply flawed, with low voter turnout and widespread fraud. Karzai did not inaugurate the new parliament until January 2011, ruling by decree in the interim, and disagreements over 62 candidates for the Wolesi Jirga were only resolved in August 2011, with the Afghan Independent Elections Commission agreeing to replace nine of the seated lawmakers.

There were 11 candidates in the 2014 presidential elections, but by the first round of voting, on 5 April, three of the candidates had withdrawn. The two first-round winners—Abdullah, who received 45 percent of the vote, and Ghani, with 32 percent of the vote—faced off in a final round held on June 14. The turnout for the second round was high, with some incidents of violence, including the deaths of 10 Afghan soldiers and more than 20 civilians. There were also reports of the Taliban cutting off the fingers of voters in Herat province. Postelectoral violence resulted in civilian deaths as well.

When the election commission published preliminary results showing Ghani leading by more than 10 percentage points, the Abdullah camp alleged voter fraud, claimed victory, and threatened to overthrow the government. After warnings that U.S. aid would be cut off if the crisis was not resolved in a constitutional manner, U.S. secretary of state John Kerry along with then president Karzai assisted with negotiations that involved an internationally supervised audit of all votes cast and the consent of both sides to a national unity government. Abdullah's side repeatedly said it might withdraw from the agreement but finally signed off in September. Ghani became president and Abdullah became chief executive, a new post resembling that of a prime minister. Despite the challenges, the 2014 presidential elections signified the first democratic transition of power in the history of Afghanistan.

The April provincial elections were also drawn out due to complaints over irregularities. It was not until late October that the election commission announced the winners among the 2,590 candidates for the 458 council seats. The more than four-month delay was attributed to the review of complaints over fraudulent votes, which disqualified 747,000 out of more than 6 million votes. The election commission revised its earlier results, declaring 47 former losing candidates as winners.

## **B. Political Pluralism and Participation: 6 / 16**

Afghanistan uses the single nontransferable vote electoral system, under which most candidates for elected office run as independents and participate in fluid alliances. Political parties lack a formal role within the legislature, weakening their ability to contribute to stable policy making and legislative processes. Violence and insecurity continue to restrict political activity, particularly outside urban areas, with regular attacks against government officials at all levels.

On his second day in office, President Ghani signed the U.S.-Afghan BSA, codifying the legal rules informing the presence of U.S. troops in Afghanistan post-2014. The United States will maintain 10,800 troops in the country through the beginning of 2015 for training and advising purposes, a number that will be reduced by half before a full pullout in 2016. The United States will also be allowed to maintain some bases, and its military personnel will not be subject to Afghan laws for any crimes they commit. Ghani also signed a status of

forces agreement with NATO, which allows for roughly 2,000 international troops to remain in the country postwithdrawal.

**C. Functioning of Government:** 2 / 12

The failure to put together a cabinet in the first 45 days of Ghani's presidency underlined uncertainty in the ability of the government to function. Corruption, nepotism, and cronyism remain rampant at all levels of government, and inadequate salaries exacerbate corrupt behavior by public employees. Afghanistan was ranked 172 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

The international community, concerned that government corruption is crippling security and development efforts, has pressed the Afghan government to make reform its top priority. In October, President Ghani reopened the Kabul Bank investigation, a fraud case of more than \$850 million that emerged in 2010, as a signal to donors and investors of his intent to tackle corruption. At the end of the month, 7 of the 18 individuals accused of involvement in the scandal stood trial in a special court. In November, the former chairman and the former chief executive of Kabul Bank received five-year sentences, which were later increased to 15 years. The chief executive was also fined \$237 million and the court mandated the freezing of assets of one of former president Karzai's brothers. Soon after the sentencing, five additional arrests were made.

**CIVIL LIBERTIES:** 13 / 60 (-2)

**D. Freedom of Expression and Belief:** 5 / 16 (-1)

Afghan media continue to expand and diversify, but media workers face major challenges, including physical attacks and intimidation. Despite a 2007 media law intended to clarify press freedoms and limit government interference, a growing number of journalists have been arrested, threatened, or harassed by politicians, security services, and others in positions of power. Five Afghan and two international journalists lost their lives either as direct targets or as victims in suicide bombings in 2014, the highest number of deaths since the toppling of the Taliban in 2001.

Media diversity and freedom are markedly higher in Kabul than elsewhere in the country, but some local leaders and warlords display a limited tolerance for independent media in their areas. Dozens of private radio stations and several private television channels currently operate, conveying a range of viewpoints and criticism of the government. Some independent outlets and publications have been denounced or fined for content that "opposes Islam and national values." A *New York Times* reporter was expelled from the country in late August 2014 by then president Karzai for allegedly endangering national interests through an article that cited anonymous government sources threatening a coup if there was no resolution to the electoral impasse. Both the U.S. embassy in Kabul and the United Nations criticized the decision, which President Ghani later reversed. In January 2014, Afghan television stations that ran ads in favor of the BSA were asked to take them off the air after the Afghan attorney general determined they were funded by NATO and USAID.

Rapidly expanding use of the internet and mobile telephones has broadened the flow of information, particularly for urban residents, but Taliban attacks on mobile phone infrastructure hinders communications. The elections season was replete with robust coverage via radio, television, newspapers, and the web, and the first-ever televised presidential debate was held in February.

Religious freedom has improved since the fall of the Taliban government, but it is still hampered by violence and harassment aimed at religious minorities and reformist Muslims. The constitution establishes Islam as the official religion. Blasphemy and apostasy by

Muslims are considered capital crimes. Militant groups have targeted mosques and clerics as part of the larger civil conflict. While faiths other than Islam are permitted, non-Muslim proselytizing is strongly discouraged. Hindus, Sikhs, and Shiite Muslims, particularly those from the Hazara ethnic group, face official obstacles and discrimination by the Sunni Muslim majority. In July 2014, 15 people whose documents indicated that they were Hazara were removed from vans in Ghor Province and shot on the side of the road. Karzai set up a tribunal to investigate the incident.

Aside from constitutional provisions regarding the role of Islam in education, academic freedom is not officially restricted, but insurgents have attacked or destroyed schools associated with the government or foreign donors. In November, in an effort intended to secure detainee releases, the Taliban forced the closure of all schools in a district in Nangarhar affecting an estimated 20,000 children. The quality of school instruction and resources remains poor. Higher education is subject to bribery and prohibitively expensive for most Afghans.

Although Afghans are able to engage in private discussions against the government in urban centers without fear of harassment or detention, discussions of a political nature are more dangerous in rural areas, where there is increased competition for control between the Taliban and the state.

#### **E. Associational and Organizational Rights: 4 / 12**

The constitution guarantees the rights to assembly and association, subject to some restrictions, but they are upheld erratically from region to region. Police and other security personnel have occasionally used excessive force when confronting demonstrations.

The work of hundreds of international and Afghan nongovernmental organizations—numbering 287 and 1,911, respectively—as well as more than 4,000 other associations is not typically constrained by the authorities in a formal sense, but these groups' ability to operate freely and effectively is impeded by the security situation. Civil society activists, particularly those who focus on human rights or accountability issues, continue to face threats and harassment.

Despite broad constitutional protections for workers, labor rights are not well defined, and currently no effective enforcement or dispute-resolution mechanisms are in place.

#### **F. Rule of Law: 2 / 16**

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. The Supreme Court, composed of religious scholars who have little knowledge of civil jurisprudence, is particularly in need of reform. Corruption in the judiciary is extensive, and judges and lawyers are often subject to threats from local leaders or armed groups. Traditional or mob justice is the main recourse for the population, especially in rural areas. President Ghani mandated an array of judicial reforms, and in October roughly 200 judges and 600 court employees were dismissed on allegations of corruption.

In a prevailing climate of impunity, government officials, as well as warlords in some provinces, sanction widespread abuses by the police, military, local militias, and intelligence forces under their command, including arbitrary arrest and detention, torture, extortion, and extrajudicial killings. Prison conditions are extremely poor, with many detainees held illegally. There were allegations in 2014 of executions of detainees ordered by a progovernment local militia in Andar province, as well as by the Afghan regional security chief from Baghlan province and by Kandahar's security chief.

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Violence was on the rise in 2014 against both civilians and the ANSF across Afghanistan, particularly in the south and east. The United Nations reported 1,564 dead and 3,289 wounded in the first six months of 2014, up 24 percent compared to the same period in 2013. Civilian casualties are expected to surpass 10,000 for 2014. Three-quarters of civilian casualties are the result of Taliban attacks, with ground engagement the leading cause of death, followed by improvised explosive devices. In October, the Ministry of Defense announced a 30 percent rise in ANSF casualties as compared to 2013, with some 1,800 killed mostly due to their increased activity after the handoff from international forces. Official Afghan data reported by the *New York Times* in December 2014 show that more than 5,000 members of the ANSF lost their lives during the year, more than in any other year.

Three vaccination workers were killed in Helmand province in March 2014, and another in Kunar province in September. In July, the Taliban accused polio vaccination teams of spying. Two aid workers from Finland were killed in the city of Herat in July, and five International Committee of the Red Cross workers involved in a program giving livestock to needy Afghans were kidnapped by a local militia in August. The latter were freed after a week through the intervention of local tribal elders.

Members of ethnic and religious minorities do not enjoy full equality under the law and are often subject to harassment and discrimination in the context of employment and education. LGBT (lesbian, gay, bisexual, and transgender) people also face widespread discrimination from the state and society. Same-sex sexual activity is illegal, and police reportedly harass gay men in particular. Gender identity can be grounds for firing an employee.

#### **G. Personal Autonomy and Individual Rights: 2 / 16 (-1)**

More than 630,000 civilians were displaced within the country as of January 2014, according to the Office of the UN High Commissioner for Refugees (UNHCR). An annual UNHCR report released in June reported 2.6 million Afghan refugees around the world, the highest number from any one country. Amid this mass exodus, Afghanistan has also witnessed the largest refugee repatriation process, with 5.7 million people returning in the past 10 years. Humanitarian agencies and local authorities are ill-equipped to handle the displaced, and factors such as the poor security situation and widespread land grabbing have prevented refugees from returning to their homes.

In the absence of a properly functioning legal system, the state remains unable to protect property rights. Private business activity is heavily influenced by criminal groups, particularly in connection with the vast narcotics trade. Opium production in 2014 rose 17 percent, surpassing the previous record in 2013, despite the more than \$7 billion spent to curb production. The United Nations partly attributed the increase to the elections, as candidates turned to illicit activity to raise cash for their campaigns. The protracted election period also kept the police and army occupied elsewhere.

Although women have formal rights to education and employment, and some participate in public life, discrimination and domestic violence remain pervasive, with the latter often going unreported because of social acceptance of the practice. Women's choices regarding marriage and divorce remain circumscribed by custom and discriminatory laws. The forced marriage of young girls to older men or widows to their husbands' male relations is a problem, with the UN Children's Fund (UNICEF) reporting that nearly 40 percent of Afghan girls are married before the legal age of 16.

The Afghanistan Independent Human Rights Commission (AIHRC) receives hundreds of complaints of rights violations each year. In addition to abuses by security forces, violations have involved land theft, displacement, child trafficking, domestic violence, and forced

marriage. The AIHRC reported a series of brutal deaths of women across the country in 2014, only a sample of the many more that occur. Victims were beaten to death and killed by knife, axe, or being set on fire, with perpetrators often spouses or relatives. The AIHRC also detailed instances of women's disfigurement, usually involving the severing of their noses.

In a notable case in October 2014, a mullah from Kunduz province received a 20-year sentence for raping a 10-year-old girl. This was deemed a victory for women's rights, as many rape victims are themselves convicted for committing adultery. In a separate case, five men accused of gang rape in the area of Paghman were hanged on charges of armed robbery. Representatives of the international community raised concerns about the trial, which lasted only a few hours and allegedly involved forced confessions. President Karzai asked for the death sentence for the accused before the trial was concluded and signed the execution orders as his last act as president.

Many observers have expressed fears that gains made in women's rights over the past 12 years could be lost after coalition forces withdraw. In February 2014, a criminal procedure law Karzai signed into effect was seen as compromising women's legal protections from domestic violence, as even in its amended version it prohibits certain relatives from serving as witnesses to domestic crimes and limits testimony to only those who opt to "voluntarily" come forward. In November 2014, a female parliamentarian survived a suicide bombing that had targeted her. An Oxfam report released the same month highlighted the conspicuous absence of women in the peace process with the Taliban.

Women accounted for about 16 percent of the candidates in the 2010 parliamentary elections, and roughly 41 percent of registered voters were women; 69 female candidates were elected. While no women candidates ran in the 2014 presidential election, 273 women ran for provincial seats, securing 97 of them. Female electoral participation has been limited by threats, harassment, and social restrictions on traveling alone and appearing in public. In his inauguration speech, President Ghani openly expressed commitment to gender equality and women's representation in government up to the highest levels, including the Supreme Court and the private sector.

Child labor is reportedly common.

## Albania

**Political Rights Rating:** 3

**Civil Liberties Rating:** 3

**Freedom Rating:** 3.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Population:** 2,981,000

**Capital:** Tirana

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF

### INTRODUCTION

The European Union (EU) officially designated Albania as a candidate for membership in June 2014, following three successive rejections. EU officials were apparently encouraged by the initial efforts of the new Socialist Party (PS) government, which took office in September 2013, to combat corruption and organized crime. Earlier in June, police had

begun a series of large-scale raids on cannabis-producing areas that were long avoided by local law enforcement agencies.

Opposition lawmakers led by the Democratic Party (PD) boycotted the parliament for several months in the second half of the year. The walkout, triggered in part by a scuffle in the legislative chamber in July, ended in late December after European Parliament members mediated between the two sides.

**POLITICAL RIGHTS: 27 / 40**

**A. Electoral Process: 8 / 12**

The unicameral, 140-member Kuvendi (Assembly) is elected through proportional representation in 12 regional districts of varying size. All members serve four-year terms. The prime minister is designated by the majority party or coalition, and the president—who does not hold executive powers but heads the military and plays an important role in selecting senior judges—is chosen by the parliament for a maximum of two five-year terms. Bujar Nishani, then the interior minister, was chosen as president in 2012.

Preparations for the 2013 parliamentary elections were disrupted by political deadlock in the seven-seat Central Election Commission (CEC), which prevented it from making crucial decisions that required a five-vote majority. Earlier, the CEC failed to decide on seat distribution for the country's electoral districts, leading the PD-dominated parliamentary majority to intervene and set the allotments using outdated 2009 population figures. Monitors from the Organization for Security and Co-operation in Europe (OSCE) reported a number of other problems but found that the overall campaign was vibrant, competitive, and largely peaceful, despite an election-day shooting incident. In June 2014, the CEC pledged to implement certain OSCE electoral recommendations, including filling three vacancies that had emerged from the 2013 deadlock. However, the three positions remained vacant at the end of the year, worrying some observers ahead of the 2015 elections.

The PS captured 65 seats, the Socialist Movement for Integration took 16, and two smaller PS-allied parties—the Unity for Human Rights Party, which represents ethnic Greeks, and the Christian Democratic Party—each garnered 1 seat. Meanwhile, the PD won 50 seats, and its junior partners—the nationalist Justice, Integration, and Unity Party and the Republican Party—took 4 and 3 seats, respectively. Voter turnout was reported at 53.5 percent. PS leader Edi Rama took office as prime minister, and his cabinet was approved by the new parliament in September.

**B. Political Pluralism and Participation: 13 / 16**

The two main political parties, the PS and the PD, are sharply polarized and given to personality-driven rivalry. As prime minister from 2005 to 2013, Sali Berisha of the PD worked to consolidate partisan control over state institutions, particularly after violent anti-government protests in early 2011. However, the Socialists' electoral victory in 2013 restored confidence in the ability of opposition forces to secure a rotation of power through elections.

Ethnic minorities were able to campaign freely in their own languages in 2013, and voters had access to ballot materials in minority languages. The Romany minority and other marginalized groups are reportedly vulnerable to political exploitation and vote-buying schemes.

In July 2014, the parliament passed legislation to reorganize the country's municipalities, reducing the number from 380 to 61, with three drawn along ethnic lines and designated as minority regions. The PD boycotted the vote, and ethnic Greek and Macedonian parties demanded the preservation or creation of additional minority-dominated units. However, the Constitutional Court rejected a legal challenge to the law in December.



**C. Functioning of Government:** 6 / 12

Corruption is pervasive, and the EU has repeatedly called for rigorous implementation of antigraft measures. Convictions of high-ranking officials and judges for corruption and abuse of power remain rare. Between July and September 2014, nearly 20 central bank employees, including the governor and inspector general, were arrested for alleged negligence that allowed the theft of some \$6.6 million over four years. Also during 2014, the PD repeatedly unearthed the criminal records of PS politicians and appointees in a bid to discredit the government. A PS lawmaker resigned in November over her son's alleged criminal activity, and a deputy environment minister was fired in December for allegedly failing to pay her power bills.

An EU progress report issued in June praised many anticorruption steps taken under the PS government since January, including the enactment of new civil service legislation, the finalization of a national anticorruption strategy, and the adoption of amendments to strengthen rules on asset disclosure and conflicts of interest for public officials. A newly appointed inspector for monitoring assets and conflicts of interest pledged aggressive investigations in February; by late October, his agency had filed charges against 16 officials. The EU report emphasized the need for Albania to follow through with prosecutions for corruption, particularly among high-level officials.

The parliament in September adopted a new freedom of information law, replacing a statute passed in 1999. Civil society groups praised the law, which would accelerate the processing of requests and complaints, fine officials who improperly deny requests, and create a commission to monitor and coordinate compliance, among other changes. In October, the parliament passed a law establishing consultation processes for drafting legislation and major policy strategies.

**CIVIL LIBERTIES:** 40 / 60**D. Freedom of Expression and Belief:** 13 / 16

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. The government does not limit internet access.

The constitution provides for freedom of religion, which is generally upheld in practice. In September 2014, up to 300,000 Muslims and Christians reportedly attended a public mass led by the visiting Pope Francis, who praised the country's religious tolerance. However, amid concerns about an extremist minority, police in March and April arrested nine people, including two imams, for allegedly recruiting Albanian citizens to fight with radical Islamists in Syria.

The government typically does not limit academic freedom, though students and teachers have faced political pressure ahead of elections. Officials in August moved to close or suspend enrollment at over 30 private universities that were accused of selling diplomas.

**E. Associational and Organizational Rights:** 9 / 12

Freedoms of association and assembly are generally respected. Demonstrations by opposition parties and civic groups are common, and they have generally been peaceful since 2011. Nongovernmental organizations (NGOs) function without restrictions but have limited funding and policy influence.

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

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union members have little protection against discrimination by employers. School staffing decisions are reportedly subject to corruption and arbitrary criteria; an NGO and local media in 2014 reported illegal firings of school principals in Tirana and other districts.

#### **F. Rule of Law:** 9 / 16

The constitution provides for an independent judiciary, but the underfunded courts are subject to political pressure and influence. President Nishani faced disagreement with the parliamentary majority over high-level judicial nominations during 2014. Before the 2013 change in government, he had appointed a number of senior judges who were seen as PD allies. The justice minister retains the power to open or close judicial disciplinary procedures, an arrangement that has drawn criticism from the Council of Europe and the EU. The NGO Res Publica in February 2014 accused judges of failing to use their authority to postpone pretrial payment of legal fees for poor plaintiffs in most cases, effectively denying them access to the justice system. Traditional tribal law and revenge killings remain a problem in parts of the north.

Police reportedly engage in abuse of suspects during arrest and interrogation. Prison inmates suffer from poor living conditions and lack of adequate medical treatment. The PS government has replaced a number of prison officials and police commanders, and disbanded several police units, to combat corruption and rising crime rates. The opposition criticized a number of the new appointees, and a leaked December 2013 document from the State Intelligence Service—headed by a nominee of the former government—indicated that the agency was investigating appointees for any criminal connections, an activity that allegedly went beyond the agency's mandate.

In January 2014, police arrested alleged members of a gang suspected of multiple contract killings and murder attempts—largely through the use of car bombs—in Albania and Greece. The group's clients reportedly included businessmen and local officials. A similar bombing in August killed a local businessman in Vlora.

Albania is a transshipment point for heroin smugglers and a key site for European cannabis production. In 2014, police counternarcotics raids targeted the village of Lazarat, estimated to have produced marijuana with a street value of \$5.9 billion during 2013—equivalent to nearly half of Albania's gross domestic product.

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 gay and transgender people remains strong in practice.

#### **G. Personal Autonomy and Individual Rights:** 9 / 16

Albanians generally enjoy freedom of movement and choice of residence or employment, though criminal activity and practices related to traditional honor codes limit these rights in some areas. Access to higher education is affected by corruption.

A raft of 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.

Women are underrepresented in politics and business, though the new cabinet appointed in 2013 included a record six women, including the first female defense minister. While domestic violence is believed to be widespread, the parliament has adopted some measures to combat the problem in recent years. Albania is a source country for trafficking in women and children, and convictions remain rare despite increased government

enforcement and victim-aid efforts over the past year. Young women make up about 90 percent of the workers in the important textile and footwear sector, in which child labor is not uncommon and some 40 percent of workers are not registered, according to the International Trade Union Confederation.

## Algeria

**Political Rights Rating:** 6

**Population:** 39,106,000

**Civil Liberties Rating:** 5

**Capital:** Algiers

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF

### INTRODUCTION

Ailing President Abdelaziz Bouteflika's reelection in April to an unprecedented fourth term with 82 percent of the vote sparked both protests and a new level of coordination among diverse opposition forces. Former prime minister Ali Benflis, the runner-up with 12 percent of the vote, alleged "fraud on a massive scale." Debilitated by a 2013 stroke, Bouteflika had made only one campaign appearance. Following his election, Bouteflika proposed a new package of constitutional reforms—including a return to a two-term presidential limit that would be effective after he steps down. Former prime minister Ahmed Ouyahia led a constitutional reform discussion on the president's behalf in May and June; the new opposition coalition, the National Coordination for Liberties and a Democratic Transition (CLTD), boycotted a June meeting. While Bouteflika's presidency remained largely focused on increasing the power of the presidency vis-à-vis rival elements in the security establishment, his proposed reforms would actually decrease presidential power in favor of the parliament and prime minister.

Throughout the year, thousands of small protests flagged deteriorating socioeconomic conditions. These were accompanied by infrequent larger protests against political and economic stasis.

Internal and external threats posed by the Islamic State (IS) and other armed groups on the Tunisian and Libyan borders, involving Algerian insurgents and terrorists, prompted new domestic and international pressures on Algeria to play a vigorous role in regional stabilization. Memories of the long civil war, along with the 2013 war in Mali and new terrorist attacks, gave support to elements of the Algerian state advocating harsher treatment for Islamist radicals and a more robust role for Algerian security forces.

**POLITICAL RIGHTS:** 11 / 40

**A. Electoral Process:** 4 / 12

The president is directly elected for five-year terms. Constitutional amendments passed in 2008 effectively abolished the two-term limit, allowing Bouteflika to run for a fourth term. Amendments also increased the president's powers relative to the prime minister and other parts of the government, as Bouteflika continued to wrest power away from rivals in

the security services. Each of Bouteflika's four elections to the presidency has been tainted by accusations of fraud by his chief adversaries. In September 2014, Benflis issued a blistering 270-page report on fraud in the April election, alleging among other things that local authorities were illegally forced to support the election of the president and that electoral roles were inflated by 3 million voters to facilitate ballot-stuffing and multiple voting. The chief Western expert organizations did not participate in election observation. The official voter participation rate dropped precipitously from 75 to 42 percent, and opposition figures and informal foreign observers stated that the actual participation rate may be half or even less than half of official tallies.

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. Prior to the 2012 legislative elections, the size of the People's National Assembly, the lower house, was increased from 389 to 462 members, who are directly elected for five-year terms. In the 2012 elections, the National Liberation Front (FLN) won 208 seats, the military-backed National Democratic Rally (RND) increased to 68, and the Green Algeria Alliance—comprised of multiple Islamist parties—dropped to 49. The government estimated the election participation rate at 42 percent. While foreign observers from the European Union, United Nations, Arab League, and other institutions declared the elections largely free and fair, opposition candidates and some human rights groups asserted that the results were manipulated by the Ministry of the Interior. Fifteen parties that won a combined 29 seats boycotted the parliament. The National Election Observation Commission, a judicial body, condemned the elections as “not credible,” though FLN and RND members on the commission refused to sign the final report.

#### **B. Political Pluralism and Participation: 4 / 16**

The Ministry of the Interior must approve political parties before they can operate legally. A 2012 law liberalized the party registration process, and 23 new political parties were allowed to register for the first time since 1999 as a result. The FLN, RND, Green Alliance (comprised of the Movement of the Society of Peace, Ennahda, and Islah parties), the Front of Socialist Forces, the Workers Party, and a number of smaller parties sit in the current parliament. Parties cannot form explicitly along ethnic or religious lines, and the Front Islamique de Salut, which swept the 1990 and 1991 elections, remains banned on this basis. Thousands of its leaders have been excluded from participation in politics or are in exile.

Increasing ethnic and sectarian communal violence attests to the perception of political marginalization and alienation experienced by most Algerians. Parliamentary seats in Algeria's rentier economic system help garner public funding for local needs, which give parliamentarians tax breaks and allow them to create small politico-economic fiefdoms. The Amazigh-dominated Rally for Culture and Democracy (RCD) party boycotted both 2012 and 2014 elections entirely.

The military and intelligence services continue to play an important role in politics, fueled by their ongoing rivalries. A power struggle between President Bouteflika and General Mohamed “Toufik” Mediène, the powerful head of the Department of Intelligence and Security (DRS), continues over a variety of issues, including control over the security services, accountability for the conduct of the intelligence services during the civil war, and corruption.

A 2012 law required that female candidates comprise between 20 and 50 percent of any candidate list for legislative elections, depending on the number of seats in the electoral district.

**C. Functioning of Government:** 3 / 12

High levels of corruption plague Algeria's business and public sectors, especially the energy sector. A shake-up at Sonatrach, the national oil company, during the global hydrocarbon price collapse in July 2014 reconfirmed Bouteflika's intent to assert more control over the most important source of revenue for the Algerian government. An international arrest warrant was issued in 2013, but was subsequently lifted on procedural grounds, for former head of Sonatrach Chakib Khelil; he may have avoided arrest and extradition due to his relationship with the president.

According to Prime Minister Abdelmalek Sellal, more than 2,000 corruption cases were investigated in 2012, and many subsequently, but these have resulted in few convictions. Despite the existence of anticorruption laws, a lack of government transparency, low levels of judicial independence, and bloated bureaucracies contribute to corruption. Algeria's east-west highway has been dubbed "the most expensive highway in the world," with a significant percentage of the contracts allegedly distributed through bribes. In 2014, Algeria dropped to 100 out of 175 countries and territories surveyed in Transparency International's Corruption Perceptions Index.

**CIVIL LIBERTIES:** 23 / 60**D. Freedom of Expression and Belief:** 7 / 16 (+1)

Reporting on counterterrorism has improved since the peak of Algeria's civil war in the mid-1990s. Privately owned newspapers have been published since 1990, and journalists remain aggressive in their coverage of government affairs. However, most newspapers rely on the central government for printing, and the state-owned advertising agency favors progovernment newspapers, encouraging self-censorship. A 2011 press law contains vague language that reinforces the government's ability to block reporting on certain sensitive topics, including those deemed to undermine the country's security or economic interests.

In January 2014, the government passed a new law formally authorizing the creation of privately owned television channels, though authorities had tolerated several private broadcasters for years. The law also introduced numerous restrictions on content—most notably, a ban on news coverage without prior authorization.

Press reporting during the presidential campaign and elections remained aggressive, with coverage including accusations of fraud and corruption. However, many foreign journalists had their visa applications rejected or severely delayed, and visas restricted the areas of the country to which journalists were authorized to travel. A number of local journalists were arrested, though later released, while covering demonstrations in the run-up to the election. Secrecy surrounding the health of Bouteflika was relaxed to some degree in 2014, but a near-complete media blackout on the topic of the 2013 In Amenas terrorist attack continued unabated.

A 2009 cybercrime law gives authorities the right to block websites "contrary to the public order or decency," and a centralized system monitors internet traffic. Both government officials and private entities continued to use criminal defamation laws to pressure independent bloggers and journalists in 2014. In February, cartoonist Djamel Ghanem was charged with insulting the president after attempting to publish a political cartoon mocking Bouteflika. He was acquitted in March, but after prosecutors appealed the ruling, Ghanem fled Algeria and sought political asylum in France. In June, Youssef Ouled Dada was convicted of "insulting state institutions" and "publishing material that threatens public interest" for a video allegedly showing police officers robbing a store during violent protests in a town near Ghardaia.

Algeria's population is overwhelmingly Sunni Muslim. Small non-Muslim communities do not face harassment, but they may gather to worship only at state-approved locations.

Proselytizing by non-Muslims is illegal, and a 2006 ordinance tightened restrictions on minority faiths. Security services monitor mosques for radical Islamist activity, and Muslims are also sometimes harassed for a perceived lack of piety.

Academic freedom is largely respected, though debate is somewhat circumscribed. Private discussion can take place relatively freely outside of certain sensitive topics. In 2014, citizens and political parties were permitted wider latitude than in the past to discuss electoral issues, including the movement against Bouteflika's reelection.

**E. Associational and Organizational Rights:** 4 / 12 (-1)

Although the state of emergency was lifted in 2011, the government has continued to forcibly disrupt and discourage public gatherings and protests. Amid the April 2014 protests, several hundred members of the movement against Bouteflika's reelection were arrested. In May, activist Mohand Kadi and Tunisian national Moez Bennecir were given suspended six-month sentences for their participation in the assemblies. Activists protesting government policies continue to face arrest, often on vague charges, and others have been apprehended when protesting the detention of their colleagues. In June, a Laghouat court sentenced 26 defendants—including some in absentia—to imprisonment ranging from six months to two years on charges that included participation in an "armed gathering" and violence against the police. According to Human Rights Watch, among those convicted in absentia were prominent Algerian human rights activists; a number of them were acquitted in a new trial after turning themselves in.

The law on associations that came into effect in 2014 has been widely criticized for continuing to restrict the formation, funding, and operations of civil society organizations. Permits and receipts of application submission are required to establish and operate nongovernmental organizations (NGOs). Both new and old organizations experience bureaucratic labyrinths while waiting not just for permits but also for application receipts. New cooperative agreements are required to work with foreign NGOs, but these relationships remain largely unauthorized.

Workers can establish independent trade unions, but the main labor federation, the General Union of Algerian Workers, has been criticized for being too close to the government and failing to advocate for workers' interests. Algerian authorities have increasingly clamped down on efforts to form independent unions and to organize, including by using administrative measures to prevent independent unions from operating. Authorities have blocked peaceful demonstrations and strikes, arbitrarily arrested trade unionists, and prosecuted some of them on criminal charges that appear to be spurious or are based on the peaceful exercise of union activities. In April 2014, authorities imposed a one-year suspended sentence on Houari Djelouli for distributing flyers calling for a peaceful right-to-work sit-in, which the government deemed "likely to undermine the national interest." A strike by schoolteachers early in the year was declared illegal by the courts, and participants were threatened with dismissal.

**F. Rule of Law:** 5 / 16

The judiciary is susceptible to government pressure. International human rights activists have accused the security forces of practicing torture, and have also highlighted lengthy delays in bringing cases to trial. Prison conditions in Algeria generally do not meet international standards due to overcrowding and poor nutrition and hygiene.

In 2014, Al-Qaeda in the Islamic Maghreb (AQIM) continued to attack Algerian police officers and political officials. In April, AQIM killed 14 soldiers near Tizi Ouzou—one of the deadliest attacks in recent years. French hiker Hervé Gourdel was kidnapped and beheaded

in September. In December, the government announced that it had killed the perpetrator, Abdelmalek Gouri, along with two associates from the IS-affiliated Jund al-Khilafah group.

Algeria's ethnic composition is a mixture of Arabs and Berbers. In recent years, following outbreaks of antigovernment violence in the Berber community, officials have made more of an effort to recognize Berber cultural demands. Tamazight, the Berber language, is now a national language. However, in March, intercommunal violence in Ghardaia killed three, and two more were killed in violence in October. After the March violence, Berber leaders alleged pro-Arab bias within the security forces and called for greater autonomy from the central government.

Same-sex sexual relations are illegal and punishable with two months to two years in prison, though no prosecutions were reported in 2014. Traditional social mores create an extremely hostile environment for LGBT (lesbian, gay, bisexual, and transgender) people. However, small openings have been reported in recent years, such as the establishment of underground organizations for LGBT persons, as well as the proliferation of websites dedicated to these communities.

#### **G. Personal Autonomy and Individual Rights: 7 / 16**

While most citizens are free to travel domestically and abroad, the authorities closely monitor and limit the movement of suspected terrorists. Access to visas for non-Algerians is carefully controlled. Men of military draft age are not allowed to leave the country without official consent.

The government plays a dominant role in the economy, leaving little room for private competitors. Numerous regulations make Algeria one of the most difficult environments in which to establish and operate a business. Property rights are not secure; some observers blame the lack of economic development.

Women continue to face discrimination at both the legal and societal levels. In 2013, 146 women were elected to the parliament, comprising a third of the body—a higher proportion than in any other Arab country. However, female lawmakers have a limited impact on the overall political system. Under the conservative 1984 family code, women do not enjoy equal rights in marriage, divorce, or inheritance. A 2009 law criminalized all forms of trafficking in persons, but according to the U.S. State Department's 2014 Trafficking in Persons Report, the Algerian government has made little effort to enforce it.

## Andorra

**Political Rights Rating:** 1

**Civil Liberties Rating:** 1

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 76,000

**Capital:** Andorra la Vella

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

#### **INTRODUCTION**

The Andorran government continued to make efforts to address the country's reputation as a tax haven and to bring its financial laws into compliance with the standards of the

Organisation for Economic Co-operation and Development (OECD). In April 2014, the organization released a peer review of Andorra's implementation of OECD standards on transparency and the exchange of information for taxation purposes, concluding that the country was partially compliant. The report commended the introduction of a system of sanctions in 2014 to ensure companies' compliance with transparency laws but also noted weaknesses in the maintenance of accounting records. In June, Andorra signed the OECD Declaration on Automatic Exchange of Information in Tax Matters, which obliges signatories to implement a global standard for the automatic exchange of information.

Andorra also signed financial exchange agreements with Switzerland and Slovakia in March and September, respectively. In May 2014, the government passed a new personal income tax law, set to go into effect in 2015.

**POLITICAL RIGHTS:** 39 / 40

**A. Electoral Process:** 12 / 12

Andorra is governed under a parliamentary system. Two "co-princes," the French president and the bishop of La Seu d'Urgell, Spain, serve jointly as ceremonial heads of state. Popular elections are held every four years for the 28-member Consell General, which selects the executive council president—the head of government. Half of the members are chosen in two-seat constituencies known as parishes, and the other half are chosen through a national system of proportional representation.

The last elections were held in April 2011, after two years of government deadlock. The Democrats for Andorra (DA) won 20 seats, followed by the Social Democratic Party (PS) with 6 and the Lauredian Union with 2. Antoni Martí became the new head of government.

**B. Political Pluralism and Participation:** 15 / 16

The people have the right to establish and join different political parties, and the 2011 elections marked a change of power from the PS to the DA. However, more than 50 percent of the population consists of noncitizens who do not have the right to vote. 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.

**C. Functioning of Government:** 12 / 12

No significant progress was made in 2014 to address concerns raised by the Council of Europe's Group of States against Corruption (GRECO) about Andorra's laws concerning bribery and campaign finance. GRECO had first noted these problems in a June 2011 report, and in November 2013 noted that Andorra had satisfactorily implemented 3 of the 20 recommendations issued in the report.

**CIVIL LIBERTIES:** 57 / 60

**D. Freedom of Expression and Belief:** 16 / 16

Freedom of speech is respected across the country. There are two independent daily newspapers, *Diari d'Andorra* and *El Periòdic d'Andorra*, and two free weekday papers, *Diari Bondia* and *Diari Més*. There is only one Andorran television station, operated by the public broadcaster Ràdio i Televisió d'Andorra. Residents also have access to broadcasts from neighboring France and Spain. Internet access is unrestricted.

Although the constitution recognizes the state's special relationship with the Roman Catholic Church, the government no longer subsidizes it. Religious minorities like Mormons and Jehovah's Witnesses are free to seek converts. Despite years of negotiations between



the Muslim community and the government, there is no proper mosque for the country's roughly 1,000 Muslims. While requests to convert public buildings or former churches for this purpose have been denied, the government does provide the Muslim community with public facilities for various religious functions. Academic freedom is respected.

**E. Associational and Organizational Rights:** 11 / 12

Freedoms of assembly and association are generally respected, and domestic and international human rights organizations operate freely. While the government recognizes that both workers and employers have the right to defend their interests, the right to strike is not legally guaranteed. There are also no laws in place to penalize antiunion discrimination or regulate collective bargaining, although a 2009 law guarantees unions the right to operate. In October and November 2012, police unions organized a strike to protest unfulfilled promises, especially in the area of pension reform. In May 2014, Andorra's constitutional court ruled that the police force is subject to the same restrictions on public spending as other areas of civil service, including in issues regarding salary and pensions.

**F. Rule of Law:** 15 / 16

The government generally respects the independence of the judiciary. Defendants enjoy the presumption of innocence and the right to a fair trial. Police can detain suspects for up to 48 hours without charge.

Although they do not have the right to vote, noncitizen residents receive most of the social and economic benefits of citizenship under Andorran law. In 2012, Andorra introduced a new law on residency, which applies to all those seeking nonwork residency permits. Applications are assessed under three categories: passive residency for individuals who can show they are financially self-sufficient, business residency for individuals who own foreign companies, and cultural residency for renowned artists and other public figures.

Immigrant workers, primarily from North Africa, complain that they lack the rights of citizens. Although thousands of immigrants have been granted legal status, many hold only temporary work authorizations. Temporary workers are in a precarious position, as they must leave the country when their employment contract expires, leaving them vulnerable to potential abuse by employers.

**G. Personal Autonomy and Individual Rights:** 15 / 16

Citizens enjoy freedom of movement and have the right to own property. Legislation passed in 2012 fully opened the economy to foreign investors as well, allowing noncitizens to own up to 100 percent of any commercial entity.

Women enjoy the same legal rights as men. Women captured 14 of the 28 legislative seats in the 2011 election. Abortion is illegal, except to save the life of the mother.

In March 2014, the Social Democratic Party introduced a bill to allow same-sex marriage, but the bill was rejected by the parliament in May. In June, the Democrats for Andorra introduced a bill to allow civil unions for same-sex couples. The bill passed in November and went into effect in December.

# Angola

**Political Rights Rating:** 6

**Population:** 22,364,000

**Civil Liberties Rating:** 5

**Capital:** Luanda

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF

## INTRODUCTION

President José Eduardo dos Santos and his party, the Popular Movement for the Liberation of Angola (MPLA), continue to exercise tight control over Angola's political system. The president unilaterally decided to postpone municipal elections that had been expected in 2014 until after the 2017 general elections.

Corruption is pervasive and the independent media are still subject to legal and physical harassment. Mostly urban-based anticorruption and antigovernment protests that had begun in 2011 expanded in 2013 and continued in 2014. Demonstrators faced violent dispersal and intimidation; several were arrested and beaten, and some were killed.

After a moderate slowing of Angola's gross domestic product (GDP) growth in 2013, Angola's economy sped up again in 2014. A July report from the World Bank warned of possible long-term ill effects of a narrowing current-account surplus as the country's oil-export earnings decline amid a global price decrease and as imports increase.

**POLITICAL RIGHTS:** 10 / 40 (-1)

**A. Electoral Process:** 3 / 12 (-1)

The 2010 constitution abolished direct presidential elections, stipulating instead that the leader of the largest party in the parliament would become the president. The 220-seat unicameral National Assembly, whose members serve four-year terms, has little power, and 90 percent of legislation originates from the executive branch. The constitution mandated that, as of 2012, the president may serve a maximum of two five-year terms, and directly appoints the vice president, cabinet, and provincial governors. President dos Santos has been in power for 35 years, making him one of the longest-serving heads of state in Africa.

After a number of delays, deeply flawed parliamentary elections were held in 2012. The MPLA's 72 percent of the vote marked a notable decline from its 82 percent showing in 2008, but the party still maintained its overwhelming dominance in the National Assembly, garnering 175 of 220 seats. The National Union for the Total Independence of Angola (UNITA) is the largest opposition party in the National Assembly, holding 32 seats; the Broad Convergence for the Salvation of Angola Electoral Coalition (CASA-CE) holds 8 seats, the Social Renewal Party (PRS) holds 3, and the National Front for Angolan Liberation (FNLA) holds 2. The National Assembly easily reelected dos Santos in 2012.

On October 15, 2014, at the opening of the third session of the National Assembly, President dos Santos confirmed that already-delayed municipal elections, called for in the constitution, would again be postponed until after the 2017 general elections. The president justified this unilateral decision by citing the difficulties experienced in organizing the 2012 election and those anticipated in replacing the existing local government institutions with new municipal governments. The opposition vehemently protested the decision.

On November 26, the government approved a new Voter Registration Law in preparation for the general elections of 2017 that will automatically register all citizens over age 18 who hold an identity card; the law awaited approval by the National Assembly at the end of the year.

**B. Political Pluralism and Participation: 6 / 16**

While five political parties are represented in the National Assembly, the ruling MPLA dominates Angola's party system. The opposition has criticized dos Santos for failing to formalize the Council of the Republic—a presidential advisory body—and for delaying the municipal elections. The constitution states that the Council of the Republic should be established within a month of a president's inauguration and that it should include leaders of the opposition.

Fragmentation constrains the ability of opposition parties to act against the MPLA's overwhelming power. Constraints include their inability to agree on a common strategy, mutual mistrust, and a lack of funds that allegedly makes some opposition members vulnerable to enticements from the ruling party. One example of the lack of unity is the fact that the opposition has not been able to collectively press the government to identify and try those responsible for the death of a CASA-CE activist, Wilbert Ganga, during a November 2013 antigovernment demonstration called by UNITA.

**C. Functioning of Government: 1 / 12**

Corruption and patronage are endemic. In 2014, an apparent money-laundering scandal involving the Angolan subsidiary of the troubled Portuguese Espirito Santo Bank, which has close ties to the government, came under scrutiny. In another case, an August 2014 report by Global Witness raised questions about a deal through which a group of major oil companies, including BP, contributed \$175 million and are set to pay another \$175 million by January 2016 for the Sonangol Research and Technology Center (SRTC), a facility that does not yet exist. Corruption in Angola has led to increased scrutiny of dos Santos, his family, and his allies, who are among the richest people in the world. According to the anticorruption organization Maka Angola, Isabel dos Santos, the president's oldest daughter, is the largest beneficiary of the diamond trade in Angola. Angola was ranked 161 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index, a decline from 2013.

**CIVIL LIBERTIES: 18 / 60**

**D. Freedom of Expression and Belief: 7 / 16**

Despite constitutional guarantees of freedom of expression, the state owns the only daily newspaper and national radio station, as well as the main television stations. These outlets, along with private media owned by senior officials and members of the dos Santos family, act as mouthpieces for the MPLA. Censorship and self-censorship are common.

While internet access is increasing in Angola, the government actively monitors internet activity and, in some instances, uses the data collected to crack down on dissidents.

Angolan authorities have consistently prevented independent journalists from reporting the news, denying them access to official information and events, preventing them from broadcasting, and threatening them with detention and prosecution. Security forces have also targeted journalists, particularly those covering antigovernment protests and reporting on corruption. In August 2014, Mariano Brás, a journalist working for the weekly *A Capital*, revealed that he had received death threats following the publication of articles on fraud

involving the National Bank of Angola. A reporter for Rádio Despertar, Francisco Paulo, reported being beaten by police officers as he tried to cover the suppression of a planned protest in November. At the end of the year, journalist and human rights advocate Rafael Marques de Morais was put on trial for criminal libel as a result of his accusations of human rights abuses against a diamond mining company, a private security company, and seven high-ranking generals.

Religious freedom is respected, though a high membership threshold to acquire legal status has kept many groups from registering. According to an April report by Maka Angola, the 86 churches and sects that the Angolan government has officially recognized are all Christian, despite the presence in the country of tens of thousands of Muslims. The government has maintained that it has no bias against the practice of Islam. Although 15 percent of Angolans are evangelical Christians, the Universal Church is the only evangelical church recognized by the Angolan state. In July in Cabinda, the Rapid Intervention Police clashed with followers of the Catholic Church of the Americas who were protesting against the closure of their church by the government for not meeting the requirement that churches have 100,000 followers. In November 2014, in the province of Huila, violent confrontations between church members and the armed forces and national police took place at the headquarters of the Josafat Church, which is not officially recognized by the government.

There are no formal restrictions on academic freedom, though professors avoid certain topics for fear of repercussions.

#### **E. Associational and Organizational Rights: 4 / 12**

The constitution guarantees freedoms of assembly and association, though in recent years, police and security forces have violently dispersed peaceful demonstrations and intimidated and arrested protesters. In May 2014, a demonstration called by the Young Revolutionaries movement in Luanda to commemorate a 1977 attempted coup was not permitted to proceed, and police arrested several movement leaders. On November 22, police prevented another demonstration in Luanda, arresting 15 young protesters and injuring 10 people, according to protest organizers. On November 23, activists were able to conduct a separate march in Luanda to mark the first anniversary of the death of Manuel Ganga.

Several hundred nongovernmental organizations operate in Angola, many of which advocate for transparency, human rights protections, and political reform. The most active organizations are often subject to government inspections, are bogged down with excessive bureaucracy, and are sometimes threatened with closure.

The constitution includes the right to strike and form unions, but the MPLA dominates the labor movement, and only a few weak independent unions exist. Still, strikes do occur: in June, almost 6,000 teachers in Huila, where an ongoing labor dispute had simmered for at least two years, began a strike that lasted for several weeks.

#### **F. Rule of Law: 4 / 16**

The courts in general are hampered by a lack of training and infrastructure, a large backlog of cases, corruption, and extensive political influence, particularly from the executive. The president appoints Supreme Court judges to life terms without legislative input. In one of many allegations of judicial abuse, in 2014 former employees of Chevron accused the oil company of benefiting from its clout over Angola's judicial system.

There is no efficient protection against unjustified imprisonment, pretrial detention, extortion, or torture. In the Lunda Norte and Lunda Sul provinces, where there is a strong military presence, civilians are allegedly killed on a daily basis.

According to Amnesty International, Angolan jails are overcrowded, do not provide basic sustenance, and are plagued by sexual abuse. They also contain a number of political prisoners, advocates of the Cabindan autonomy movement, and members of peaceful activist groups.

Tensions in the oil-rich Cabinda region remain high. The secessionist Front for the Liberation of the Enclave of Cabinda (FLEC) and its supporters—most no longer living in the region—continue to call for talks on independence. Activists have alleged that Cabinda residents are not permitted to voice their opinions and are under constant risk of persecution and discrimination.

The law criminalizes same-sex sexual activity, though there were no reported cases of this law being enforced. Most LGBT (lesbian, gay, bisexual, and transgender) people hide their gender identity, and there have been cases of harassment.

### **G. Personal Autonomy and Individual Rights: 3 / 16**

Angola still has many landmines left over from its years of conflict. These restrict freedom of movement, particularly in rural areas.

Securing entry and exit visas to and from Angola remains difficult and mired in corruption. Nevertheless, the inflows of migrants from neighboring countries, as well as from Brazil, China, and Portugal, have increased. Human rights activists in Cabinda have denounced the government's treatment of illegal immigrants in the region. In an attempt to address growing immigration issues, the government proposed changes to the Nationality Law allowing the president to grant citizenship after 10 years of legal residence in the country, or to those who have provided exceptional service to the country, as long as they had knowledge of Portuguese. The proposed changes, which were sent to the National Assembly, encountered strong resistance from the opposition and civil society, who alleged that they gave the president powers that constitutionally belonged to the legislature.

Access to quality education is limited to Angola's elite and the expat community. The rest of Angola's population has access only to a barely functioning educational system thanks to underpaid and often absent and corrupt teachers as well as severely damaged infrastructure.

In 2014, the government continued a campaign of forced evictions on a mass scale in Luanda and other cities; according to Human Rights Watch, some 17,500 people were forcibly evicted in Luanda in 2014. The campaign targeted those living in informal settlements—which comprises much of the country's urban population—as well as street traders; few families received compensation or alternative housing. Bribery often underpins business activity. Despite high oil revenues, Angola has one of the lowest life expectancy rates in the world (52 years) and nearly half the population lives on less than \$1.25 a day.

Women enjoy legal protections and occupy cabinet positions and multiple seats in the National Assembly. However, de facto discrimination and violence against women is on the rise, despite a 2011 law on domestic violence. Child labor is a major problem, and there are frequent reports of trafficking in women and children for prostitution or forced labor.

# Antigua and Barbuda

**Political Rights Rating:** 2

**Population:** 100,000

**Civil Liberties Rating:** 2

**Capital:** St. John's

**Freedom Rating:** 2

**Freedom Status:** Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	3,2,F	3,2,F	3,2,F	2,2,F	2,2,F	2,2,F

## INTRODUCTION

Antigua and Barbuda held successful elections in June 2014, and the Antigua Labour Party (ALP) defeated the incumbent United Progressive Party (UPP). The leader of the ALP, Gaston Browne, was installed as prime minister. The ALP accused the UPP of engaging in unlawful acts to influence the elections, and challenged the constitutionality of numerous government initiatives, including the alleged gerrymandering of boundaries, de-registration of voters, and unconstitutional amendments to the law governing the Electoral Commission. However, the Organization of American States (OAS) praised the high voter turnout and the peaceful manner in which elections were conducted.

**POLITICAL RIGHTS:** 31 / 40

**A. Electoral Process:** 11 / 12

The 1981 constitution establishes a parliamentary system, with a governor-general representing the British monarch as ceremonial head of state. The bicameral Parliament is composed of an appointed 17-seat Senate and the House of Representatives, which has 17 directly elected members (16 seats for Antigua, 1 for Barbuda) and an appointed speaker. Antigua and Barbuda's prime minister is typically the leader of the majority party or coalition that emerges from the legislative elections.

In the June 2014 elections, the opposition ALP captured 14 out of 17 directly elected parliamentary seats, while the UPP took 3 seats. Despite some controversies and political tensions in the run-up to the elections, observers deemed them free and fair.

In December 2013, the High Court ruled that proposed changes to 15 electoral boundaries in advance of the 2014 elections were constitutional and permissible. The changes had been challenged by the ALP, which denounced them as gerrymandering in favor of the UPP. The ALP also challenged the constitutionality of 2010 amendments to electoral laws that required voters to reregister for the 2014 elections. Reregistration began in September 2013, and was fraught with obstacles, including power outages, long lines, and computer failures, and needed to be extended for a fifth week. In its report on the 2014 election, the OAS indicated that continuous registration should have been provided to ensure political inclusion. In April 2014, the Eastern Caribbean Supreme Court of Appeal affirmed the High Court's ruling, upholding the changes to the electoral boundaries and registration process.

**B. Political Pluralism and Participation:** 13 / 16

Political parties can organize freely, and there is a significant opposition vote and representation in the government. In 2004, the UPP defeated the long-ruling ALP and the prime minister at the time, Lester Bird, marking the end of a political dynasty that lasted

over half a century. In party elections held in 2012, Bird lost his position as ALP leader to Browne, representing the first time in 66 years that the party will not be led by a member of the Bird family.

**C. Functioning of Government:** 7 / 12

In 2013, four government-appointed senators voted with the opposition in an attempt to defeat the UPP administration's plan to implement its Citizenship by Investment Program, which allows investors to acquire citizenship by investing in Antigua. Two of the senators were dismissed for not supporting the policies of their own party, a move that Baldwin Spencer, the prime minister at the time, defended as compliant with the Westminster system of parliamentary governance. The other two senators offered to resign but were allowed to retain their positions. One senator dismissed by Spencer, Anthony Stuart, was reappointed to Parliament following the ALP's electoral victory in 2014. The Citizenship by Investment Program has been operational since 2013.

In 2012, American investor R. Allen Stanford was convicted of fraud and sentenced to 110 years in prison for encouraging clients to invest in certificates of deposit from the Stanford International Bank of Antigua with false promises of security and high returns. In 2013, a group of defrauded investors sued the government of Antigua and Barbuda, claiming that top officials were aware of Stanford's scheme and benefited from it.

While the government has since taken steps to reform the country's financial regulatory environment, no Antiguan officials connected to the Stanford case have been brought to trial. Leroy King, former chief executive of Antigua's Financial Services Regulatory Commission (FSRC), was charged in the United States in 2009 for accepting bribes from Stanford and has resisted multiple attempts at extradition. In May 2014, it was reported that King engaged in preliminary discussion with U.S. officials regarding a possible plea agreement in the case.

**CIVIL LIBERTIES:** 49 / 60

**D. Freedom of Expression and Belief:** 14 / 16

Antigua and Barbuda generally respects freedom of the press. However, defamation remains a criminal offense punishable by up to three years in prison with hard labor, and politicians often file libel suits against opposing party members. In 2013, now-Prime Minister Browne pledged to the International Press Institute that if elected, his ALP government would repeal criminal defamation legislation within three months of taking power. Attorney General Steadroy Benjamin indicated in September that a bill to decriminalize defamation would be tabled at the next sitting of the House of Representatives, but no action was taken by year's end.

On March 3, 2013, a freelance journalist working for the online news website Caribarena was reportedly shot at after covering a West Indies cricket match, although doubts surrounding the authenticity of his claims led the site to sever their relationship. A series of alleged cyberattacks shut down the website in July 2013, and the editors fled the country following harassment of their families and the vandalism of their homes when they published articles alleging high-level government corruption. Media outlets are concentrated among a small number of firms affiliated with either the current government or its predecessor. There are no restrictions on access to the internet.

The government generally respects religious and academic freedoms.

**E. Associational and Organizational Rights:** 9 / 12

Freedom of association and assembly are guaranteed under the Constitution, and the government generally respects these rights in practice. Nongovernmental organizations

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(NGOs) are active but inadequately funded and often influenced by the government. Demonstrators are occasionally subject to police harassment. Labor unions can organize freely and bargain collectively. The Industrial Court mediates labor disputes.

**F. Rule of Law:** 13 / 16

The country's legal system is based on English common law. In recent years, the Antiguan courts have increasingly asserted independence through controversial decisions against the government.

Crime continues to be a problem. The government has responded with increased community policing, the reintroduction of roadblocks, and stiffer fines for firearms violations. An increase in gun-related crimes and the shooting of a woman at her workplace in 2013 prompted the Minister of National Security to announce government plans to enforce the death penalty for the first time since 1991. The country's prison is at 247 percent occupancy, and conditions are very poor. The abuse of inmates has been reported, though visits by independent human rights groups are permitted. In late 2014, concerned staff reached out to local media to report rampant corruption among the prison's management and guards, who allegedly smuggle drugs and other contraband for prisoners with the knowledge of their superiors. A protest by inmates in September 2014 was dispersed with tear gas and rubber bullets. In November, the Prime Minister announced that funds from the Citizenship by Investment Program would be used to upgrade prison facilities.

Same-sex sexual activity remains criminalized under a 1995 law, and there have been cases of excessive force and discrimination based on sexual orientation by police in the past.

**G. Personal Autonomy and Individual Rights:** 13 / 16

The 2005 Equal Opportunity Act bars discrimination on the basis of race, gender, class, political affinity, or place of origin. However, societal discrimination and violence against women remain problems. Only one woman holds a seat in the House of Representatives. Antigua and Barbuda serves as both a destination and transit country for the trafficking of men, women, and children for the purposes of forced labor and sexual exploitation.

## Argentina

**Political Rights Rating:** 2

**Population:** 42,669,000

**Civil Liberties Rating:** 2

**Capital:** Buenos Aires

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

### INTRODUCTION

Popular support for President Cristina Fernández de Kirchner continued its decline in 2014, due primarily to inflation and insecurity. Officials devalued the peso by 19 percent in January in order to shore up international currency reserves (which fell to a seven-year low in 2014), prompting a surge in inflation. An estimated 24 to 30 percent annual inflation rate



during the year eroded the purchasing power of Argentines and increased the incentive to buy black market dollars. Inflation rose in spite of the government's price watch agreement—Precios Cuidados (“protected prices”)—which mandated reduced prices on more than 150 products sold in the largest supermarket chains. Argentina also struggled with declining public safety in 2014 as the country played an increasing role in the international drug trade.

In April, a 24-hour general strike by labor unions brought large portions of the country to a standstill, affecting public transportation and government offices, and threatening the movement of the soybean harvest. Strikers demanded higher pay, lower taxes, and an increase in living standards amid the rising inflation.

The Fernández administration attempted to meet the country's persistent economic uncertainty with pragmatism. By agreeing to a \$5 billion settlement, the government resolved a two-year dispute with Repsol, a Spanish company whose controlling stake in an Argentine oil firm had been nationalized in 2012. The national statistics agency made efforts to increase transparency by reporting more credible inflation data, and the government exercised fiscal restraint by cutting expensive and unsustainable water and natural gas subsidies. Along with the January devaluation, the government eased restrictions on individuals purchasing dollars for savings purposes and reduced the tax rate on dollar purchases from 35 to 20 percent.

**POLITICAL RIGHTS:** 31 / 40

**A. Electoral Process:** 11 / 12

As amended in 1994, 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. President Fernández—originally elected in 2007 after her husband, Néstor Kirchner, finished serving his own term—won reelection in October 2011. With 54 percent of the vote, she claimed the largest margin of victory in the first round of a presidential election since the country returned to a democratic system in 1983. Fernández continued to centralize power in the executive branch after Kirchner's sudden death in October 2010.

The National Congress consists of the 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.

In the October 2013 midterm elections, Fernández's Front for Victory (FPV) coalition won 33 percent of the vote nationwide, allowing her to maintain a slim majority in both houses of the National Congress. However, FPV lost in 12 of 23 provinces and placed third in Buenos Aires. According to observers, the strong showing by moderate opposition figures marked the end of the era of “Kirchnerismo,” the political movement headed by Fernández and her late husband.

As she will already have served two terms, Fernández is constitutionally banned from participating in the next presidential election, which will be held in October 2015.

**B. Political Pluralism and Participation:** 14 / 16

The right to organize political parties is generally respected. Major parties include the Justicialist Party (also known as the Peronist Party), which has two opposing factions: the center-left FPV faction (currently headed by Fernández) and the center-right Federal Peronism faction. In recent years, the Renewal Front, a breakaway faction of Fernández's party, has gained prominence.

The Peronists have been a dominant force in politics since 1946, and critics of the government have sometimes faced undue attention from tax officials in recent years. However,

Argentina's multiparty political system affords opposition parties the realistic opportunity to compete for political power. Other parties include the centrist Radical Civic Union, the center-right Republican Proposal, and the socialist Broad Progressive Front.

**C. Functioning of Government:** 6 / 12

Corruption plagues Argentine society, and scandals are common. The most prominent corruption scandal of 2014 involved Vice President Amado Boudou. In June, Boudou was indicted on corruption charges over his dealings with Ciccone Calcográfica SA, the company that had been contracted to print Argentina's currency. During his term as economy minister in 2010, Boudou allegedly personally acquired 70 percent of Ciccone Calcográfica in secret, using various shell companies and middlemen. The deal would have given him lucrative government contracts and tax exemptions. If convicted, Boudou—who denies all wrongdoing—faces up to six years in prison and a lifetime ban on holding public office.

In another high-profile case, former secretary of transportation Ricardo Jaime was indicted on charges of “illicit enrichment” in April 2014 for allegedly accepting millions of pesos in assets as bribes during his time in office. Jaime has also denied any wrongdoing. Separately, Lázaro Báez, a construction tycoon and close business associate of the late Kirchner, has been under investigation since April 2013. Báez stands accused of embezzlement due to his alleged involvement in a money-laundering scandal facilitated by an illegal relationship with the government. Argentina was ranked 107 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

A freedom of information bill passed by the Senate in 2010 subsequently stalled in the Chamber of Deputies and expired in 2013. Several provinces have passed their own freedom of information laws, but enforcement and funding problems have undermined their impact.

**CIVIL LIBERTIES:** 49 / 60

**D. Freedom of Expression and Belief:** 14 / 16

Argentine law guarantees freedom of expression, and Congress decriminalized libel and slander in 2009. However, the Fernández administration has been known to pressure opposition media through verbal attacks, and to prohibit private companies from advertising in opposition outlets. Despite multiple Supreme Court rulings urging the federal government to adhere to objective criteria for the allocation of official advertising, the administration has resisted reform. The government continues to make discriminatory use of official advertising contracts, doling them out as political rewards or punishments—a practice that threatens the sustainability of independent media outlets.

While Argentina is a relatively safe country for journalists, provincial governments have sometimes applied selective pressure to suppress critical news. In December 2013, for example, Juan Pablo Suárez, a newspaper editor known for his criticism of the government, was arrested while covering the violent arrest of a protest leader. In mid-2014, Suárez was accused of sedition and “inciting collective violence.” He is the first journalist to be charged under Argentina's 2011 antiterrorism law, which amended Article 41 of the penal code to prescribe doubled sentences if a crime was intended to terrorize the public. The measure has been criticized for its potential for overly broad application.

The government does not restrict access to the internet, which is widely used in Argentina.

While the constitution guarantees freedom of religion and anti-Semitism is reportedly declining, the persecution of the country's Jewish population (the largest in Latin America) has historically presented a great challenge. The 1994 bombing of a Jewish cultural center continues to play a role in politics; in 2006, Argentine prosecutors formally accused

top Iranian officials of orchestrating the bombing, though there have been no convictions to date. In May 2014, a federal court struck down a 2013 agreement between Argentina and Iran to jointly investigate the bombing.

Academic freedom is a cherished Argentine tradition and is largely observed in practice. Private discussion is vibrant and unrestricted.

#### **E. Associational and Organizational Rights: 11 / 12**

The freedoms of assembly and association are generally respected, and citizens organize protests to make their voices heard. Civic organizations are robust and play a major role in society, although some fall victim to Argentina's pervasive corruption. Organized labor remains dominated by Peronist unions, and union influence is not strong. However, the country's largest unions called a nationwide, 24-hour general strike in April 2014, paralyzing much of the country. They sought to protest high inflation and taxes, and shrinking real wages for workers.

#### **F. Rule of Law: 11 / 16**

Inefficiencies and delays plague the judicial system, which can be subject to political manipulation. The Supreme Court, however, maintains relative independence. In June 2013, it struck down former president Kirchner's judicial reform law, deeming many of the provisions unconstitutional due to their potential to further politicize the selection of new judges.

Argentine law allows for fair trials, a right that is generally enforced by the judiciary. 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 on the rise. Nevertheless, in February 2014, 17 former civil servants and police officers were put on trial for a December 2001 incident in which police opened fire on protesters, killing five.

Drug-related violence increased in 2014 as international criminal organizations used the country as both an operational base and a transit route. Argentina's northern and central regions have been particularly affected. The city of Rosario, in the northern province of Santa Fe, has been plagued by turf wars between rival drug gangs since 2010, with the number of homicides rising 76 percent between 2012 and 2013. There were 264 registered killings in the city in 2013.

In 2014, Argentina's growing insecurity was also reflected in a wave of attacks in which angry crowds attempted to punish suspected criminals through violent means. One such attack resulted in the death of a teenager accused of trying to steal a woman's purse.

In 2005, the Supreme Court declared that laws passed in the 1980s to safeguard the military from prosecution were unconstitutional, laying the foundation for the prosecution of past military crimes. Following the ruling, then president Kirchner initiated proceedings against former officials involved in Argentina's so-called dirty war (1976–1983), during which right-wing military rulers utilized brutal tactics to silence dissent. Such prosecutions have continued under the Fernández administration. In October 2011, 12 military and police officers, including Ricardo Cavallo and Alfredo Astiz, were convicted of torture, murder, and forced disappearance and sentenced to life in prison. Jorge Videla, a former military dictator and principal architect of the war, died in prison in May 2013 after receiving a life sentence in 2010 for crimes against humanity. In July 2014, two former senior military officials were sentenced to life in prison for the 1976 murder of Enrique Angelelli, a left-leaning bishop who championed the rights of those persecuted by the regime. The trial established

that Angelelli was killed when his vehicle was forced off the road; the incident had been classified as an accident at the time.

Argentina's indigenous peoples, who represent between 1.5 and 3.5 percent of the population, are largely neglected by the government and suffer disproportionately from extreme poverty and illness. Approximately 70 percent of the country's rural indigenous communities lack titles to their lands. Current laws require the government to perform a survey on land occupied by indigenous communities by November 2017. While any evictions before that time are technically illegal, forced evictions still occur. This is partly due to the fact that only 11 of Argentina's 23 provinces have constitutions recognizing the rights of indigenous peoples.

#### G. Personal Autonomy and Individual Rights: 13 / 16

Harsh restrictions on foreign currency transactions limit citizens' ability to travel and conduct business. In contrast, the registration process for owning property or starting a business has been streamlined through online procedures, which has reduced graft.

Women actively participate in politics in Argentina. In addition to the 2011 reelection of President Fernández, women held nearly 35 percent of the seats in the Chamber of Deputies after the October 2013 elections. Decrees mandate that one-third of National Congress members be women.

Although abortion remains illegal, in March 2012 the Supreme Court outlawed the prosecution of women who have had an abortion after being raped. An estimated 500,000 illegal abortions are performed each year, resulting in approximately 100 deaths annually. Domestic violence against women is a serious problem, and women continue to face economic discrimination and gender-based wage gaps.

In 2002, Buenos Aires became the first South American city to pass a domestic partnership law, and in July 2010 Argentina became the second country in the Americas—after Canada—to legalize same-sex marriage nationwide.

## Armenia

**Political Rights Rating:** 5

**Civil Liberties Rating:** 4

**Freedom Rating:** 4.5

**Freedom Status:** Partly Free

**Electoral Democracy:** No

**Population:** 3,013,000

**Capital:** Yerevan

*Note:* The numerical ratings and status listed above do not reflect conditions in Nagorno-Karabakh, which Freedom House examines in a separate report.

#### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,4,PF	5,4,PF	5,4,PF	6,4,PF	6,4,PF	6,4,PF	6,4,PF	5,4,PF	5,4,PF	5,4,PF

#### INTRODUCTION

In October 2014, an ad hoc constitutional committee formed by President Serzh Sargsyan presented a proposal to transform Armenia's presidential system into a parliamentary republic. The political opposition was not in favor of the proposal.

The same month, Sargsyan agreed for Armenia to join the Eurasian Economic Union (EEU), the Russia-led customs union that also includes Belarus and Kazakhstan, amid widespread public disapproval.

Border violence escalated in 2014 in Nagorno-Karabakh, an ethnic Armenian enclave within Azerbaijan's borders and one of the major disputed territories of the post-Soviet space. Both sides reported the highest casualty rate since signing a cease-fire in 1994.

**POLITICAL RIGHTS:** 16 / 40 (+2)

**A. Electoral Process:** 5 / 12

Armenia is a semipresidential republic with a unicameral National Assembly whose members are elected for five-year terms; 90 seats are determined through proportional representation and 41 through races in single-member districts. The president is elected by popular vote for up to two five-year terms. Although national and local elections have been held regularly since independence in 1991, the country's electoral system is characterized by a tradition of violations and a deep mistrust of the system among the electorate.

In the most recent parliamentary elections, in 2012, the ruling Republican Party of Armenia (HHK) secured a majority. In 2013, incumbent Sargsyan maintained the presidency. The presidential election in particular highlighted the profound problems in Armenia's electoral system, with a large number of violations and the withdrawal of three main opposition candidates prior to the race.

In October 2014, an ad hoc constitutional committee established by President Sargsyan presented the final draft of a controversial concept for constitutional reform. The committee proposed, among other things, transforming the current political system into a parliamentary republic; drastically reducing the powers of the president in favor of the prime minister; empowering the parliament, rather than voters, to elect the president for a seven-year term without reelection; strengthening local councils; and strengthening the separation and balance of powers. The Venice Commission of the Council of Europe voiced cautious approval of the proposed changes, noting the need for a more concrete design and the inclusion of public input. Critics allege that Sargsyan may use the change to extend his power by becoming prime minister, though in June Sargsyan said that he would not pursue that position in the new system. The government is expected to press ahead with the amendments. Only one opposition party had voiced support for the draft at year's end.

Local elections for mayoral, gubernatorial, and city council seats took place throughout 2014. In a rare electoral upset for Armenia's ruling party, the HHK-nominated candidate lost the race for mayor of Bavra, a village in the traditionally pro-opposition Shirak province, to an independent candidate. Nevertheless, HHK's monopoly on power in Armenia's capital and provinces remained intact. Domestic observers noted the same violations and fundamental problems that have characterized elections since the early 1990s, including ballot stuffing, voter intimidation, and the buying of votes.

In 2011, the government boosted the formal independence of the Central Electoral Commission by entrusting its formation to the country's human rights ombudsman and members of the judiciary. However, the president retains the power to approve appointments, and the commission has exhibited partiality and inadequate responses to complaints. According to the electoral code, women must occupy at least 20 percent of a party's candidate list for the parliament's proportional-representation seats.

**B. Political Pluralism and Participation:** 7 / 16 (+1)

People have the right to organize political parties in Armenia, but the ruling party's control of administrative resources prevents a level playing field. In recent years, a number

of changes have modestly widened the political space. During the 2013 presidential election, for example, parties were more free to campaign, and contenders were more active in their voter outreach and received more balanced media coverage than in the past.

In 2014, four of the five parliamentary opposition parties—the Armenian National Congress (HAK), the Armenian Revolutionary Federation, Prosperous Armenia (BHK), and Heritage—initiated cooperative moves against the incumbent government and its policies. The leaders of the parties, which had never previously united in an effective way, issued a list of 12 largely societal and economic demands to the government in June. The demands drew on a number of issues that had been the focus of public protests in 2013 and 2014, including trade tariff regulations, public transport tariffs, and a contested pension reform plan. The ruling authorities did not meet any of the opposition’s demands, and in September the leaders of three of the parties—Heritage, HAK, and BHK—began a series of rallies across Armenia to increase public involvement toward a change of government; in Yerevan, more than 10,000 demonstrators gathered. Opposition figures also expressed concern about state surveillance in December, when the chief of police admitted to using undercover agents to gather information on their rallies and collaboration. In practice, opposition cooperation is rare, as fundamental differences on policies and legislation prevent united action.

**C. Functioning of Government:** 4 / 12 (+1)

Corruption is pervasive in Armenia. Bribery and nepotism are reportedly common practice among government officials, who are rarely prosecuted or removed for abuse of office. Corruption is also believed to be a serious problem in law enforcement. A five-year initiative to combat graft, announced in 2008, did not make meaningful headway.

Shortly after taking office in April 2014, Prime Minister Hovik Abrahamyan gave an ultimatum to more than 100 major business owners to stop underreporting earnings by July 1; he later admitted that ending tax fraud in Armenia will take much longer. In May, he said Armenia needed “painful” and far-reaching reforms aimed at decreasing corruption and strengthening the rule of law. Major obstacles include a booming shadow economy and low tax revenues. Lagging economic growth is projected to slow further in the wake of Western sanctions against Russia, Armenia’s major trading partner, especially after the implementation of EEU regulations.

State bodies showed signs of growing openness and transparency in 2014. The 2003 law on freedom of information is increasingly utilized; the independent Freedom of Information Center reported both an increase in government responses and a decrease in unfounded rejections to requests. Both the United Nations and domestic organizations have noted gains in government efficiency, transparency, accountability, and citizen access in 2014 thanks to the use of e-governance mechanisms. A similar program, launched in 2012, concluded in 2014 with positive feedback.

**CIVIL LIBERTIES:** 30 / 60 (+1)

**D. Freedom of Expression and Belief:** 9 / 16 (+1)

Despite constitutional guarantees of freedom of expression, limits on press freedom persist. The authorities use informal pressure to maintain control over broadcast outlets, the chief source of news for most Armenians. There are two public television networks and dozens of private channels with varying degrees of national reach. By law, political parties are banned from owning or controlling television channels, though the owners of most channels have close ties to the government, making televised news coverage politicized.

In May, the national prosecutor’s office issued a statement that publishing information related to ongoing criminal investigations is a criminal offense; this had a chilling effect on

the work of journalists. Nevertheless, the year included notable victories for independent media. A draft law that proposed holding media outlets responsible for false or libelous information found in reproduced content or user comments was dropped from parliamentary discussion. Online media not only continued to grow in number and plurality but also gained audience share at the expense of traditional media. Online news outlets enjoy far greater editorial, financial, and administrative independence.

Although libel was decriminalized in 2010, the civil offense of “defamation and insult” persists as a political weapon against traditional media. In the first half of 2014, eight defamation suits were filed against journalists, down from 16 in the first half of 2013. Violence against journalists remains a problem as well; the Committee to Protect Freedom of Expression, an Armenian nongovernmental organization (NGO), reported seven physical attacks against journalists in the first nine months of 2014.

Freedom of religion is generally respected, but the Armenian Apostolic Church maintains a privileged role. Members of minority faiths—especially Jehovah’s Witnesses and Yezidis—sometimes face societal discrimination.

The government generally respects academic freedom, although politically motivated firings of educators have been recorded in the past. Private discussion is relatively free and vibrant.

#### **E. Associational and Organizational Rights: 6 / 12**

The Law on Freedom of Assembly, amended in 2011, guarantees the right to peaceful assembly. In practice, authorities interfere with the right of citizens to assemble, often by denying authorization, dispersing demonstrations, or physically attacking participants. In January and March 2014, police clashed with activists protesting against a new pension system that requires individuals under the age of 40 to pay a percentage of their gross earnings into funds controlled by the government and central bank. In April, the Constitutional Court ruled the system, which had also sparked protests in 2013, unconstitutional. The government responded by limiting the scope of the reform to public-sector employees, with those working in the private sector receiving a three-year waiver, but the issue of pension reform remained a grievance for both civil society and the opposition troika of Heritage, HAK, and BHK.

The troika’s nationwide rallies were held in September and October 2014 without interference from the authorities. Although the mayor of Ararat denied the parties authorization for a gathering, the party leaders proceeded as planned and faced no undue interference.

The Law on Public Organizations and the Law on Foundations set cumbersome registration requirements for civil society organizations. Approximately 4,000 NGOs are registered with the Ministry of Justice, though many are not operational because of a lack of funding or capacity. The government provides financial assistance to certain organizations from the state budget, but research conducted by the Yerevan Center for Freedom of Information suggests that some of these organizations are completely inactive, raising the possibility that their purpose is to launder money.

While the constitution provides for the right to form and join trade unions, labor organizations are weak and relatively inactive.

#### **F. Rule of Law: 6 / 16**

The judiciary suffers from a lack of independence and transparency. Other problems include prosecutorial bias, arbitrary rulings, extensive use of pretrial detention, and artifi-

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cially low acquittal rates. In 2013, thanks to a Judicial Reform Project implemented by the World Bank, Armenia increased the speed of processing cases at first instance courts and improved judicial infrastructure, including renovating courthouses, building new facilities for the Forensic Center and the Academy of Justice, and implementing new information communications technologies. The Justice Sector Reforms for 2012–16, a far-reaching reform initiative, showed little headway in 2014 toward the objectives of improving civil and criminal legislation and enhancing the independence and functioning of the judiciary and the prosecutor’s office. The UN Commissioner for Human Rights highlighted judicial corruption and inefficiency during his October 2014 visit to Armenia, emphasizing the low public trust (25 percent) in this branch of government.

Pervasive police misconduct includes arbitrary arrests without warrants, beatings during arrest and interrogation, and the use of torture to extract confessions. Prison conditions, especially health and sanitation standards, are poor. In 2012, the government launched a four-year prison reform plan that envisions the adoption of a new criminal code and the introduction of inmate rehabilitation and suspended sentences. Two similar programs, launched in 2013 and 2014 with the help of the Council of Europe and the UN Democracy Fund, respectively, aim to bring the country’s penitentiary system closer to European standards and to counter overcrowding with noncustodial and early release programs.

Although members of Armenia’s small ethnic minority population rarely report cases of overt discrimination, they have complained about difficulties in receiving education in their native languages. Members of the Yezidi community have sometimes reported discrimination by police and local authorities.

Homosexuality was decriminalized in 2003. In practice, the LGBT (lesbian, gay, bisexual, and transgender) community faces persecution and harassment, with attackers enjoying blanket impunity. In August 2013, law enforcement supported a bill that would ban all “nontraditional sexual relationships.” The bill was withdrawn the same month after human rights groups criticized the proposal, likening it to anti-LGBT laws recently passed in Russia. Although a number of NGOs advocate for LGBT rights with public campaigns and appeals to officials, the government is generally unresponsive.

#### **G. Personal Autonomy and Individual Rights: 9 / 16**

The government does not obstruct freedom of travel or choice of residence or employment. However, Armenia’s education system suffers from widespread corruption. Both educators and administrators perpetuate a system of bribes for admission to institutions of higher education and for passing marks on state examinations.

Citizens have the right to own private property and establish businesses, but an inefficient and corrupt court system, along with the dominance of government-friendly oligarchs and business cliques in key industries, hinders such activities. Illegal expropriation of private property by the state remains a problem.

There were no female candidates in the presidential election in 2013, and women hold only 14 of the 131 seats (10.7 percent) in the National Assembly. Domestic violence and trafficking in women and girls for the purpose of prostitution are serious problems. In 2014, a coalition of NGOs, pointing out an alarming rise in murder and assault by husbands, began redrafting a bill on domestic violence that the parliament had previously rejected.



## Australia

**Political Rights Rating:** 1

**Population:** 23,520,000

**Civil Liberties Rating:** 1

**Capital:** Canberra

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

In 2014, the Australian government continued to contend with a surge in asylum seekers arriving in the country by boat. Authorities adhered to the country's strict immigration policies, denying asylum seekers entry rather diverting them to offshore processing centers in Papua New Guinea and Nauru, where temporary detention camps were reopened in 2013. The issue culminated in changes to the country's immigration legislation, approved Parliament in December, that reintroduced controversial temporary visas for refugees. Australia elevated its terror alert level in September after security agencies uncovered evidence of domestic terrorist threats, particularly from supporters of the Islamic State (IS) militant group.

**POLITICAL RIGHTS:** 39 / 40

**A. Electoral Process:** 12 / 12

A governor general, appointed on the recommendation of the prime minister, represents the British monarch as head of state. The prime minister is the leader of the majority party or coalition in Parliament.

Voting is compulsory, and citizens participate in free and fair multiparty elections to choose representatives for the bicameral Parliament. The Senate, the upper house, has 76 seats, with 12 senators from each of the six states and two from each of the two mainland territories. Half of the state members, who serve six-year terms, are up for election every three years; all territory members are elected every three years. All 150 members of the House of Representatives, the lower house, are elected by popular preferential voting to serve three-year terms, and no state can have fewer than five representatives.

Tony Abbott of the Liberal Party took office as prime minister in 2013 after federal elections, replacing Kevin Rudd of the Australian Labor Party. Although Rudd had attempted to improve Labor's public image, which was harmed by internal conflict and unpopular legislative initiatives, the elections were one of the worst showings for Labor on a federal level. The Liberal Party/National Party coalition took 90 of the 150 seats in the House of Representatives. Labor won 55 seats, while the rest were captured by smaller parties. In the Senate, the Liberal coalition took 33 seats, with Labor capturing 31, the Green Party taking 9, and one seat each going to the Democratic Labor Party and an Independent.

**B. Political Pluralism and Participation:** 15 / 16

Political power alternates between the Labor Party and the Liberal Party/National Party coalition. The left-leaning Green Party tends to ally with Labor, while a number of small nationalist and conservative parties often ally with the Liberal Party. In the 2013 federal

elections, Abbott's coalition scored a decisive 90-seat majority in the lower legislative house. Since the Green Party generally opposes the Liberal/National coalition, the coalition nevertheless needs the support of legislators from small parties to pass or repeal legislation.

Native aboriginal peoples continue to fight for a greater voice in politics. The first indigenous woman was elected to Parliament in 2013. Other groups are slowly finding success in local and national politics. A Pakistani-born female environmental engineer became the first Muslim lawmaker in Australia by filling an upper house seat in the New South Wales legislature in 2012. Penny Wong, an ethnic Chinese born in Malaysia, became the first openly gay minister when she joined the Labor government in 2010.

**C. Functioning of Government:** 12 / 12

Australia was ranked 11 out of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index. A high degree of transparency and accountability prevails in the functioning of government. Policies and initiatives are openly discussed, examined, and criticized in Parliament and the media.

**CIVIL LIBERTIES:** 58 / 60

**D. Freedom of Expression and Belief:** 16 / 16

While the constitution does not explicitly protect freedoms of speech and the press, individuals and the media freely criticize the government without reprisal. Some laws restrict the publication and dissemination of material that promotes or incites terrorist acts. Ownership of private print media is highly concentrated, but there are many online, television, and radio news and entertainment outlets, both private and public. The government does not generally restrict access to the internet.

Religious and academic freedoms are generally respected. The only overt intervention is a prohibition against anti-Australian messages in places of worship and schools under the country's antiterrorism laws.

**E. Associational and Organizational Rights:** 12 / 12

Freedoms of assembly and association are not explicitly codified in law, but the government respects these rights in practice. Workers can organize and bargain collectively.

**F. Rule of Law:** 15 / 16

The judiciary is independent, and prison conditions generally meet international standards. Antiterrorism laws have tightened since 2001. Legislation enacted in 2005, with a 10-year sunset clause, allows police to detain suspects without charge and includes "shoot to kill" provisions, the criminalization of violence against the public and Australian troops overseas, and authorization for the limited use of soldiers to meet terrorist threats on domestic soil. Legal scholars and opponents of antiterrorism laws continue to question whether these measures are needed and effective. Australian immigration has expanded the use of electronic biometric captures of fingerprints and facial images for visitors since 2011, with emphasis on individuals from countries deemed a high risk because of the presence of Islamist extremism.

In September 2014, Australia raised its terror alert level from medium to high following fears that sympathizers of extremist militants might carry out domestic attacks; the government estimates that 60 Australian citizens work with militants in Iraq and Syria. Police raids in Brisbane and Sydney in September led to the detention of multiple terror suspects, some of whom were charged for an alleged plot. Separately that month, police fatally shot an 18-year old alleged sympathizer after he attacked two officers.

New antiterrorism measures passed in October include provisions for the designation of “no-go zones” around the world. Those traveling to such areas may be required upon return to prove that they had not participated in terrorist activity. Individuals who travel to such an area without a “legitimate” reason—including visiting family members or engaging in humanitarian work—can face up to 10 years in prison. Syria’s Al-Raqqa province was declared the first no-go zone in December.

Australia’s strict immigration and asylum policies faced several legal challenges in 2014. Despite international criticism, the High Court in June upheld the constitutionality of using Papua New Guinea as a regional processing center; the Labor government had reopened detention facilities there in 2013. A case challenging the government’s authority to detain and turn back asylum seekers at sea was ongoing at the end of the year. Although Parliament remains divided on long-term solutions to the issue, it voted in December 2014 to reintroduce a stopgap measure—a temporary visa that allows refugees to work and live in Australia for three to five years but denies them permanent residence.

Human rights groups have expressed particular concern for women and children at the overseas detention centers, pointing to poor living conditions and a lack of physical and mental health services. Local police in Papua New Guinea face criticism for poor preparedness and responsiveness. In February, violence at the Papua New Guinea facility resulted in the death of one detainee and injuries to more than 60 others. A Senate Committee inquiry report on the incident, released in December, found that Canberra had “failed in its duty” to protect asylum seekers. A new village in Lorengau, a provincial capital in Papua New Guinea, was completed in 2014 and is expected to help ease overcrowding. In September, Australia signed a memorandum with Cambodia to relocate detainees from Nauru to a facility outside of Phnom Penh if they are determined to be refugees. Human rights groups denounced the plan, citing Cambodia’s poor human rights record and lack of capacity to assist refugees.

In 2012, the government officially apologized to victims of homophobia, sexual predation, and rape in the military after a government-commissioned study found more than 1,000 claims dating back to the 1950s. In 2013, the government apologized for a policy that forced unmarried mothers to allow their babies to be adopted by childless couples. The policy lasted into the 1970s; thousands or tens of thousands of such forced adoptions are believed to have taken place.

In recent years, the country has experienced ethnic tensions and violent incidents involving South Asian and other immigrant groups. This had a negative effect on foreign student enrollment—an important source of income for many universities. Improved policing, community efforts, reduced visa fees, and government assurances have helped enrollment to rebound.

#### **G. Personal Autonomy and Individual Rights: 15 / 16**

Citizens and legal residents in Australia enjoy the right to move freely and choose their own residence. An open and free market economy, the country has a high level of economic freedom for businesses and individuals.

Aborigines comprise about 2 percent of the population. Underrepresented at all levels of government and lagging considerably behind other groups in key social and economic indicators, they also suffer higher rates of incarceration, are more frequently involved in violent crimes, and report routine mistreatment by police and prison officials. Women enjoy equal rights and are gaining greater parity in pay and promotion in public and private sector jobs. However, violence against women remains a problem, particularly for indigenous women. The military opened combat positions to women in 2012.

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Gay men and lesbians can serve in the military. Federal law grants legal residence to foreign same-sex partners of Australian citizens. Same-sex civil partnerships are recognized in the Australian Capital Territory (ACT) and four Australian states, but same-sex marriage is not legal, as an amendment to the Federal Marriage Act in 2004 defined marriage as a union between a man and a woman.

## Austria

**Political Rights Rating:** 1

**Population:** 8,531,000

**Civil Liberties Rating:** 1

**Capital:** Vienna

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

Austria continued to boast one of the strongest economies in Europe in 2014, with an unemployment rate of less than 5 percent. Nevertheless, the country's far-right, nationalist, and anti-immigration Freedom Party of Austria (FPÖ) attracted considerable support in the European Parliament (EP) elections in May, placing third with 20 percent of the vote. Mainstream parties were weakened by recent corruption scandals, and their pro-European Union (EU) policies had become unpopular amid public discontent with financial bailouts for other EU member states during the bloc's financial crisis.

**POLITICAL RIGHTS:** 38 / 40

**A. Electoral Process:** 12 / 12

The lower house of Parliament, the National Council (the Nationalrat), has 183 members chosen through proportional representation at the district, state, and federal levels. Members serve five-year terms, extended from four in 2008. The president, who is elected for a six-year term, appoints the chancellor, who needs the support of the legislature to govern. The 62 members of the upper house, the Federal Council (Bundesrat), are chosen by state legislatures for five- or six-year terms.

In the October 2013 legislative elections, Chancellor Werner Faymann's center-left Social Democratic Party of Austria (SPÖ) won 52 seats in the National Council, and the center-right People's Party of Austria (ÖVP) took 47. Their combined vote share of 50.9 percent, down from 78.8 percent in 2002, was their worst since World War II, and their combined number of seats fell from 108. Both parties were weakened by corruption scandals and by public discontent with their pro-EU policies. In December 2013, the SPÖ and the ÖVP reached an agreement to continue governing as a grand coalition.

The FPÖ took 40 seats in the 2013 elections, up 6 from the previous election. Team Stronach for Austria, a Euroskeptic, pro-business party founded in 2012 by Austrian-born Canadian car-parts magnate Frank Stronach, took 11 seats. The Austrian Green Party won 24 seats, while the centrist, pro-business New Austria (NEOS) won nine seats. The far-right Alliance for the Future of Austria (BZÖ), which had split from the FPÖ in 2005 and was

considered less extreme, failed to win any seats, falling short of the 4 percent threshold necessary for inclusion in the National Council. Voter turnout was approximately 75 percent.

In the May 2014 EP elections, the ÖVP secured 27 percent of the vote, the SPÖ won 24 percent, and FPÖ won 20 percent of the vote. Andreas Mölzer, an FPÖ member serving in the EP since 2004, declined to seek reelection after facing criticism for making racially derogatory remarks and likening the EU to Nazi Germany. FPÖ leader Heinz-Christian Strache has sought to curb the party's openly anti-Semitic and racist rhetoric. In April 2014, the party—which has maintained that immigration threatens European culture and identity—stated that it accepts immigrants who have assimilated into Austrian culture. In 2000, the EU briefly suspended ties with Austria, imposing diplomatic sanctions in response to the inclusion of the FPÖ in an ÖVP-led coalition government.

### **B. Political Pluralism and Participation:** 15 / 16

Although Austria has competitive political parties and free and fair elections, the traditional practice of grand coalitions has fostered public disillusionment in the political process. The participation of Slovene, Hungarian, and Roma minorities in local government remains limited despite governmental efforts to provide bilingual education, media, and access to federal funds. There is little minority representation in Parliament. After the 2013 elections, the National Council included one Muslim man and three Turkish-born Muslim women. According to the 2014 edition of the Migrant Integration Policy Index, Austria provides immigrants with fewer opportunities for citizenship and political participation than most Western European countries.

### **C. Functioning of Government:** 11 / 12

Recent corruption scandals have damaged the reputation of Austria's political class. In February 2014, a trial began against Wolfgang Duchtatzek, deputy governor of the Austrian central bank, who with eight other defendants is accused of paying approximately €14 million (\$19 million) in bribes to officials in Azerbaijan and Syria to win contracts for supplying banknotes to these countries. Austria was ranked 23 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

In March 2014, Austria ceased its opposition to an EU plan to curb tax evasion that would require member states to divulge information about bank account holders under the EU Savings Tax Directive. Austria and Luxembourg, both known as bastions of banking secrecy, had opposed full implementation of the directive since its inception in 2005.

### **CIVIL LIBERTIES:** 58 / 60

#### **D. Freedom of Expression and Belief:** 16 / 16

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, and a large number of defamation cases have been brought by officials, particularly from the FPÖ, in recent years. Despite a 2003 law to promote media diversity, media ownership remains highly concentrated. There are no restrictions on internet access.

While there is no official censorship, Austrian law prohibits any form of neo-Nazism or anti-Semitism, as well as the public denial, approval, or justification of Nazi crimes, including the Holocaust. The FPÖ has been accused of anti-Semitic rhetoric in recent years and has additionally been criticized for fueling anti-Muslim feelings in Austria through controversial advertising campaigns. A number of recent high-profile court cases have centered on the balance between freedom of speech and the prohibition of hate speech.

In December 2014, Parliament passed legislation to ban flags and clothing bearing symbols of the militant group Islamic State (IS) and 18 other groups, following a similar ban on IS symbols in Germany.

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 have complained that the law impedes their legitimate claims for recognition and demotes them to second- or third-class status. There are no government restrictions on academic freedom, and private discussion is both free and vibrant.

**E. Associational and Organizational Rights:** 12 / 12

Freedoms of assembly and association are protected in the constitution and in practice. Nongovernmental organizations operate without restrictions. Trade unions are free to organize and to strike, and they are considered an essential partner in national policymaking.

**F. Rule of Law:** 15 / 16

The judiciary is independent, and the Constitutional Court examines the compatibility of legislation with the constitution without political influence or interference. Conditions in prisons generally meet high European standards.

Residents are usually afforded equal protection under the law. However, immigration has fueled some resentment toward minorities and foreigners, as well as discriminatory practices. Austria has one of the world's highest numbers of asylum seekers per capita, and the Office of the UN High Commissioner for Refugees (UNHCR) has criticized the country's strict asylum law. Some asylum seekers can be deported while appeals are pending, and new arrivals are asked for full statements within 72 hours. In addition, the number of people who have been naturalized has fallen dramatically since the establishment of a more restrictive national integration policy in 2009. At a June 2014 meeting of the UNHCR, Austria pledged to accept 1,500 Syrian refugees over a period of 12 months. Also in June, the governor of the state of Lower Austria warned that the country's main refugee center was overcrowded, with 1,300 asylum seekers living in a space intended for a maximum of 480. In September, Chancellor Faymann called on the EU to develop a more coordinated refugee policy. Approximately 28,000 people sought asylum in Austria in 2014, the seventh-highest number in the EU.

Antiterrorism legislation passed in December created a possibility for the state to revoke the citizenship of anyone who has traveled abroad to fight with jihadist groups. According to the interior ministry, nearly 200 people have traveled from Austria to the Middle East for that purpose since the start of the Syrian civil war in 2011.

Antidiscrimination laws apply to the rights of LGBT (lesbian, gay, bisexual, and transgender) people. In June 2014, openly gay politician Ulrike Lunacek was attacked with acid while participating in a parade in support of LGBT rights.

**G. Personal Autonomy and Individual Rights:** 15 / 16

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 and job training.

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. The 2009 Second Protection Against Violence Act increased penalties for perpetrators of

domestic violence and authorized further measures against chronic offenders. Women made up 33 percent of the National Council after the 2013 elections.

A 2009 law permits civil partnerships for same-sex couples, giving them equal rights to pension benefits and alimony, but same-sex marriage is not recognized. The law does not provide same-sex couples with the same adoption rights or access to assisted reproductive technologies as heterosexual couples. In July 2013, Parliament approved an amendment to the civil code to allow the biological children of an individual to be adopted by his or her partner, but it rejected a bill that would grant same-sex couples unrestricted adoption rights.

## ↓ Azerbaijan

**Political Rights Rating:** 6

**Population:** 9,538,000

**Civil Liberties Rating:** 6

**Capital:** Baku

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Trend Arrow:** Azerbaijan received a downward trend arrow due to an intensified crackdown on dissent, including the imprisonment and abuse of human rights advocates and journalists.

*Note:* The numerical ratings and status listed above do not reflect conditions in Nagorno-Karabakh, which is examined in a separate report.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,6,NF	6,6,NF

### INTRODUCTION

Although Azerbaijan held the rotating chairmanship of the Council of Europe's executive body from May to November, putting it in the international spotlight, the government intensified its already severe persecution of human rights activists, independent journalists, and opposition figures during the year. The charges used against them included treason, tax evasion, illegal business activity, and possession of illegal drugs or weapons. Even after a raft of presidential pardons in late December, human rights groups counted more than 90 political prisoners still behind bars.

Also during the year, the authorities forced the closure of the local offices of two U.S.-based nongovernmental organizations (NGOs) and U.S.-funded Radio Free Europe/Radio Liberty (RFE/RL).

**POLITICAL RIGHTS:** 6 / 40

**A. Electoral Process:** 1 / 12

Azerbaijan's constitution provides for a strong presidency, and the 125-member Milli Majlis (National Assembly) exercises little or no independence from the executive branch. The president and members of parliament serve five-year terms; a 2009 referendum eliminated presidential term limits.

Elections since the early 1990s have been considered neither free nor fair by international observers. In the October 2013 presidential election, incumbent Ilham Aliyev—who had succeeded his father, Heydar Aliyev, in 2003—won with 84.6 percent of the vote. Jamil Hasanli, who was nominated as a backup candidate by the opposition National Council of

Democratic Forces, placed a distant second with 5.5 percent. The council, an umbrella organization formed that year to unite opposition factions and push for reform, had originally nominated well-known filmmaker Rustam Ibragimbekov, but his registration was rejected on the grounds that he had dual Russian-Azerbaijani citizenship.

The Organization for Security and Co-operation in Europe (OSCE) strongly criticized limits on the ability of legitimate presidential candidates to run for office, restrictions on freedom of expression and assembly, intimidation of voters, and fraud during voting and the vote-counting process. Meanwhile, a delegation from the European Parliament (EP) initially called the presidential election “free, fair and transparent.” Some critics speculated that the positive assessment was the result of successful lobbying efforts on the part of the Azerbaijani government and European business interests in the country. The EP ultimately backed away from its own delegation’s findings and supported the conclusions of the OSCE.

The most recent parliamentary elections, held in November 2010, followed the established trend of increasing manipulation, and the ruling New Azerbaijan Party (YAP) emerged with 71 seats, up from 61 in the 2005 polls. The remainder went to 41 independents and 10 minor parties, none of which garnered more than three seats. The opposition parties Musavat and Azerbaijan Popular Front lost representation. The next parliamentary elections are scheduled for 2015.

#### **B. Political Pluralism and Participation: 3 / 16**

The political environment in Azerbaijan is neither pluralistic nor competitive. President Aliyev’s YAP has dominated the political playing field since its founding in 1995, and nominal opposition groups and independents that won representation in the 2010 parliamentary elections tend to support the government.

Amendments to the electoral code in 2009 limited candidates’ access to public campaign funding and reduced the official campaign period from 28 to 22 days. Changes made to laws on freedom of assembly and NGOs in 2012 and 2013 further restricted candidates’ ability to organize and hold rallies. The political opposition has virtually no access to coverage on television, which remains the most popular source for news and information in Azerbaijan. During the 2013 campaign period, television channels monitored by the OSCE devoted 92 percent of their election coverage to the incumbent. Regulators have interpreted a legal ban on partisan campaigning by the public broadcaster and foreign entities as a restriction on basic coverage of candidates by public or foreign media.

Opposition politicians are subject to arbitrary arrests on dubious charges as well as physical violence and other forms of intimidation. Tofiq Yaqublu, deputy chairman of the Musavat party, and Ilqar Mammadov, leader of the Republican Alternative (REAL) movement, were sentenced in March 2014 to five and seven years in prison, respectively. They were accused of having organized or participated in “mass disorders” in the town of Ismayilli in early 2013, though the prosecution was widely seen as politicized. In May 2014, eight activists with the opposition youth movement NIDA (Exclamation) were sentenced to between six and eight years in prison on charges including hooliganism and drug possession, having been arrested in March 2013 during antigovernment protests. By year’s end, four of the activists had been pardoned and released.

The necessary mechanisms to promote political representation of minorities in Azerbaijan are largely absent.

#### **C. Functioning of Government: 2 / 12**

Corruption is widespread, and wealth from the country’s massive oil and gas exports creates ever greater opportunities for graft. Because critical institutions, including the



media and judiciary, are largely subservient to the president and ruling party, government officials are rarely held accountable for corruption. Several investigative reports published by foreign media in early 2012 revealed evidence that President Aliyev and his immediate family controlled prodigious private assets, including monopolies in the economy's most lucrative sectors. In response, the president in July 2012 signed a series of legal amendments that allowed companies' organizational structures and ownership to remain secret, significantly limiting journalists' ability to uncover corruption. Azerbaijan was ranked 126 of 175 countries and territories surveyed in Transparency International's 2014 Corruptions Perception Index.

Despite the lack of safeguards against systemic corruption, the establishment of one-stop public service centers and e-government services in recent years may have contributed to improved public perceptions regarding petty corruption.

**CIVIL LIBERTIES:** 14 / 60 (-2)

**D. Freedom of Expression and Belief:** 4 / 16

While the constitution guarantees freedom of the press, the authorities severely restrict the media in practice. Broadcast media generally reflect progovernment views. Most television stations are controlled by the government, which also controls approval of broadcast licenses. Although there is more pluralism in the print media, some 80 percent of newspapers are owned by the state, and circulation and readership are relatively small. Independent and opposition papers struggle financially and have faced heavy fines and imprisonment of their staff. State-owned companies rarely if ever advertise in such papers. Local radio broadcasts of key international news services, including the BBC, RFE/RL, and Voice of America, have been banned since 2009, though they are available via shortwave and online for those with connections.

Defamation remains a criminal offense punishable by exorbitant fines and imprisonment, and the law was amended in 2013 to specifically include online content and commentary. Journalists are threatened and assaulted with impunity, and several have been jailed on fabricated charges of drug trafficking, weapons possession, ethnic hatred, high treason, and hooliganism, among other offenses. Many are convicted and face long jail sentences.

A series of such arrests and harsh sentences was reported during 2014. Parviz Hasimli of the news website Moderator and the opposition daily *Bizim Yol* was sentenced in May to eight years in prison for illegal weapons possession, and blogger Omar Mammadov was sentenced to five years in July on similarly dubious drug charges. In August, Seymour Hazi of the opposition paper *Azadliq* was arrested on suspicion of hooliganism. In the year's most highly publicized case, investigative journalist Khadija Ismayilova of RFE/RL was ordered into pretrial detention in December as part of a case in which she was accused of encouraging a man to commit suicide. She had already faced years of intense harassment and trumped-up criminal charges as a result of her reporting. Later the same month, RFE/RL's offices in Azerbaijan were raided and closed, and the service's local journalists and other employees were subjected to searches and interrogations.

The government restricts the practice of "nontraditional" minority religions—those other than Islam, Orthodox Christianity, and Judaism—largely through burdensome registration requirements and interference with the importation and distribution of printed religious materials. Among other restrictive laws, a 2011 measure prescribed multiyear prison sentences for leaders of unsanctioned religious services. A number of mosques have been closed in recent years, ostensibly for registration or safety violations. In 2014, the authorities took a number of steps to curb the Islamic movement led by U.S.-based Turkish scholar Fethullah Gülen, including the closure of private schools linked to the group.

The authorities have linked academic freedom to political activity in recent years. Some professors and teachers have reported being dismissed for links to opposition groups, and students have faced expulsion and other punishments for similar reasons.

**E. Associational and Organizational Rights:** 1 / 12 (-1)

The government restricts freedom of assembly. New legal amendments increasing fines for organizing and participating in unauthorized protests came into effect in January 2013, and changes adopted in May of that year extended the maximum periods of administrative detention for certain assembly-related offenses. Dozens of people were arrested in connection with a wave of antigovernment protests that broke out in Ismayilli and Baku in early 2013.

Other legislation passed during 2013 requires NGOs to register all grants and donations with the Ministry of Justice, and to inform authorities of all donations over \$250; those that fail to acquire proper registration are prohibited from opening or maintaining bank accounts. The rules have been used to put pressure on both local and foreign organizations. During 2014, the authorities froze the bank accounts of two U.S.-based NGOs, IREX and the National Democratic Institute (NDI), and raided the offices of IREX in September, forcing both groups to close their operations in the country. Transparency International also experienced difficulty accessing funds in Azerbaijan. Statements by government officials during the year accused foreign-funded NGOs of undermining political stability.

A number of prominent rights activists were jailed or attacked in 2014 as part of the broader crackdown. Anar Mammadli, head of the Election Monitoring and Democracy Studies Center, was sentenced to five and a half years in prison in May for alleged financial crimes. Hasan Huseynli, head of an educational charity, was sentenced to six years in prison in July for a stabbing incident that he said was fabricated. Leyla Yunus, director of the Institute for Peace and Democracy, and her husband were charged the same month with treason and fraud, and both were subsequently put in pretrial detention. In August, activist Rasul Jafarov was arrested on suspicion of financial crimes, legal expert Intigam Aliyev was detained on similar charges, and activist and former journalist Ilgar Nasibov was severely beaten by unknown attackers.

Although the law permits the formation of trade unions and the right to strike, the majority of trade unions remain closely affiliated with the government, and most major industries are dominated by state-owned enterprises.

**F. Rule of Law:** 3 / 16 (-1)

The judiciary is corrupt, inefficient, and subservient to the executive branch. Arbitrary arrests and detention are common, particularly for members of the political opposition. Detainees are often held for long periods before trial, and their access to lawyers is restricted. Police abuse of suspects during arrest and interrogation reportedly remains common; torture is sometimes used to extract confessions. Prison conditions are severe, with many inmates suffering from overcrowding and inadequate medical care.

The opposition figures, journalists, and civil society activists who were arrested or sentenced during 2014 reported a variety of due process violations, evidence that was allegedly fabricated or withheld from the defense, and abuse in custody. Leyla Yunus, for example, reported suffering psychological and physical abuse in jail, and her health worsened as chronic illnesses were left untreated.

Some members of ethnic minority groups, including the small ethnic Armenian population, have complained of discrimination in areas including education, employment, and housing. Although same-sex sexual activity is not a criminal offense, antidiscrimination

laws do not specifically protect LGBT (lesbian, gay, bisexual, and transgender) people, who reportedly face police harassment and other forms of bias or abuse.

#### **G. Personal Autonomy and Individual Rights: 6 / 16**

The government has increasingly restricted freedom of movement, particularly foreign travel, for opposition politicians and civil society activists. Free choice of residence and property rights are affected by government-backed development projects that often entail forced evictions, unlawful expropriations, and demolitions with little or no notice.

Traditional societal norms and poor economic conditions restrict women's professional roles, and they remain underrepresented in government. Women hold 19 seats in the parliament. Domestic violence is a problem, and the country is believed to be a source, transit point, and destination for the trafficking of women for prostitution. The U.S. State Department's 2014 *Trafficking in Persons Report* raised Azerbaijan from its Tier 2 Watch List to a Tier 2 ranking due to modest improvements in legislation and victim-protection efforts.

## Bahamas

**Political Rights Rating:** 1

**Population:** 373,000

**Civil Liberties Rating:** 1

**Capital:** Nassau

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

#### **INTRODUCTION**

Following years of economic challenges in the wake of the 2008 financial crisis, reports in 2014 indicated signs of recovery in the Bahamas. The tourism industry, while vulnerable, enjoyed moderate growth throughout the year, showing a move toward stability. However, the country's sovereign debt remains a serious issue.

Homicide rates increased in 2014, while other serious crimes like sexual assault and armed robbery remained prevalent. Authorities continued taking steps to combat transnational organized crime, including the activities of drug trafficking groups.

**POLITICAL RIGHTS:** 38 / 40

#### **A. Electoral Process: 12 / 12**

The Bahamas is governed under a parliamentary system, and the governor general is appointed by the British monarch as head of state. The lower house of the bicameral Parliament, the 38-member House of Assembly, is directly elected for five-year terms. The 16 members of the upper house, the Senate, are appointed for five-year terms by the governor general based on recommendations made by the prime minister and the opposition leader. The head of the majority party or coalition in Parliament typically serves as prime minister.

In general elections held in 2012, the Progressive Liberal Party (PLP) took 29 seats in the House of Assembly, while the Free National Movement (FNM) captured 9 seats. Following the elections, Perry Christie, who had been prime minister in the 2000s, resumed the post.

**B. Political Pluralism and Participation:** 16 / 16

Political parties can organize freely, and a large number operate unhindered. Protests and criticism against government policies are respected. A referendum, proposed in 2012 but delayed until 2015, will address gender-based inequalities in constitutional provisions that address the acquisition of citizenship.

**C. Functioning of Government:** 10 / 12

The country's anticorruption mechanisms are relatively weak, and there is no agency specifically empowered to handle allegations of government corruption. The Bahamas was ranked 24 of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

Although the legislature passed the Freedom of Information Act in 2012, the law was never enforced, and citizens have few mechanisms through which to gain access to public records. Legislators and other high-ranking public officials are required to disclose their income and assets under the Public Disclosure Act of 1976.

**CIVIL LIBERTIES:** 58 / 60**D. Freedom of Expression and Belief:** 16 / 16

Press freedom in the Bahamas is constitutionally guaranteed and respected in practice. The country's privately owned daily and weekly newspapers freely express a variety of views, as do the government-run radio station and four privately owned radio broadcasters. Access to the internet is not restricted, and religious and academic freedoms are respected.

**E. Associational and Organizational Rights:** 12 / 12

Freedoms of assembly and association are generally protected. A variety of nongovernmental organizations (NGOs) operate in Bahamas, including groups that focus on human rights issues. A proposed law, the Civil Society Organization Encouragement Act, remained pending in 2014. The legislation aims to reform registration procedures for civil society organizations, which are currently governed by the Companies Act.

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:** 15 / 16

The independent 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 Correctional Services Act was passed in 2014. Focusing on rehabilitation and reintegration into society, the act was designed to create systems for the provision of academic, vocational, and technical training to inmates.

There was a dramatic rise in murder rates in 2014, which authorities have attributed to an increase in violence related to gangs and drug traffickers. The prime minister's press secretary, Latore Mackey, was shot and killed while driving in Nassau in August 2014. The government has made efforts to confront the prevalence of crime through coordination with the police commissioner and the minister of national security.

In 2013, there were reports of mistreatment of Cuban refugees by the guards of the Carmichael Road Detention Center. Bahamian officials continued to investigate the reports in 2014.

Discrimination based on sexual orientation or gender identity is not prohibited by law. Although same-sex sexual activity is legal, LGBT (lesbian, gay, bisexual, and transgender)

people report discrimination in employment and housing. In August 2014, the organizers of an LGBT pride event received death threats.

#### **G. Personal Autonomy and Individual Rights: 15 / 16**

The freedom of movement is protected, and people are free to choose their place of residence and institution of higher education. Violence against women, including domestic violence, continues to be a serious issue. The government has made attempts to increase awareness about the problem by holding public workshops.

The Bahamas is a source, destination, and transit country for men, women, and children for forced labor and sexual exploitation. The government complies with minimum international standards to address the problem.

Migrant workers, many of whom arrive in the Bahamas to work in agricultural and domestic service industries, are particularly vulnerable to exploitation.

## Bahrain

**Political Rights Rating:** 7↓

**Civil Liberties Rating:** 6

**Freedom Rating:** 6.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Ratings change:** Bahrain's political rights rating declined from 6 to 7 due to grave flaws in the 2014 legislative elections and the government's unwillingness to address long-standing grievances among the majority Shiite community about the drawing of electoral districts and the possibility of fair representation.

**Population:** 1,319,000

**Capital:** Manama

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,5,PF	5,5,PF	5,5,PF	5,5,PF	6,5,PF	6,5,PF	6,6,NF	6,6,NF	6,6,NF	7,6,NF

#### **INTRODUCTION**

Bahrain's long-running effort to bring together progovernment and opposition sides in reconciliation talks broke down in January 2014 for a second time. Suspension of the so-called National Dialogue, which has been running off and on since 2011, followed the withdrawal of the leading opposition society, Al-Wefaq, from discussions after the arrest of several of its leading members in late 2013. Al-Wefaq announced that it would boycott the November 2014 parliamentary elections, and this, along with government electoral tinkering, resulted in progovernment candidates winning a sweeping parliamentary victory.

The government continued to harass the country's majority Shiite population, violently responding to protests and routinely arresting prominent dissidents. In December 2014, authorities arrested the country's main opposition figure, president of Al-Wefaq Ali Salman, on charges of inciting violence and supporting the overthrow of the government.

Clashes between political protesters and authorities continued. Police brutality, including systemic detention, torture, and widespread arrests, went on unabated. Attacks against police by protesters also escalated, including the more frequent use of homemade bombs and car bombs. Authorities continued to detain prominent activists, and Bahraini journalists and others face ongoing restrictions on freedom of speech.

**POLITICAL RIGHTS:** 5 / 40 (-1)**A. Electoral Process:** 2 / 12 (-1)

The National Action Charter of Bahrain was approved in 2001, and the country was proclaimed a constitutional kingdom the following year. The 2002 constitution gives the king power over the executive, legislative, and judicial authorities. He appoints cabinet ministers and members of the 40-seat 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. The National Assembly may propose legislation, but the cabinet drafts the laws.

Bahrain's main Shiite opposition society, Al-Wefaq, withdrew its 18 members from the Council of Representatives in 2011 and boycotted the interim elections to protest the government's crackdown on Shiite Muslims. As a result, all 40 seats went to government supporters. Al-Wefaq again boycotted the November 2014 legislative elections, allowing progovernment candidates to sweep parliament again. Largely progovernment independents won 37 of the 40 lower house seats. The remaining 3 seats went to major Sunni societies.

The government touted the November 2014 elections as a success, with a reported 51.5 percent voter turnout for the first-round of parliamentary elections in spite of the Shiite Muslim boycott. However, Al-Wefaq estimated voter turnout at less than 30 percent. The government appears to have manipulated the vote by redrawing electoral districts and making polling station monitoring more difficult in order to undercut the rise of potentially populist political networks, such as Islamist groups.

**B. Political Pluralism and Participation:** 2 / 16

While formal political parties are illegal, the government has generally allowed political societies or groupings to operate. A 2005 law makes it illegal to form political associations based on class, profession, or religion, and requires all political associations to register with the Ministry of Justice. Bahrain has been in political crisis since 2011, when Bahraini activists, mostly from economically depressed Shiite communities, galvanized widespread support for political reform and to end sectarian discrimination. The government declared martial law in response to the uprising and instituted a prolonged and violent crackdown.

While the government claims that political societies remain free to operate, it has imprisoned key opposition leaders. Hassan Mushaima (Haq), Ibrahim Sharif (Democratic Action Society), and Abduljalil al-Singace (Haq) were sentenced to life in prison for their activism. The government continued to pressure opposition figures in 2014. Al-Wefaq president Salman was cleared of charges of inciting hatred and spreading false news after his 2013 arrest, but in December 2014 he was rearrested, charged with inciting unrest, and banned from traveling.

The government relaunched the National Dialogue in February 2013 in an attempt to reengage the opposition in the political process, but then suspended it in February 2014 after Al-Wefaq withdrew from talks following the arrest of Khalil Marzooq for criticizing the government. Marzooq, a leading Al-Wefaq figure, was acquitted in June 2014, a decision that came too late to rescue the reconciliation talks. After Al-Wefaq announced it would boycott the November 2014 parliamentary elections, a Bahraini court suspended the society's operations for three months.

The majority Shiite population is underrepresented in government.

**C. Functioning of Government:** 3 / 12

Bahrain has some anticorruption laws, but enforcement is weak, and high-ranking officials suspected of corruption are rarely punished. A source of frustration for many citizens

is the perception that Khalifa bin Salman al-Khalifa, the king's uncle and Bahrain's prime minister since 1971, is both corrupt and a key opponent of reform.

A British investigation into illicit payments allegedly made by a British-Canadian citizen to Aluminum Bahrain in 2013 was dropped, although it is widely believed that the payments occurred and that the Bahraini prime minister was aware of them and possibly involved. Bahrain was ranked 55 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**Discretionary Political Rights Question B:** -2 / 0

The government has worked to erode the Shiite majority, mostly by granting citizenship to foreign-born Sunnis. In 2014, the government continued its systematic sectarian discrimination and recruitment of foreign Sunnis to take up Bahraini citizenship and serve in the country's security services. Since 2011, the government has maintained a heavy security presence in primarily Shiite villages. Security forces restrict the movements of Shiite citizens, periodically destroying property, and continuing to arrest government critics and activists.

**CIVIL LIBERTIES:** 10 / 60

**D. Freedom of Expression and Belief:** 2 / 16

The government owns all broadcast media outlets, and the private owners of Bahrain's three main newspapers have close ties to the state. Self-censorship is encouraged by the vaguely worded 2002 Press Law, which allows the state to imprison journalists for criticizing the king or Islam or for threatening national security. In February 2014, the king enacted a law that criminalized insults against him, which carries a prison term of up to seven years and steep fees.

The government and its supporters have used the press to smear human rights and opposition activists repeatedly since 2011, most notably in separate campaigns against the former opposition newspaper *Al-Wasat* and its editor, Mansoor al-Jamri. Several prominent activists were targeted in 2014, including Zainab al-Khawaja, a daughter of the imprisoned high-profile activist Abdulhadi al-Khawaja. Zainab had been arrested in 2013 for criticizing the government, was later released, and then was rearrested in 2014 for defiance of the government's ban on criticism. She received a four-year sentence for tearing up a picture of King Hamad. Photojournalist Ahmad Humaidan was sentenced to 10 years in prison in March 2014 for his participation in 2012 protests, and the photographer Hussain Hubail, who was arrested in 2013 in advance of demonstrations, was given a five-year prison sentence.

The government continues to block a number of opposition websites, including those that broadcast live events, such as protests. Former president of the Bahrain Center for Human Rights Nabeel Rajab was arrested in 2012 for criticizing the government on Twitter; after his release in early 2014, he was arrested again in October for further critical tweets.

Islam is the state religion. However, non-Muslim minorities are generally free to practice their faiths. All religious groups must obtain a permit from the Ministry of Justice and Islamic Affairs to operate legally, though the government has not punished groups that operate without a permit.

The government continued repression of Shiite religious and political figures in 2014. In January, a Bahraini court officially banned the prominent Islamic Scholars Council following a Ministry of Justice lawsuit that it was an illegal society.

Academic freedom is not formally restricted, but scholars who criticize the government are subject to dismissal. In 2011, a number of faculty and administrators were fired for supporting the call for democracy, and hundreds of students and some faculty were expelled. Those who remained were forced to sign loyalty pledges.

**E. Associational and Organizational Rights: 1 / 12**

Citizens must obtain a license to hold demonstrations, which are banned from sunrise to sunset in any public arena. Police regularly use violence to break up political protests, most of which occur in Shiite villages. In July 2013, in face of ongoing protests and rising levels of violence, King Hamad decreed additions to Bahrain's antiterrorism law that imposed heavy penalties on those convicted of demonstrating unlawfully, including large fines and the stripping of citizenship. Several protesters were killed by police in 2014, including 14-year-old Muhammed Mohsen in Sitra in April. The government continues to target children, regularly arresting and detaining minors. Courts sentenced dozens of protesters to long prison terms for illegally protesting or on suspicion of complicity in bomb attacks. Political activist Mohammad al-Maskati was sentenced to six months in prison in December 2014 for participation in a 2012 protest.

The 1989 Societies Law prohibits any nongovernmental organization (NGO) from operating without a permit. In 2013 the government cancelled a visit by the UN special rapporteur on torture. Authorities questioned Al-Wefaq's Salman and Marzooq in July 2014 after they met with U.S. assistant secretary of state for democracy, human rights, and labor Tom Malinowski; the government requested that Malinowski leave the country. In September, the Ministry of Justice ordered all groups to obtain government permission before meeting with non-Bahraini diplomats and officials, limiting the contact of opposition and human rights networks with potentially supportive foreign governments and international organizations. The order also required a government official to be present at any interaction.

Bahraini human rights defenders continued to be targeted. Maryam al-Khawaja, head of the Bahrain Center for Human Rights, was arrested upon returning from exile to visit her ailing father, Abdulhadi al-Khawaja. She likely faces a prison sentence.

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. Private-sector employees cannot be dismissed for union activities, but harassment of unionist workers occurs in practice. Foreign workers lack the right to organize or seek help from Bahraini unions. Household servants remain particularly vulnerable to exploitation.

**F. Rule of Law: 1 / 16**

The king appoints all judges, and courts have been subject to government pressure. Members of the royal family hold all senior security-related offices. Bahrain's antiterrorism law prescribes the death penalty for members of terrorist groups and prison terms for those who use religion to spread extremism. Critics have argued that the law's definition of terrorist crimes is too broad, and that it has encouraged the use of torture and arbitrary detention.

Bahrain's criminal courts and those responsible for personal status laws are largely beholden to political interests. The country's judicial system is seen as corrupt and biased in favor of the ruling family and its backers. Although Bahrain has criminalized torture and claims it does not hold political prisoners, its prisons are full of human rights and prodemocracy activists. While some detainees are periodically denied access to family and lawyers, others enjoy limited opportunities for phone calls and other amenities. Prisoners report frequent rough treatment. In August 2014, prisoners at the Dry Dock prison on the island of Muharraq rioted over poor conditions and for being denied family visits; more than 40 prisoners were injured during the protest. In February, Jaafar Muhammed Jaafar died under mysterious circumstances, likely from torture, while imprisoned.

In 2011, the Bahrain Independent Commission of Inquiry (BICI) concluded that security personnel had used excessive force during the 2011 government crackdown. In 2013, at the recommendation of BICI, the government created a police ombudsman to investigate



allegations of brutality and the excessive use of force by security personnel. While several police officers were sentenced to prison terms as a result, including one who received seven years for killing a protester in 2011, sentences for those convicted of killing protesters have been light compared to those for political activists.

Protesters in 2014 were accused of detonating a series of car bombs targeting police, leading to several police deaths and injuries. Government authorities claim that protesters have been attempting to smuggle weapons into the country from Iraq.

Shiites face various forms of discrimination. Fears of Shiite power and suspicions about their loyalties have limited employment opportunities for young Shiite men and fueled government attempts to erode the Shiite majority.

Discrimination based on sexual orientation is common, and most LGBT (lesbian, gay, bisexual, and transgender) people hide their gender identity. Same-sex sexual activity is not illegal, yet individuals have reportedly been punished for it.

#### **G. Personal Autonomy and Individual Rights: 6 / 16**

The government continued to obstruct foreign travel by key opposition figures and activists in 2014. Authorities also restricted movement inside the country, particularly for residents of largely Shiite villages outside Manama. A tight security cordon blocked easy access to the capital.

Although registered businesses are largely free to operate, obtaining approval can be difficult due to high capital requirements and political influence on the economy. Among the wealthy elites that dominate the business sector, property rights are generally respected and expropriation is rare. However, Shiite citizens encounter difficulties and in some cases bans on purchasing housing and land. The al-Khalifa family has gifted vast swaths of land to regime cronies.

Although women have the right to vote and participate in elections, they are underrepresented politically. Women won three parliamentary seats in 2014 elections. Women are generally not afforded equal protection under the law. The government drafted a personal status law in 2008, but withdrew it in 2009 under pressure from Shiite clergy; the Sunni portion was later passed by parliament. Personal status and family law issues for Shiite Bahrainis are consequently still governed by Sharia (Islamic law) court rulings based on the interpretations of predominantly male religious scholars, rather than by any formal statute.

## Bangladesh

**Political Rights Rating:** 4 ↓

**Civil Liberties Rating:** 4

**Freedom Rating:** 4.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Ratings Change:** Bangladesh's political rights rating declined from 3 to 4 due to national elections that were marred by an opposition boycott, as well as widespread violence and intimidation by a range of political parties.

**Population:** 158,513,000

**Capital:** Dhaka

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	4,4,PF	4,4,PF	5,4,PF	4,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	4,4,PF

## INTRODUCTION

Bangladesh held national elections on January 5, 2014, which the ruling Awami League (AL) party won handily following a boycott by the leading opposition Bangladesh Nationalist Party (BNP). Election-related violence and intimidation, an uncharacteristically low turnout, and attacks on minority groups all marred the polls. Nevertheless, the AL resisted calls for fresh elections and consolidated its strength and popularity by year's end.

Bangladesh's ongoing political and social unrest continued following the elections. Street protests—some of which turned violent—around politics and controversial rulings of the International Crimes Tribunal (ICT) took place regularly throughout the year, and there was some harassment of opposition media as well as outspoken nongovernmental organizations (NGOs) and their staff. Despite reforms following the 2013 Rana Plaza factory collapse, unsafe working conditions in the garment industry remain a concern.

The ICT—established in 2010 to prosecute those suspected of committing war crimes or other atrocities during the 1971 war of independence—handed down 16 guilty verdicts and issued 14 death sentences in 2014, the majority to senior officials in the Islamist Jamaat-e-Islami (JI) party.

### **POLITICAL RIGHTS:** 21 / 40 (−3)

#### **A. Electoral Process:** 7 / 12 (−2)

Terms for both the unicameral National Parliament and the largely ceremonial presidency are five years. Parliament is composed of 350 members, of whom 300 are directly elected. Based on their share of elected seats, political parties nominate 50 female members, who are then voted on by their fellow lawmakers. The president is elected by parliament.

In national elections held on January 5, 2014, the BNP and 17 allied parties boycotted the vote to protest what they said were unfair elections, leaving the majority of elected seats (153) uncontested and ensuring an AL victory. The AL won 234 parliamentary seats, and independents and minority parties captured the remainder. The Jatiya Party (JP), winning the second-highest number of seats (34), became the official opposition, although some critics contend it compromised this position by agreeing to be included in the AL's cabinet. Western monitoring groups declined to send election observers and criticized the conditions under which the polls were held. Apart from the boycott, the elections were marred by extensive violence—Human Rights Watch termed them the bloodiest since independence—and intimidation by both sides that resulted in an extremely low turnout of 22 percent. A number of attacks specifically targeted members of the country's Hindu and Christian minority groups, affecting around 700 people.

#### **B. Political Pluralism and Participation:** 9 / 16 (−1)

Bangladesh has had a strong two-party system in which power alternates regularly between political coalitions led by the AL and BNP. Following boycotts of parliament throughout 2013, the BNP boycotted the 2014 elections. Instead, opposition parties engaged in street action, making regular use of *hartals* (strikes) and mass protests, as well as targeted violence intended to intimidate AL supporters. Such actions have failed to gain traction with the public at large. The human rights group Odhikar registered more than 190 deaths and more than 9,400 people injured as a result of inter- or intraparty clashes during the year.

Ruling party harassment of the opposition was widespread in 2014, ranging from charges filed against senior BNP members to preemptive detention and limitations placed on political activities. For example, BNP leader Khaleda Zia was placed under effective house arrest following the January elections, while JP leader Hussain Muhammad Ershad was confined to a military hospital. Charges in a range of legal cases—including death

sentences handed down in late January to 14 opposition party members and supporters in a long-dormant arms smuggling case—also helped to curb the opposition’s power. Members of the JI faced ongoing waves of arrests. The ICT ordered the execution of three senior JI officials and upheld the death sentence of a JI assistant secretary-general who had appealed an earlier verdict. The party was banned from taking part in the elections due to its overtly Islamist charter; the constitution bans religiously based political parties. Meanwhile, the JI enforced several nationwide strikes by violent means, exploding crude bombs and vandalizing property to disrupt the normal flow of business.

Religious minorities remain underrepresented in politics and state employment, though the secularist AL government has appointed several members of such groups to leadership positions.

### **C. Functioning of Government:** 5 / 12

Endemic corruption and criminality, weak rule of law, limited bureaucratic transparency, and political polarization have long undermined government accountability. Moreover, regular opposition boycotts of parliament have significantly hampered the legislature’s role in providing thorough scrutiny of government policies, budgets, and proposed legislation.

Bangladesh was ranked 145 out of 175 countries and territories surveyed by Transparency International’s 2014 Corruption Perceptions Index. Under the AL government, anticorruption efforts have been weakened by patchy or biased enforcement and subversion of the judicial process. In particular, the Anticorruption Commission (ACC) has become ineffective and subject to overt political interference. In 2013, the ACC law was amended to withdraw its authority to bring cases against officials without permission from the government. The AL government continued to bring or pursue cases against the BNP. In September 2014, a Supreme Court ruling on appeal cleared the way for BNP leader Zia to face trial in a key corruption case.

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:** 29 / 60

#### **D. Freedom of Expression and Belief:** 8 / 16

Bangladesh’s media environment remains relatively lively, though the legal and regulatory framework allows for some restrictions, and physical attacks and harassment against reporters increased in 2014. Authorities curbed expression through informal directives on coverage or particular talk show guests, particularly on television. In August, the cabinet approved the National Broadcasting Policy that could be used to restrict coverage critical of the government or security forces, or that is determined to threaten national security. In December, British journalist David Bergman was convicted of contempt of court for his writings on the ICT and war crimes issues.

Three journalists were killed in 2014, according to the Committee to Protect Journalists, with one of the murders definitively linked to the reporter’s work covering drug trafficking; the reporter’s family blames local drug traffickers. On a number of occasions during the year, journalists were harassed or attacked while trying to cover breaking news stories.

Censorship of internet-based content has become increasingly common in Bangladesh in recent years, with periodic blocks of YouTube, Facebook, and high-profile Bengali blogs. The Information and Communication Technology Act was used to arrest and charge a number of individuals for online expression in 2014. In February, the case against four bloggers

arrested in 2013 over allegations of blasphemy was suspended pending an evidentiary hearing. In April, Asif Mohiuddin, the most prominent of the accused, went into exile in Germany. Various forms of artistic expression, including books and films, are occasionally banned or censored.

A 2011 constitutional amendment confirmed Islam as the official religion, but also reaffirmed the secular nature of the state. Although religious minorities have the right to worship freely, they face societal discrimination as well as harassment and legal repercussions for proselytizing. Minority groups and their houses of worship are occasionally the targets of physical attacks. Members of the Ahmadiyya sect are considered heretical by some Muslims, and despite state protection, they have encountered physical attacks, boycotts, and demands that the state declare them non-Muslims. They are also occasionally denied permission to hold religious events.

In the run-up to the 2014 elections, more than two dozen members of the Hindu minority were killed and many more injured in what officials described as a coordinated campaign by the JI. In the days after the election, several thousand Hindus were displaced following violent attacks on numerous villages across the country, and hundreds of their homes and businesses were looted or destroyed. In May, a Hindu community was attacked when a mob of more than 3,000 people ransacked a village, destroying homes and a local temple. An investigation revealed the attack was planned after two teens from the village allegedly insulted the prophet Mohammed on Facebook. In November, five Hindu temples were vandalized and the home of a Hindu man was attacked after he allegedly posted song lyrics online defaming Mohammed.

While authorities largely respect academic freedom, research on sensitive political and religious topics is reportedly discouraged. Political polarization at many universities, including occasional clashes involving the armed student wings of the three main parties, inhibits education and access to services.

#### **E. Associational and Organizational Rights: 6 / 12**

The constitution provides for the rights of assembly and association, but the government can and regularly does ban gatherings of more than five people. Nevertheless, many demonstrations took place during the year. Authorities sometimes try to prevent rallies by arresting party activists, and protesters are frequently injured and occasionally killed during clashes in which police use excessive force.

Many NGOs operate in Bangladesh. While many of these are able to function without onerous restrictions, the NGO Affairs Bureau must give clearance for them to use foreign funds and can approve or reject individual projects. Groups that are seen as overly critical of the government, particularly on human rights issues, are regularly denied permission for proposed projects and were subject to escalating harassment and surveillance in 2014. Odhikar secretary Adilur Rahman Khan, arrested in 2013 for allegedly spreading false information, was formally indicted for violating the Information and Communication Technology Act in January 2014, along with Odhikar director Nasiruddin Elan; the case remained ongoing at year's end. Meanwhile, the government, which had announced plans to bring the Grameen Bank, one of the country's largest and most influential microfinance nonprofit institutions, under the direct control of the central bank, gave itself the power in November 2014 to appoint most of the bank's board of directors; they had previously been elected by borrowers.

Labor union formation is hampered by a 30-percent employee-approval requirement, restrictions on organizing by unregistered unions, and rules against unionization by certain categories of civil servants. Union leaders who attempted to organize or unionize workers at

a number of factories faced dismissal or other forms of intimidation in 2014. Organizations and individuals that advocate for labor rights, such as the Bangladesh Center for Workers' Solidarity, have also faced increased harassment over the past several years. Worker grievances fuel unrest at factories, particularly in the rapidly expanding garment industry, where strikes and protests against low wages and unsafe working conditions are common.

#### **F. Rule of Law: 6 / 16**

Politicization of the judiciary remains an issue, despite a 1999 Supreme Court directive ordering the separation of the judiciary from the executive. Political authorities have continued to make appointments to the higher judiciary, in some cases demonstrating an overt political bias, leading to protests from the Supreme Court Bar Association. Harassment of witnesses and the dismissal of cases following political pressure are also growing issues of concern. In September 2014, the AL-dominated parliament passed a constitutional amendment granting it the power to impeach judges on the grounds of "incapability or misconduct."

The court system is prone to corruption and severely backlogged, with an estimated 2.3 million pending cases. Pretrial detention is often lengthy, and many defendants lack counsel. The indigent have little access to justice through the courts. Prison conditions are extremely poor, severe overcrowding is common, and juveniles are often incarcerated with adults. Suspects are routinely subject to arbitrary arrest and detention, demands for bribes, and physical abuse by police. Torture is often used to extract confessions and intimidate political detainees. Criminal cases against ruling party activists are regularly withdrawn on the grounds of "political consideration," which has undermined the judicial process and entrenched a culture of impunity.

According to Odhikar, law enforcement agencies perpetrated 172 extrajudicial killings in 2014. High-level officials routinely excuse or deny the practices of torture and extrajudicial executions, yet the rate of custodial deaths has increased since the AL took office in 2009. Abductions and enforced disappearances are also a growing concern, with more than 39 cases recorded in 2014. In a positive step, a 2013 law criminalizes custodial torture or death—with mandated minimum fines for perpetrators. While Bangladeshi law still prohibits prosecutions from proceeding against public figures for acts committed in their official capacity without the permission of the government, the first case under the law was brought in July 2014 against a group of police officers accused of torturing a detainee to death.

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. The National Human Rights Commission is empowered to investigate and rule on complaints against the armed forces and security services.

Revisions to the 1973 International War Crimes Tribunal Act and the current tribunal's procedural rules were intended to help meet international standards on issues such as victim and witness protection, the presumption of innocence, defendant access to counsel, and the right to bail. However, the ICT trials conducted thus far have fallen short of these standards, with concerns raised regarding political interference, due process shortcomings, and inadequate protection for witnesses and defense lawyers. In September 2014, the court reversed a 2013 death sentence handed down to JI vice president Delwar Hossain Sayedee in favor of life imprisonment. However, the tribunal issued several death sentences toward the end of 2014.

Protests by Islamist political parties and other pressure groups—some of which involved violence—were a key feature in 2014, though terrorist attacks by Islamist militant

groups have been negligible since a 2006 crackdown. Casualties from clashes involving Maoist militants have also declined dramatically in recent years.

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) remain subject to physical attacks, property destruction, and land grabs by Bengali settlers, as well as occasional abuses by security forces. In August 2014, a prominent activist and member of the CHT Commission was assaulted after being abandoned by her state-sponsored security detail. In December, Bengali settlers attacked and burned down dozens of houses and shops belonging to indigenous peoples, allegedly in retaliation for local resistance to their expanding settlements. Indigenous leaders criticized the national government for failing to implement provisions of the 1997 peace accord; most notably, a promised semiautonomous local governing council has yet to be established.

Roughly 270,000 ethnic Rohingyas who fled to Bangladesh from Myanmar beginning in the early 1990s are subject to substantial harassment; the vast majority do not have official refugee status and suffer from a complete lack of access to services such health care, employment, and education. The government has attempted to discourage a more recent influx of refugees by further marginalizing the Rohingya community and undermining the work of international organizations providing humanitarian aid. In July 2014, authorities announced that they had ceased issuing marriage certificates to Rohingya.

A criminal ban on same-sex sexual acts is rarely enforced, but societal discrimination remains the norm, and dozens of attacks on LGBT (lesbian, gay, bisexual, and transgender) individuals are reported every year. Transgender people face persecution. Although the government announced that it would officially consider transgender people to be a separate, third gender in 2013, people registered under this category have no inheritance rights under the Sharia (Islamic law) provisions governing personal status matters in Bangladesh.

#### **G. Personal Autonomy and Individual Rights: 9 / 16**

The ability to move within the country is relatively free, as is foreign travel. 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 bureaucracy and regulatory hurdles hinder business activities throughout the country. State involvement and interference in the economy is considerable.

Land rights for the Hindu minority remain tenuous. 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. A commission set up in 2009 should allocate land to indigenous tribes, but it has suffered from delays and interruptions and has not addressed land disputes effectively.

Under the personal status laws affecting all religious communities, women have fewer marriage, divorce, and inheritance rights than men, which increases their socioeconomic insecurity. In rural areas, religious leaders sometimes impose flogging and other extrajudicial punishments on women accused of violating strict moral codes, despite Supreme Court orders calling for the stop to such practices. Women also face discrimination in health care, education, and employment.

Rape, acid throwing, and other forms of violence against women occur regularly, despite laws offering some level of protection for women from such crimes. 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. Police also accept bribes to quash rape cases and rarely enforce existing laws protecting women. Giving

or receiving dowry is a criminal offense, but coercive requests remain a problem, as does the country's high rate of early marriage. In a draft law the cabinet approved in September 2014, officials scrapped a proposal to lower the marriage age but retained new penalties for violations. Odhikar noted a decrease in dowry-related violence against women since 2012, with around 123 murders recorded during 2014 (down from 158 in 2013).

Bangladesh remains both a major supplier of and transit point for trafficking victims, with tens of thousands 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. However, training for law enforcement remains inadequate, as does regulation of certain enterprises that facilitate trafficking, such as labor recruitment agencies.

Child labor is widespread. Following the 2013 Rana Plaza factory collapse, in which more than 1,100 workers were killed, increased inspections and safeguards instigated by Western apparel companies led to the closure of around 200 of a total of 4,500 factories, according to industry representatives. However, wholesale reforms of the system are hampered by the fact that a growing number of factory owners are also members of parliament or influential businesspeople.

## Barbados

**Political Rights Rating:** 1

**Civil Liberties Rating:** 1

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 284,000

**Capital:** Bridgetown

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

In 2014, the government of Barbados continued making efforts to address violent crime. In the first four months of the year, the country recorded a 24 percent decrease in most categories of criminal activity.

Impacted by the global recession, a sluggish economy, and serious crime, the tourism industry continued to see declines in arrivals and revenue. Central government debt rose to 96 percent of GDP in October 2014. The island nation currently uses more than 15 percent of government revenues to service its debt.

**POLITICAL RIGHTS:** 40 / 40

**A. Electoral Process:** 12 / 12

Members of the 30-member House of Assembly, the lower house of the bicameral Parliament, are directly elected for five-year terms. The governor general, who represents the British monarch as head of state, appoints the 21 members of 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

his own discretion. The prime minister is appointed by the governor general and is usually the leader of the political party with a majority in the House of Assembly.

Legislative elections were held in February 2013. In a narrow win, the ruling Democratic Labour Party (DLP) won 16 of 30 seats in the House of Assembly. The Barbados Labour Party (BLP), under former prime minister Owen Arthur, took the remaining 14 seats.

**B. Political Pluralism and Participation:** 16 / 16

Political parties are free to organize. Historically, power has alternated between two centrist parties, the DLP and the BLP. Other political organizations without representation in Parliament include the People's Empowerment Party, a group favoring trade union rights and greater state intervention in the economy.

**C. Functioning of Government:** 12 / 12

Barbados is largely free from governmental corruption. The country was ranked 17 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 59 / 60

**D. Freedom of Expression and Belief:** 16 / 16

Freedom of expression is respected. Public opinion expressed through the news media, which are free from censorship and government control, has a significant influence on policy. Newspapers, including the two major dailies, are privately owned. Four private and two government-run radio stations operate in the country. The single broadcast television station, operated by the government-owned Caribbean Broadcasting Corporation, presents a wide range of political viewpoints. The government has so far failed to fulfill its promise to introduce new legislation on the freedom of information. Access to the internet is not restricted.

The constitution guarantees freedom of religion, which is widely respected for mainstream religious groups. However, members of Barbados's small Rastafarian community have reported discrimination in education and employment. Academic freedom is fully respected.

**E. Associational and Organizational Rights:** 12 / 12

Barbados's legal framework provides important guarantees for the freedom of assembly, which are upheld in practice. The right to form civic organizations and labor unions is respected. Two major labor unions, as well as various smaller ones, are active.

**F. Rule of Law:** 16 / 16

The judicial system is independent, and the Supreme Court includes a high court and a court of appeals. Barbados has ratified the Caribbean Court of Justice as its highest appellate court. There are occasional reports and complaints of the use of excessive force by the Royal Barbados Police Force to extract confessions, along with reports that police do not always seek warrants before searching homes. In March 2014, reports emerged of two robbery suspects who were allegedly tortured by police and coerced to sign confessions.

Barbados has been successful in combatting violent crime in recent years. Nevertheless, violence related to drug trafficking continues to pose a serious challenge to authorities, as the island is a transshipment point for illegal narcotics originating from Venezuela.

The government has taken some positive steps to address overcrowding in the prison system and to discipline prison personnel accused of abusing inmates, though there has not



been substantial progress in prosecuting such cases. The death penalty remains mandatory for certain capital crimes but has not been implemented since 1984. In 2014, the government announced plans to seek the removal of the mandatory death penalty as a penalty for those convicted of murder. In 2011, the government declared its intentions to update the Corporal Punishment Act, the Juvenile Offenders Act, and the Prevention of Cruelty Act, in response to rulings by the Inter-American Court of Human Rights that found Barbados in violation of the American Convention on Human Rights. However, no notable steps had been taken by the end of 2014.

Barbados has been criticized for excessively restrictive migration policies, including in the treatment of foreign nationals at airports. In several separate cases, visitors from Jamaica have reported sexual abuse by Barbadian immigration officers. In October 2013, the Caribbean Court of Justice ruled in favor of Jamaican Shanique Myrie, deciding that Barbados had violated her rights of entry as stipulated in the Treaty of Chaguaramas, granting 77,000 Barbadian dollars (US\$39,000) in damages. Myrie had been subjected to a body cavity search upon arrival in Barbados and then deported.

Same-sex sexual activity is punishable by a life sentence in prison, although the relevant legislation has rarely been enforced in recent years. There are no legal protections against discrimination based on sexual orientation.

**G. Personal Autonomy and Individual Rights: 15 / 16**

Women comprise roughly half of the country’s workforce, although the World Economic Forum reported that women earned 25 percent less than men in 2014 for comparable work. Women are underrepresented in the political sphere, comprising only 17 percent of the House of Assembly. Violence against women remains widespread despite domestic violence laws, and police responsiveness is often slow and inadequate. Barbados is in Tier 2 of the U.S. State Department’s 2014 *Trafficking in Persons Report*, as the island nation does not fully comply with minimum standards for the elimination of human trafficking—a claim that the Barbadian government has disputed.

Sexual abuse of children in Barbados is on the rise, with as many as 256 cases reported in 2014, an increase from 165 cases in 2011 and 225 cases in 2010.

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## Belarus

**Political Rights Rating:** 7

**Population:** 9,470,000

**Civil Liberties Rating:** 6

**Capital:** Minsk

**Freedom Rating:** 6.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF

### INTRODUCTION

In 2014, President Alyaksandr Lukashenka continued to preside over an authoritarian system that crushes political dissent while offering citizens a basic, if increasingly unstable, standard of living. Despite continued economic declines, Lukashenka’s approval ratings

rose in the first half of 2014, partly due to the public's negative reaction to the Euromaidan protests and the ensuing instability in Ukraine. On May 29, Belarus signed an agreement to join the Russia-led Eurasian Economic Union, scheduled to take effect on January 1, 2015. There are concerns that the union may damage the Belarusian economy, as the volatility caused in Russia by Western sanctions and dropping oil prices may reverberate in Belarus.

The authorities continued to crack down on political demonstrations throughout the year, and five prisoners remained in jail at the end of 2014. Dozens of civil society activists from Belarus and neighboring countries were preventively arrested or detained in the run-up to the 2014 Ice Hockey World Championships held in Minsk in May. Additionally, while there were a few minor improvements to freedom of expression online, the government continued to block the websites of independent media and human rights organizations, and experts anticipate repression ahead of the presidential election in 2015.

**POLITICAL RIGHTS:** 4 / 40

**A. Electoral Process:** 0 / 12

The president is elected for five-year terms, and there are no term limits. The 110 members of the Chamber of Representatives, the lower house of the rubber-stamp National Assembly, are popularly elected for four years from single-mandate constituencies. The upper house, the Council of the Republic, consists of 64 members serving four-year terms; 56 are elected by regional councils, and 8 are appointed by the president.

Serious and widespread irregularities have marred all recent elections. In 2010, Lukashenka won a fourth term in a deeply flawed presidential vote, though some opposition candidates were allowed to run. When approximately 15,000 protesters turned out to question the legitimacy of the balloting, the authorities arrested more than 700 people, including seven of the nine opposition presidential candidates. Three of the former candidates were later sentenced to prison terms of five or six years.

During the 2012 parliamentary elections, the authorities blocked key opposition figures from running, harassed regime critics, denied the opposition access to the media, failed to administer the elections fairly, and prevented observers from independently verifying the vote count. Further, the regime pressured workers at state-owned enterprises to participate in the process. No opposition candidates won seats.

Local elections were held in March 2014, and candidates ran unopposed in nearly 80 percent of the races. Opposition candidates were denied registration significantly more often than progovernment representatives, and less than 2 percent of registered candidates were from opposition parties. A number of opposition candidates reported harassment, including fines and administrative detention, during the campaign period.

The legal framework for elections does not meet democratic standards. Most members of election commissions support Lukashenka; in the March local elections, progovernment individuals heavily dominated the constituency election commissions.

**B. Political Pluralism and Participation:** 3 / 16

There is no official progovernment political party, and most lawmakers are unaffiliated with any party. Opposition parties have no representation in the National Assembly, and have generally been weak and divided, with little engagement in the political process. In October 2014, in a symbolic gesture, political prisoner Mikalay Statkevich offered to run as the single opposition candidate in 2015 despite his inability to register as a candidate.

The authorities harass dissidents on a daily basis, forcing some to undergo psychiatric treatment. Andrey Kasheuski, an opposition activist and newspaper distributor, was forced to spend a month in a psychiatric hospital after being stopped by the police in February for

wearing a ribbon from the Euromaidan protests. Under such pressure and threats, the opposition remains deeply divided on the best tactics for opposing the regime and currently has little support among the public.

Political prisoners Mikalay Autukhovich, Uladzimir Yaromenak, and Eduard Lobau were released this year after completing their prison terms. Unexpectedly, human rights leader Ales Byalyatski was released from prison in June, having served nearly three years of a four-and-a-half-year sentence on charges of tax evasion.

### **C. Functioning of Government:** 1 / 12

The constitution vests most power in the president, giving him control over the government, courts, and even the legislative process by stating that presidential decrees have a higher legal force than ordinary legislation.

The state controls 70 percent of the Belarusian economy, feeding widespread corruption. Graft is also encouraged by an overall lack of transparency and accountability in government. Under presidential decrees, information on the work of about 60 government ministries and state-controlled companies, including the Ministry of Information, the Minsk city executive committee, and the state broadcaster, is classified. Belarus was ranked 119 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

### **CIVIL LIBERTIES:** 10 / 60

### **D. Freedom of Expression and Belief:** 3 / 16

The government systematically curtails press freedom. Libel is both a civil and a criminal offense, and a 2008 media law gives the state a monopoly over information about political, social, and economic affairs. The criminal code also contains provisions protecting the "honor and dignity" of the president and other high-ranking officials, including greater penalties in cases of defamation or insult. In June 2014, a criminal case was opened against human rights activist Katsyaryna Sadouskaya for insulting Lukashenka; Sadouskaya had called the president "mentally ill" in April when commenting about preventive detentions before the World Ice Hockey Championship.

Belarusian national television is completely under the control of the state and does not present alternative or opposition views. The state-run press distribution monopoly limits the availability of private newspapers. The authorities routinely harass and censor the remaining independent media outlets, including by using physical force, confiscating equipment, and revoking journalists' credentials. Freelancing or working for a foreign, unaccredited news outlet can be punished as criminal offenses. The authorities do allow the publication of two independent newspapers, *Nasha Niva* and *Narodnaya Volya*. However, in the past journalists from these publications have been subject to arrests and harassment, and the website of *Nasha Niva* was temporarily blocked on March 25, Freedom Day—an unofficial holiday celebrated by opponents of the regime.

As the government continues to maintain control over most broadcast and print media outlets, Belarusians are increasingly turning to the internet as a more trustworthy source of news and information. More than half of the population has access to the internet, and every day, more than 400,000 Belarusians—equivalent to the audience size for state television—visit news websites. At the same time, the government continues to seek greater control over the internet through both legal and technical means. The 2008 media law subjects internet outlets to the same restrictions as traditional media, and the government owns the country's sole internet service provider. A 2010 presidential decree, codified in 2012, requires internet café owners to identify users and track their activities.

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The authorities have repeatedly blocked access to opposition sites and independent media outlets, while the state security service harasses online opposition activists. In late December 2014, access to a number of independent news sites was blocked following their reporting on the devaluation of the Belarusian ruble. In the same week, the parliament rushed through a law that gives the government greater powers to censor online content. The law, which will go into effect in January 2015, further widens the definition of traditional media to include all websites and blogs that publish information, placing them under the supervision of the Ministry of Information. Nevertheless, self-censorship online has slightly decreased, and a growing diversity of viewpoints and information is presented on online forums and social media websites.

Despite constitutional guarantees of religious equality, government decrees and registration requirements have increasingly restricted 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 that have been active in Belarus for fewer than 20 years. In 2003 the government signed a concordat with the Belarusian Orthodox Church, which enjoys a privileged position. The authorities have discriminated against Protestant clergy and ignored anti-Semitic attacks.

Academic freedom is subject to intense state ideological pressures, and institutions that use a liberal curriculum or are suspected of disloyalty face harassment and liquidation. Regulations stipulate immediate dismissal and revocation of degrees for students and professors who join opposition protests. Mandatory assignment of university graduates to state-sanctioned, low-paid jobs for two years after graduation leads many young people to pursue higher education in European universities.

Wiretapping by state security agencies limits the right to free private discussion.

#### **E. Associational and Organizational Rights: 1 / 12**

The government restricts freedom of assembly for critical independent groups. Protests and rallies require authorization from local authorities, who can arbitrarily deny permission. When public demonstrations do occur, police frequently break them up and arrest participants. Although the government officially allowed a Freedom Day demonstration to take place in 2014, authorities arrested at least 10 participants, some of whom were carrying Ukrainian flags. In November, the authorities issued a deportation order to prominent human rights defender Yelena Tonkacheva, a Russian national and longtime Belarusian resident, officially due to traffic violations.

Freedom of association is severely restricted. More than 100 of the most active non-governmental organizations (NGOs) were forced to close between 2003 and 2005, and participation in an unregistered or liquidated political party or organization was criminalized in 2005. Registration of groups remains selective. As a result, most human rights activists operating in the country face potential jail terms ranging from six months to two years. Since 2005, at least 18 individuals have been convicted, with five sentenced to prison terms. Regulations introduced in 2005 ban foreign assistance to NGOs, parties, and individuals deemed to have promoted "meddling in the internal affairs" of Belarus from abroad. In 2013, officials introduced legislation simplifying registration requirements for NGOs, but arbitrary denials of registration have not abated.

Independent trade unions face harassment, and their leaders are frequently fired and prosecuted for engaging in peaceful protests. No independent trade unions have been registered since 1999, when Lukashenka issued a decree setting extremely restrictive registration requirements.

**F. Rule of Law: 1 / 16**

Although the constitution calls for judicial independence, courts are subject to significant executive influence. The right to a fair trial is often not respected in cases with political overtones. Human rights groups continue to document instances of beatings, torture, and psychological pressure during detention in cases involving leaders of the democratic opposition. The power to extend pretrial detention lies with a prosecutor rather than a judge, in violation of international norms. There were five political prisoners in Belarus at the end of 2014, including Statkevich and youth activists Mikalay Dzyadok and Ihar Alinevich.

Ethnic Poles and Roma often face discrimination. There are grassroots efforts to preserve Belarusian identity and promote the use of the Belarusian language in the country, where Russian has become increasingly dominant. In August 2013, police destroyed seven Romany homes, apparently built without permits, in the city of Zhlobin before a visit by Lukashenka. No compensation was provided.

LGBT (lesbian, gay, bisexual, and transgender) individuals face discrimination and regular police harassment. In February 2013, the Justice Ministry refused to register a gay rights NGO, meaning it cannot operate legally in the country. The parliament proposed a law banning “homosexual propaganda” in July 2013 but has yet to formally introduce it as legislation.

**G. Personal Autonomy and Individual Rights: 5 / 16**

An internal passport system limits freedom of movement and choice of residence. Some opposition activists have been turned back at the border or detained for lengthy searches. Belarus’s command economy severely limits economic freedom, and the regulatory environment favors state-owned companies.

There are significant discrepancies in income between men and women, and women are poorly represented in leading government positions. Domestic and sexual violence against women are considered to be persistent and underreported. Sexual violence is addressed in the criminal code, and a 2008 law addresses the prosecution of domestic violence, but no legislative measures are aimed at preventing these problems. As a result of widespread poverty, many women have become victims of the international sex trade. The constitution explicitly bans same-sex marriage.

Mandatory unpaid national work days, postgraduate employment allocation, compulsory labor for addicts confined to state rehabilitation facilities, and restrictions on leaving employment in specific industries have led labor activists to conclude that all Belarusian citizens experience forced labor at some stage of their life.

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## Belgium

**Political Rights Rating:** 1**Civil Liberties Rating:** 1**Freedom Rating:** 1.0**Freedom Status:** Free**Electoral Democracy:** Yes**Population:** 11,200,000**Capital:** Brussels**Ten-Year Ratings Timeline for Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

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## INTRODUCTION

Belgium held parliamentary elections in May 2014, but disagreement among the country's parties, which are divided along both political and linguistic lines, delayed the formation of a government for more than four months. The separatist New Flemish Alliance (N-VA), the center-right Christian Democratic and Flemish (CD&V) party, the francophone Movement for Reform (MR), and the Open Flemish Liberals and Democrats (VLD) reached a coalition agreement in October. The N-VA, which won the most seats of any party in the elections, was included in the government for the first time.

In May, a gunman fatally shot four people at the Jewish Museum in Brussels. It later emerged that the suspected killer, a French Muslim, had recently returned from Syria, where he had been active with the Islamic State (IS) militant group.

## POLITICAL RIGHTS: 40 / 40

### A. Electoral Process: 12 / 12

The Belgian monarchy is largely ceremonial, although the king retains constitutional authority to mediate between parties during the process of government formation. Belgium's Parliament consists of two houses: the Chamber of Representatives and the Senate. The 150 members of the Chamber are elected directly by proportional representation. The Senate is comprised 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 four-year terms in both houses. The prime minister, who is the leader of the majority party or coalition, is appointed by the monarch and approved by Parliament.

The N-VA won 33 seats in the Chamber of Representatives in the May 2014 parliamentary elections, while outgoing prime minister Elio Di Rupo's Francophone Socialist Party (PS) won 23 seats. The MR captured 20 seats, the CD&V took 18 seats, the VLD took 14 seats, and the Flemish Socialist Party Differently (sp.a) took 13 seats. The remaining seats were captured by seven minor parties.

N-VA leader Bart de Wever conceded in June that he was unable to form a government, leading King Philippe to task Kris Peeters of the CD&V and Charles Michel of the MR with leading the negotiations. In October, they reached a four-party, right-wing coalition agreement with the N-VA and the VLD. Michel, head of the only francophone party in the coalition, became prime minister. His government was sworn in that month—the first government in more than two decades to exclude the PS.

### B. Political Pluralism and Participation: 16 / 16

The party system is robust but highly fragmented, with separate Flemish and Walloon parties representing all traditional parties of the left and right.

After the xenophobic Vlaams Blok (Flemish Block) party was banned in 2004 for violating the country's antiracism laws, it changed its name to Vlaams Belang (Flemish Interest) and removed some of the more overtly racist elements from its platform. However, the party maintains an opposition to immigration and a commitment to an independent Flanders. It captured only three seats in the 2014 elections, down from 12 in 2010.

Ethnic and linguistic conflicts have prompted a series of constitutional amendments since 1970 devolving considerable power from the central government to the three regions in the Belgian federation: French-speaking Wallonia in the south; Flemish-speaking Flanders in the north; and Brussels, the capital, where French and Flemish share the same official status. The wealthier Flemish north has sought increased self-rule and reduced taxpayer support for the less prosperous Wallonia. Voting takes place along strict linguistic lines; with

the exception of the bilingual district encompassing Brussels, parties are only permitted to run in their respective linguistic regions.

**C. Functioning of Government:** 12 / 12

Corruption is relatively rare in Belgium, which was ranked 15 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 57 / 60

**D. Freedom of Expression and Belief:** 15 / 16

Freedoms of speech and the press are guaranteed by the constitution and generally respected by the government. Belgians have access to numerous private media outlets. However, concentration of print media ownership has increased in recent decades, leaving most of the country's newspapers in the hands of a few corporations. Internet access is unrestricted. In November 2014, several media workers were assaulted by police while covering a demonstration in Brussels.

Approximately half of the country's population identifies itself as Roman Catholic. Freedom of religion is protected, but a number of minority religious groups have complained of discrimination by the government, which has been criticized for its characterization of some non-Catholic groups as "sects."

In 2010, the Chamber of Representatives approved a ban on the partial or total covering of the face in public locations; although it did not specifically mention the veils worn by some Muslim women, these were widely seen as the target. The ban took effect in July 2011. Offenders face a fine or a week in jail.

The government does not restrict academic freedom. Private discussion is open and vibrant.

**E. Associational and Organizational Rights:** 12 / 12

Freedom of assembly is respected, although a mass demonstration in 2014 led to clashes with police. In November, unions organized a march in Brussels against the new government's economic austerity plans, drawing more than 100,000 attendees. The demonstration became violent, leading to a police response; authorities reported dozens of injuries and detentions.

Freedom of association is guaranteed by law, except for groups that practice discrimination "overtly and repeatedly." Employers found guilty of firing workers because of union activities are required to reinstate the workers or pay an indemnity. In December, unions called a 24-hour nationwide general strike.

**F. Rule of Law:** 15 / 16

The judiciary is independent, and the rule of law generally prevails in civil and criminal matters. Although conditions in prisons and detention centers meet most international standards, many facilities continue to suffer from overcrowding.

Specific antiracism laws penalize the incitement of discrimination, acts of hatred, and violence based on race, ethnicity, or nationality. There have been complaints about the treatment of rejected asylum seekers and illegal immigrants awaiting deportation. Maggie De Block, who held positions tasked with matters of asylum and immigration in the Di Rupo government, had taken a hard line against asylum seekers, leading to a significant drop in their numbers in 2013. In 2014, hundreds of Afghan asylum seekers continued to

live in a makeshift camp they had established in a Brussels church in September 2013, protesting the government's plan to return them to Afghanistan, where they argued their lives would be endangered.

On May 24, 2014, a gunman opened fire at the Jewish Museum in Brussels, killing a couple visiting from Israel and a Frenchwoman volunteering at the museum. A fourth victim, a museum employee, died of his wounds in June. On May 29, authorities in Marseille, France, arrested a suspect, French citizen Mehdi Nemmouche, after he arrived on a bus from Brussels carrying weapons matching those used in the attack. He had allegedly traveled to Syria in 2013 and spent over a year fighting as part of IS, and was believed to be the first jihadist to return to Europe and commit a terrorist act after participating in the Syrian conflict. In July 2014, France extradited Nemmouche to Belgium, where he was charged with "murder in a terrorist context."

In September, an Antwerp court began the trial of 46 alleged members of a radical Islamist group called Sharia4Belgium for recruiting militants to fight in Syria. The group had agitated for Sharia (Islamic law) in Belgium until announcing in 2012 that it was disbanding.

Also in September, the European Court of Human Rights (ECHR) ordered Belgium to pay €60,000 (\$80,000) in damages and €30,000 (\$40,000) in legal costs to Nizar Trabelsi, a Tunisian man who was extradited by Belgium to the United States in 2013 to face terrorism charges. The ECHR ruled that Belgium had violated his rights by extraditing him to a country where he faced the prospect of life in prison without the possibility of release, which the court said violated the prohibition of "inhuman or degrading treatment or punishment" by the European Convention on Human Rights.

The human rights of LGBT (lesbian, gay, bisexual, and transgender) people in Belgium are afforded strong legal protections and supported by a vibrant community of civil society groups. Discrimination on the basis of sexual orientation is illegal. In December 2014, ruling in the case of a gay man who had been found brutally murdered in Liège in 2012, a Belgian court found three defendants guilty of murder with homophobic motives and one defendant guilty of manslaughter with homophobic motives—the first such convictions in Belgium.

#### **G. Personal Autonomy and Individual Rights: 15 / 16**

The law provides for the free movement of citizens at home and abroad, and the government does not interfere with these rights. However, individual communities may expel Roma from city limits at the discretion of the local government. Citizens have the right to own property and start private businesses, and commercial activity is regulated without arbitrary government interference.

The government actively promotes equality for women. The state Institute for the Equality of Men and Women is empowered to initiate sex-discrimination lawsuits. In the 2014 elections, women won approximately 39 percent of the seats in the Chamber of Deputies and 50 percent of the seats in the Senate. Belgium legalized same-sex marriage in 2003, and in 2006 it gave same-sex couples the right to adopt children. In 2011, Di Rupo became the country's first openly gay prime minister.

In February 2014, the Chamber of Representatives voted to give final approval to a bill that would make the country the first in the world to legalize euthanasia for terminally ill children. Belgium legalized euthanasia for terminally ill adults in 2002.



## Belize

**Political Rights Rating:** 1

**Population:** 358,000

**Civil Liberties Rating:** 2

**Capital:** Belmopan

**Freedom Rating:** 1.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F

### INTRODUCTION

Belize continued to struggle with the negative effects of organized crime, gang violence, drug trafficking, and corruption in 2014. Several corruption cases were ongoing in 2014, including one involving the illegal sale and distribution of Belizean passports to foreign nationals. U.S. and Belizean authorities cooperated in the arrests of several Belize-based businesses involved in fraud and money laundering, leading to the indictment of six businesses and six individuals in September.

**POLITICAL RIGHTS:** 36 / 40

**A. Electoral Process:** 12 / 12

The head of state is the British monarch, who is represented by a governor general. Members of the 31-seat House of Representatives, the lower house of the bicameral National Assembly, are directly elected for five-year terms. The 12 appointed members of the Senate serve for five-year terms; the Senate president may be chosen from outside the legislative body, bringing the total number of senators to 13 in some cases.

In elections held in 2012, the center-right United Democratic Party (UDP) and incumbent prime minister Dean Barrow held on to power, capturing 50.4 percent of the national vote and 17 seats in the House of Representatives. The center-left People's United Party (PUP) won 47.5 percent and 14 seats; turnout was 73.2 percent. The PUP alleged that the elections were not entirely free and fair. The Organization of American States' first ever Electoral Observation Mission (EOM) to Belize noted a number of problems, including complaints of voter-list irregularities and concerns that party activists were electioneering outside of polling centers. Although the EOM still characterized the elections as free and fair, it did call on the government to pass campaign finance legislation, noting that political financing is unregulated in Belize. The Supreme Court upheld elections results in three constituencies contested by the PUP, as well as in one constituency contested by the UDP.

**B. Political Pluralism and Participation:** 14 / 16

There are no restrictions on the right to organize or join political parties. The UDP and PUP dominate a competitive two-party system, though a number of smaller parties are also active. The interests of the Mestizo, Creole, Mayan, and Garifuna ethnic groups are generally represented and discussed in the National Assembly.

**C. Functioning of Government:** 10 / 12

Belize is the only country in Central America that is not a party to the UN Convention against Corruption. Since 2009, Transparency International has not had enough access to data to include Belize in its annual Corruption Perceptions Index.

The case of Elvin Penner, a member of the House of Representatives and a former minister of state in the immigration ministry, continued in 2014. Penner was dismissed from his post in 2013 after he was found to have been involved in the illegal issuance of a Belizean passport to a South Korean national who was incarcerated in Taiwan at the time of the passport's issuance. Three immigration officers and the deputy mayor of Belize City also faced disciplinary action in relation to the case, though all of them were reinstated later. The Citizens Organized for Liberty through Action (COLA), a local non-governmental organization (NGO), filed criminal complaints against Penner in February 2014. Although Penner was arraigned on two criminal charges in March, the case was dismissed for lack of evidence in July. COLA appealed the ruling in August, and the case was ongoing at year's end.

A number of other officials were involved in corruption scandals in 2014. Minister of State Edmund Castro faced scrutiny in 2014 amid revelations about irregularities in financial transactions made by the Belize Airport Authority. In September, the PUP dismissed Arthur Saldivar, one of the party's executive members and an attorney, following an internal investigation into his alleged theft of \$900,000 from former clients.

Also in September, U.S. authorities unsealed an indictment against six Belize-based firms and six individuals—including both U.S. and Belizean nationals—based on charges of money laundering, tax evasion, and securities fraud. Belizean authorities had cooperated in the investigation of the case.

A number of corruption cases have also involved infrastructure projects in recent years. Allegations of misallocated funds in the repair of San Estevan Road in the Orange Walk District continued in 2014.

## **CIVIL LIBERTIES:** 51 / 60

### **D. Freedom of Expression and Belief:** 15 / 16

Belize has a generally open media environment. The constitution guarantees freedom of the press, but authorities can restrict this freedom in the interest of national security, public order, or morality. The Belize Broadcasting Authority has the right to prior restraint of all broadcasts for national security or emergency reasons, though this is rarely enforced in practice. In 2013, a whistleblower accused Minister of State Castro of involvement in violations of immigration law. In February 2014, Castro filed a defamation suit against the whistleblower and Great Belize Television, which had aired the allegations. A trial date has been set for 2015.

Despite the availability of diverse sources of media, including privately-owned weekly newspapers and radio and television stations, concerns over government control of the broadcast industry continue in the wake of the nationalization of Belize Telemedia Limited, the country's largest telecommunications company. While the government does not restrict internet access or use, penetration is low due to lack of infrastructure and high costs.

Residents of Belize enjoy full freedom of religion, and academic freedom is respected.

### **E. Associational and Organizational Rights:** 11 / 12

Freedoms of assembly and association are generally upheld, and peaceful demonstrations usually proceed without interference from the government. A large number of NGOs are active, and labor unions remain politically influential despite their shrinking ranks. Official boards of inquiry adjudicate labor disputes, and businesses are penalized for labor-code violations. However, the government has done little to combat antiunion discrimination, and workers who are fired for organizing rarely receive compensation.

**F. Rule of Law:** 12 / 16

The judiciary is independent, and the rule of law is generally respected. However, concerns remain that the judicial system is vulnerable to political interference. A backlog of cases has led to substantial delays in the judiciary process; about one-fifth of the country's detainees were awaiting trial in 2014.

Violent crime, gang violence, and drug trafficking remain serious concerns. There have been reports of the use of excessive force by police, including against detainees. A senior police superintendent negotiated a truce with gangs in Belize City in April 2014, but a series of shootings nevertheless occurred in June and September, leading police to increase patrols and checkpoints. Arrests are made in approximately 30 percent of all major crimes and in 61 percent of minor crimes; however, only an estimated 10 percent of homicides result in a conviction. Belize is both a source and transit country for drug trafficking.

According to the International Center for Prison Studies, Belize has the world's 11th-highest prisoner-to-public ratio, with about 449 inmates per 100,000 inhabitants. The country's prisons do not meet minimum international standards, although prison conditions have improved in recent years.

LGBT (lesbian, gay, bisexual, and transgender) people face legal and societal discrimination, and same-sex sexual activity is illegal. A transgender woman was stoned and beaten by a mob before being rescued by police in June 2014. Gay and lesbian foreigners are legally prohibited from entering Belize, although immigration officials do not enforce the relevant law.

There have been reports of discrimination against people living with HIV/AIDS, despite the government's efforts to educate the public about the medical conditions.

**G. Personal Autonomy and Individual Rights:** 13 / 16

The Belizean Court of Appeals ruled in 2013 that more than 30 Mayan communities in southern Belize have rights to their ancestral lands, but that the government is not responsible for providing documentation of ownership or for preventing third parties from using the land. Indigenous communities continue to criticize government concessions that permit foreign corporations to exploit their lands.

Violence against women and children remains a serious concern, as does the prevalence of child labor in agriculture. Gender disparities are profound; Belize ranks 100 out of 142 countries on the World Economic Forum's 2014 Global Gender Gap Report.

Belize is a source, transit, and destination country for women and children trafficked for sexual exploitation and forced labor, and there are concerns that Belize is increasingly becoming a destination for child sex tourism. The government passed a law to prevent the sexual exploitation of children in 2013. In August 2014, Belize and Taiwan signed an agreement to cooperate in combatting human trafficking.

# Benin

**Political Rights Rating:** 2

**Population:** 10,279,000

**Civil Liberties Rating:** 2

**Capital:** Porto-Novo

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

## INTRODUCTION

Although Benin remains among the most stable democracies in West Africa, its political sphere in 2014 was characterized by tensions surrounding public discontent with President Thomas Boni Yayi, the consequences of alleged coup attempts in 2012 and 2013, proposed constitutional reforms, and delayed local elections. Opposition discontent with the continued delay of local elections—originally scheduled for April 2013 but postponed following problems with the electronic voter roll system—led to protests in 2014, including a mass demonstration held in October in the economic capital, Cotonou. Opposition members also expressed discontent at continued attempts by Yayi’s coalition to pass controversial constitutional reforms through the National Assembly, with critics worried that the changes would allow Yayi to run for a third presidential term. After the proposals were repeatedly rejected, Yayi publicly declared an end to the particular reform initiative, though the issue was widely discussed throughout the year. In May, the president extended a pardon to the alleged participants of a 2012 coup attempt, most of whom had been imprisoned.

**POLITICAL RIGHTS:** 32 / 40

**A. Electoral Process:** 8 / 12

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. Delegates to the 83-member, unicameral National Assembly serve four-year terms. Local elections in Benin have been characterized by disorganization and delay; elections scheduled for April 2013 had not taken place by the end of 2014.

Despite delays, serious problems with the new electronic voting system, and doubts about the performance of the Autonomous National Electoral Commission (CENA), international observers deemed the 2011 presidential and legislative polls largely free and fair. In March 2011, Yayi was reelected with 53 percent of the vote. Former prime minister Adrien Houngbédji, who received 36 percent, refused to accept the results and appealed to the Constitutional Court. The court confirmed Yayi’s victory, leading to mass opposition demonstrations that were dispersed with tear gas and other police violence.

Houngbédji’s refusal to accept the results undermined the opposition campaign for the April 2011 legislative polls. Yayi’s coalition gained a majority, winning 49 of 83 National Assembly seats, with 41 going to his core party, the Cowry Forces for an Emerging Benin (FCBE). This majority is enough to push through legislation but not constitutional reform. In 2013, President Yayi eliminated the office of the prime minister, a position that he had reinstated in 2011 after it had been abolished in 1998.

A revised Electoral Code was unanimously passed in the National Assembly in 2013; its revisions included making the CENA a permanent body and requiring presidential candidates to prove Beninese nationality and residency.

**B. Political Pluralism and Participation:** 16 / 16

Benin has historically been divided between northern and southern ethnic groups. Yayi's support comes primarily from the north, while support for the main opposition parties, including Houngbédji's Democratic Renewal Party (PRD), hails primarily from the south. Dozens of small political parties operate openly regardless of ethnic or regional affiliation.

While Yayi's coalition has typically held a clear majority in the National Assembly, the links between its many disparate parties are tenuous. Disagreements over the proposed constitutional revision led a number of ministers to defect in 2013, weakening Yayi's hold over the legislature.

**C. Functioning of Government:** 8 / 12

Yayi came to power in 2006 on an anticorruption platform and subsequently enacted a number of measures to combat graft, including an internationally praised audit of 60 state-run companies. In 2013, the government created the National Anti-Corruption Authority (ANLC), a move that has been praised by the international community. However, the ANLC has appeared to focus primarily on prevention and education. It can hear complaints, recommend measures, and pass cases to the courts, but it has no enforcement authority. The government allocated funding to the body in 2014, and the ANLC appears to be taking steps to build its capacity, increase its independence, and cooperate with civil society. In November, the body launched an investigation into corruption in the health sector. Despite this recent progress, few officials facing corruption charges have been subject to thorough investigations or disciplinary action to date.

**CIVIL LIBERTIES:** 49 / 60 (+1)**D. Freedom of Expression and Belief:** 15 / 16

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. The High Authority of Broadcasting (HAAC) has in recent years handed out sanctions and suspensions to media organizations for infractions such as "undermining national unity." Although rarely prosecuted, defamation remains a criminal charge. In June 2014, a Cotonou court suspended the newspaper *L'Indépendant* for three months for insulting the president in an article; the court gave a three-year suspended prison sentence and a fine to the newspaper's publisher, while the article's author received a two-month prison sentence.

In May, the government submitted to the parliament a new media bill—the Information and Communication Code—unifying existing media regulations and retaining both financial penalties and imprisonment as punishment for insulting the president and other public officials. The government does not restrict internet access, but penetration is very low.

The government actively seeks to ensure religious and academic freedoms. While the majority of Beninese identify themselves as either Muslim or Christian, many also practice some form of voodoo. Confrontations between religious groups are rare.

**E. Associational and Organizational Rights:** 12 / 12 (+1)

Freedom of assembly is respected, and requirements for permits and registration are often ignored in practice. Although there were instances of police violence and arrests during

demonstrations surrounding the 2011 elections, as well as some allegations of protests being banned in 2013, the situation improved in 2014 as a number of large-scale protests took place largely unhindered; many protests focused on the delayed local elections, while some were inspired by the uprising in neighboring Burkina Faso.

Nongovernmental organizations and human rights groups operated freely in 2014. The right to organize and join labor unions is constitutionally guaranteed, including for government employees and civil servants. However, a 2011 law extended a ban on the right of military personnel and police officers to strike to include customs officers and water and forestry workers. A number of strikes took place in 2014, including by employees of the public sector and the judiciary.

#### **F. Rule of Law:** 12 / 16

Judicial independence is generally respected by the executive branch, but the courts are highly inefficient and susceptible to corruption, largely due to their persistent lack of funding. In 2013, Yayi chose not to renew the mandate of the president of the Constitutional Court, a body that had exhibited consistent independence in recent years—a move that critics claimed was connected to the court president's opposition to Yayi's desired constitutional reform. Controversial judicial appointments made that year, as well as the government's treatment of a judge who had dismissed a case against the 2012 and 2013 coup plotters, sparked a judges' strike that lasted intermittently throughout 2014 despite deductions from the salaries of the strike's participants. Authorities and the National Union of Magistrates of Benin (UNAMAB) repeatedly clashed about how the government proposed to meet the union's demands, which included the correction of judicial appointments deemed "irregular" by the union, the payment of deducted wages, and enhanced security for judges. In December, amid signs of advancing negotiations with the government, UNAMAB suspended the strike.

Prison conditions are harsh, and overcrowding is a major problem. Criminal cases are rarely processed in a timely manner. In 2012, Benin ratified an international treaty to abolish the death penalty, promulgating a new Code of Criminal Procedure reflecting the change in 2013. Torture as a sentence for a crime is banned by the new code, though it may still be permissible as a disciplinary measure in jails.

Relations among Benin's ethnic groups are generally amicable, although regional divisions occasionally flare up, particularly between the north and south. Minority ethnic groups are well represented in government agencies, the civil service, and the armed forces. The constitution prohibits discrimination based on race, gender, and disability, but it does not protect individuals from discrimination based on sexual orientation. Nevertheless, the only legislation directly restricting the rights of LGBT (lesbian, gay, bisexual, and transgender) people is the Penal Code of 1996, which imposes a higher age restriction on the age of consent for same-sex sexual activity (21) than for heterosexual activity (13).

#### **G. Personal Autonomy and Individual Rights:** 10 / 16

In 2013, the government released a decree to better control roadblocks around the country and to reduce the incidence of extortion, although it is unclear how well this has been enforced. Due to widespread poverty, economic activity continues to be restricted, but changes to the processes surrounding business registration since 2010 have improved Benin's commercial environment.

The constitution provides for gender equality, and a national gender promotion policy aims to achieve gender equality by 2025. However, women enjoy fewer educational and employment opportunities than men, particularly in rural areas. A 2004 family code improved

women's inheritance, property, and marriage rights, and prohibited forced marriage and female genital mutilation, but it has not been well enforced. Women hold 8 of the 83 seats in the National Assembly, down from 11 in the previous Assembly, and head only 4 of the 27 government ministries.

Human trafficking is widespread in Benin; the vast majority of victims are girls trafficked domestically from rural to urban areas. A law formally outlawing the trafficking of children was passed in 2006, but no legislation specifically addresses the trafficking of adults.

## Bhutan

**Political Rights Rating:** 3

**Population:** 746,000

**Civil Liberties Rating:** 4

**Capital:** Thimphu

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	4,5,PF	4,5,PF	4,5,PF	4,5,PF	4,5,PF	3,4,PF	3,4,PF

### INTRODUCTION

Prime Minister Tshering Tobgay focused on domestic priorities in 2014, including employment, the development of hydropower, and democratic consolidation. Tobgay has made strides in his attempt to make the prime minister's office more open and accessible to the public, including using social media and supporting landmark legislation—passed in February—that aims to strengthen government transparency.

**POLITICAL RIGHTS:** 29 / 40 (+1)

**A. Electoral Process:** 10 / 12

King Jigme Khesar Namgyel Wangchuck formally succeeded his father in 2008, though he had been in power since the outgoing king's abdication in 2006. The monarch is head of state, can appoint some members of the Supreme Court and the heads of national commissions, and retains influence over ministerial positions. The monarchy remains highly popular with the public.

The constitution provides for a bicameral Parliament, with a 25-seat upper house, the nonpartisan National Council, and a 47-seat lower house, the National Assembly. Members of both bodies serve five-year terms. The king appoints five members of the National Council, and the remaining 20 are popularly elected; the lower house is entirely elected, and the head of the majority party is nominated by the king to serve as prime minister. The logistics of voting and vote counting remain heavily dependent on expertise and technology from India.

In the 2013 parliamentary elections, the opposition People's Democratic Party won 32 seats. The Druk Peace and Prosperity Party, which had dominated the first national elections in 2008, won the remaining 15 seats. International monitors deemed the 2013 elections free and fair. The free vote and peaceful transfer of power were seen as signs of a healthy democratic system.

**B. Political Pluralism and Participation:** 10 / 16

Political parties, previously illegal, were allowed to begin registering in 2007. Bhutan now has two officially registered major parties and at least three smaller ones. One of the smaller parties—the Bhutan Kuen-Nyam Party (BKP)—was disqualified from participating in the last elections due to its inability to field candidates in all constituencies. Citizens must receive government approval to form political parties and hold political rallies, which significantly hinders the development of parties.

Bhutan still relies on India for defense and many foreign policy matters.

Bhutan's electoral rules stipulate that political parties must not be limited to members of any regional, ethnic, or religious group. No party exists to represent Nepali speakers. International monitors have noted that Nepali speakers have been turned away from voting.

**C. Functioning of Government:** 10 / 12 (+1)

Bhutan has made a rapid transition from a system in which the monarch and his advisers had enormous influence over the Parliament to one in which the Parliament determines its own policies. Although the king retains some powers, the party in control of Parliament selects its own cabinet. The cabinet has increasingly taken on governance without deferring to the monarch for guidance, and Prime Minister Tobgay has shown more signs of independence than his predecessor.

Although corruption exists in Bhutan, the country has in recent years made significant strides in addressing the issue. The 2006 Anti-Corruption Act established whistleblower protections, and the Anti-Corruption Commission (ACC), whose role was strengthened and expanded in 2011, is tasked with investigating and preventing graft. The new administration has repeatedly backed up the ACC's efforts to suspend and investigate officials suspected of graft—including government economic planners and officials involved in imports, who were the focus of several ACC probes in 2014. Courts have in recent years won cases against some of the most powerful political elites in the country, setting examples for lower-ranking officials. In 2014, the ACC and the attorney general's office began investigating the sitting foreign minister on allegations of graft in the building of a monastery. Bhutan was ranked 30 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

Prime Minister Tobgay has welcomed a loyal opposition in Parliament, and has tried to make the office of the prime minister more open to the public through strategies such as media appearances and the use of social media. He has also strengthened transparency by making the salaries of public officials public and using the power of his office to make the central and local budgets more open to review.

In February 2014, Bhutan passed a landmark right to information law that will guarantee greater government transparency and put the onus on government officials and agencies to release information about every major decision. It is one of the most sweeping such laws in any developing nation, and was preceded by two years of significant and open debate.

**Discretionary Political Rights Question B:** -1 / 0

The Bhutanese government has for decades attempted to diminish and repress the rights of ethnic Nepalis, and to force many of them to leave the country, thereby changing the ethnic makeup of the country.

The government expelled a large percentage of Nepali speakers in the early 1990s, after previously stripping them of their citizenship. Many fled to Nepal as refugees. The government maintains that many Nepali speakers left Bhutan voluntarily or had been illegal immigrants, but in 1992, more than 100,000 such refugees living in extremely poor



conditions in Nepal were denied reentry to Bhutan, and the Bhutanese government has consistently refused to repatriate them. A resettlement effort aimed at transferring the refugees to third countries began in 2007. According to the office of the UN High Commissioner for Refugees (UNHCR), by the end of 2014, roughly 90,000 refugees had been resettled in third countries, mostly in the United States and Canada. About 27,000 refugees from Bhutan remain in Nepal's camps.

**CIVIL LIBERTIES: 27 / 60****D. Freedom of Expression and Belief: 9 / 16**

The law protects freedoms of speech and of the press. However, defamation can carry criminal penalties. In June, before a visit by Indian prime minister Narendra Modi, government officials instructed journalists not to publish stories critical of Bhutan's leadership during Modi's trip. Journalists often self-censor in their coverage of the Nepali minority and of some aspects of Bhutan's foreign relations.

A 2006 media law liberalized the media landscape, leading to the establishment of independent outlets. However, independent media outlets depend heavily on government advertising, and many newspapers struggle financially. An August 2014 report by the Bhutan journalists' association argued that freedom of the press was weak in Bhutan in part due to indirect government control through advertising. About 30 percent of Bhutan's population has internet access, a figure that grows significantly every year. Social media continued to gain popularity in 2014 among young, urban Bhutanese.

The constitution protects freedom of religion, but local authorities often harass non-Buddhists. While Bhutanese of all faiths can worship relatively freely in private, the Drukpa Kagyupa school of Mahayana Buddhism is the official religion and reportedly receives various state subsidies. The Christian minority has allegedly been subject to harassment by the authorities in the past, and permits for the construction of Hindu temples are reportedly difficult to obtain. In March 2014, police in southern Bhutan arrested several pastors for holding a Christian worship service without gaining permission from local authorities; they were held for more than a month without charges.

Few restrictions on academic freedom have been reported, though nongovernmental organizations (NGOs) claim that the teaching of Nepali and Sanskrit is banned.

**E. Associational and Organizational Rights: 4 / 12**

The constitution guarantees freedom of assembly, but the government must approve the purpose of protests and often does not.

NGOs that work on issues related to ethnic Nepalis are not allowed to operate, but other local and international NGOs work increasingly freely. Under the 2007 Civil Society Organization Act, all new NGOs must register with the government. The constitution protects the right of workers to form associations, but not for the purpose of conducting strikes. Most of the country's workforce is engaged in subsistence agriculture and is therefore not unionized.

**F. Rule of Law: 6 / 16**

Since 2007, Bhutan has moved decisively toward judicial-based rule of law, and its judiciary is now considered generally independent. An independent Judicial Service Council, created in 2007, controls judicial appointments and promotions. The Supreme Court serves as the final arbiter of appeals.

The civilian police force generally operates within the law. Prisons in Bhutan for the most part meet international standards. There are dozens of political prisoners being held

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in the country, according to NGOs. Since 2010, the authorities have released at least 11 political prisoners. Most are jailed for being part of banned political groups or parties, such as the local communist party or parties that advocated for rights for ethnic Nepalis; in some cases, the charges are allegedly fabricated to justify arrest of government critics, particularly around the Nepali issue.

The constitution protects against discrimination based on sex, race, disability, language, religion, or societal status. While these provisions are generally respected, Nepali-speaking citizens reportedly face employment discrimination. Despite legal protections, people with disabilities continue to face societal discrimination, particularly in rural areas. There are no legal protections against discrimination based on sexual orientation, and no NGO in the country explicitly works on the rights of LGBT (lesbian, gay, bisexual, and transgender) individuals.

#### G. Personal Autonomy and Individual Rights: 8 / 16

Laws provide for freedom for Bhutanese citizens to travel domestically and internationally, but no laws protect against forced exile. Bhutanese security forces sometimes arrest Nepalis seeking to enter the country. Those lacking a security clearance certificate are subject to restrictions on freedom of movement and face difficulties in starting a business, but the government has in recent years simplified the process for obtaining a certificate.

Since 2013, Bhutanese are no longer required to wear traditional dress. Women participate freely in social and economic life but continue to be underrepresented in government and politics. The law protects against domestic violence, with the possibility of prison sentences ranging from one month to three years. Rape, including spousal rape, is also illegal. However, societal taboos lead many incidences of rape and domestic violence to go unreported.

## Bolivia

**Political Rights Rating:** 3

**Population:** 10,305,000

**Civil Liberties Rating:** 3

**Capital:** La Paz (administrative), Sucre (judicial)

**Freedom Rating:** 3.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

#### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF

#### INTRODUCTION

In October 2014, President Evo Morales was reelected after a controversial 2013 court ruling allowed him to run for a third term. In concurrent legislative elections, the governing Movement for Socialism (MAS) retained a majority in the legislature. Political representation improved in the 2014 general elections for women, who took 49 percent of the seats in the Plurinational Legislative Assembly.

In July, human rights organizations criticized Bolivia after it passed new legislation to lower the legal employment age for minors to 10 for certain jobs.

**POLITICAL RIGHTS:** 29 / 40**A. Electoral Process:** 11 / 12

Bolivia's president is directly elected, and presidential and legislative terms are both five years. The Plurinational Legislative Assembly consists of a 130-member Chamber of Deputies and a 36-member Senate. All senators and 53 deputies are elected by proportional representation, and 70 deputies are elected in individual districts. Seven seats in the Chamber of Deputies are reserved for indigenous representatives. The 2009 constitution introduced a presidential runoff provision.

In a controversial April 2013 ruling, the Plurinational Constitutional Tribunal determined that President Morales's first term in office did not count toward the constitutionally mandated two-term limit since it had begun before the current constitution was adopted. The ruling allowed Morales to run for a third term in 2014. In the October 2014 general elections, Morales was reelected with 61.4 percent of the vote. Samuel Doria Medina of the Democratic Union Front (UD) obtained 24.2 percent of votes, and the three remaining candidates, including former president Jorge Quiroga, shared less than 15 percent of votes. In concurrent legislative elections, Morales's MAS party maintained a two-thirds majority in the Plurinational Legislative Assembly, the share necessary to pass constitutional reforms. The MAS took 89 seats in the lower house and 25 seats in the Senate, while the opposition UD won 31 deputies and 9 senators, followed by the Christian Democratic Party (PDC) with 10 deputies and 2 senators.

According to the Organization of American States (OAS) electoral observation mission, although the processing and dissemination of electoral results was delayed, the electoral process did reflect the will of the people. The OAS mission recommended that Bolivia strengthen its electoral institutions and campaign finance system. Bolivians living abroad were allowed to vote for the first time in 2014.

The last subnational elections took place in 2010, when MAS candidates won governorships in six of the nine departments and opposition candidates became mayors in seven of the 10 principal cities.

**B. Political Pluralism and Participation:** 11 / 16

Citizens have the right to organize political parties. The MAS draws support from a diverse range of social movements, unions, and civil society actors. Since Morales's 2005 election, the country's traditional political parties have all but collapsed, giving way to a series of new formations and short-lived opposition coalitions. Following the 2010 local and regional elections, the Movement Without Fear (MSM) party, a group previously allied with the MAS, emerged as a centrist alternative to the ruling party. In the wake of the 2014 elections, however, the MSM and the Green Party of Bolivia each lost their legal status due to their inability to win 3 percent of the votes.

There are some allegations that prosecutions against members of the opposition are politically motivated. In one high-profile case in 2012, the Brazilian government granted political asylum to Bolivian opposition senator Roger Pinto Molina, who faced corruption and other criminal charges in Bolivia after he denounced corruption in the government. Over the years, opposition politicians, such as La Paz mayor Luis Revilla, have claimed that the Morales administration persecutes them via the judiciary.

**C. Functioning of Government:** 7 / 12

Corruption remains a problem in Bolivia, affecting a range of government entities and economic sectors, including law-enforcement bodies, officials hired to rein in the illegal drug trade, and extractive industries. Anticorruption legislation enacted in 2010 has

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been criticized for permitting retroactive enforcement. The government has established an Anti-Corruption Ministry, outlined policies to combat corruption, and opened investigations into official corruption cases. In 2011, legislators voted to prosecute former presidents Gonzalo Sánchez de Lozada and Jorge Quiroga for approving hydrocarbon contracts alleged to have contravened national interests. The U.S. government has refused to extradite Sánchez de Lozada since 2012. In 2013, the Bolivian prosecutor filed corruption charges and requested house arrest for Quiroga, but a court decided to grant substitute measures while the trial continues. Despite his legal situation, Quiroga was permitted to run for the presidency in 2014.

In March, opposition party leader Arturo Murillo (National Unity) spoke out against influence peddling after AIG Catering, a company owned by the sister-in-law of Vice President Álvaro García Linera, was assigned a contract with the state aviation company. Linera responded by requesting that the contract be revoked, but his sister-in-law allegedly sold the company. Murillo complained that judicial authorities repeatedly refused to investigate the case. At the end of the month, government assembly member Ever Moya resigned from the MAS in protest against unchecked corruption in the government. Bolivia was ranked 103 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

A bill on Transparency and Access to Public Information was under consideration as of year's end that has been criticized for allowing government agencies to establish exceptions on what information would be publicly available.

**CIVIL LIBERTIES:** 39 / 60 (+1)

**D. Freedom of Expression and Belief:** 14 / 16

Although the constitution guarantees freedom of expression, in practice, the media are subject to some limitations. Press associations have complained that the language of a 2010 antiracism law is vague and contributes to a climate of self-censorship. In particularly serious cases, the law allows publication of racist or discriminatory ideas to be punished with fines, the loss of broadcast licenses, and prison sentences of up to five years. In many instances a public apology can result in the waiver of such sanctions. In 2011, the government created a Ministry of Communications, but no implementing regulation for the constitution's "right to communication" has been passed.

Most media outlets are privately owned. Radio is the leading source of information. The print sector has undergone a wave of consolidation and some newspapers have closed. Online media are growing in importance as a source of news. Many private newspapers and television stations feature opposition rather than progovernment opinion pieces; the opposite holds true in state media. The 2011 telecommunications law aims to allocate 33 percent of all broadcast licenses to state-run media, another 33 percent to commercial broadcasters, and 17 percent each to local communities and indigenous groups.

Journalists and independent media operate in a somewhat hostile environment, and attacks continued to be reported in 2014. In April, charges of espionage and complicity were filed against journalist Ricardo Aguilar and editor Claudia Benaventura for an article they published in *La Razon* regarding the complaint that Bolivia brought against Chile before the International Court of Justice. A judge ordered Aguilar to reveal his sources, in violation of the 1925 press law. Criminal charges were dropped in August and the case was moved to the Press Tribunal, where it is currently pending. In May, the municipality of Santa Cruz de la Sierra pulled official advertising and allegedly began an intimidation campaign against *El Deber* newspaper after it broadcast a video portraying the mayor behaving inappropriately with a female journalist during a public function.

In 2012, the Constitutional Tribunal struck down Article 162 of the penal code, which made it a crime to criticize a government official in the exercise of his or her office.

Freedom of religion is guaranteed by the constitution. The 2009 constitution ended the Roman Catholic Church's official status and created a secular state. The government does not restrict academic freedom. Private discussion is also permitted, free from surveillance or other interference by government authorities.

#### **E. Associational and Organizational Rights: 9 / 12**

Bolivian law provides for the rights of peaceful assembly and freedom of association. Protests sometimes become violent. The Morales government has been highly critical of nongovernmental organizations, especially those that supported indigenous protests in 2011.

The constitution guarantees the right to form trade unions. Labor and peasant unions are an active force in society and wield significant political influence. In 2013, Bolivia ratified the International Labour Organization's Domestic Workers Convention. A 2013 law establishes regulations for workers' cooperatives, which, among other provisions, prevent members of cooperatives dedicated to production, services, and public services from joining a union in that cooperative. Critics have pointed out that this rule violates the right to association.

#### **F. Rule of Law: 6 / 16**

The judicial system has faced ongoing systemic challenges in recent years. Judicial elections were held in 2011 to remedy a crisis in the judicial branch, which had been plagued by resignations, corruption charges, and a backlog of cases. The elections were marred by procedural problems and voter discontent. Candidates for the Supreme Court, the Constitutional Tribunal, and other entities were nominated through a two-thirds vote in the legislature, which allowed the MAS to dominate the selection process. In 2012, 56 new high court judges took office, making Bolivia the first country in Latin America to swear in elected judges to its highest tribunals. The Constitutional Tribunal's contentious 2013 decision to allow Morales to seek a third presidential term was interpreted as a sign of political bias among the new justices.

In July 2014, the lower house suspended three Constitutional Tribunal judges in light of their March ruling to temporarily prevent a law on public notaries from coming into force. In criminal proceedings that began before the Senate in October, the judges were accused of malfeasance and breach of duties. Hearings were still under way at year's end. If convicted, the judges could face up to 10 years in prison.

Bolivian courts face a daunting caseload, though there have been some improvements in recent years. In 2013, the Supreme Tribunal of Justice resolved a total of 2,614 cases out of 3,480. Prosecutorial independence is viewed as weak.

In April 2014, low-ranking officers presented a proposal to ban discrimination in the armed forces in promotions and access to health and educational services. In response, the government dismissed 702 officers who were protesting in favour of the measure on grounds of rioting and sedition; many of the officers were later reinstated.

Bolivian prisons are overcrowded, and conditions for prisoners are extremely poor. An increase in urban crime rates and a 1988 law that substantially lengthened prison sentences for drug-related crimes have contributed to prison overcrowding. In addition, a 2014 Human Rights Watch report found that pretrial detention and trial delays in Bolivia have led to prison overcrowding. In response to overcrowding, the government approved a pardon system in 2012, but found the results unsatisfactory. A new pardon issued in September 2013, set to last one year, authorized applications for release by various categories of prisoners,

including women with children. An estimated 1,000 individuals have benefited from the measure. Assaults in prisons continue to pose a significant problem. In September, violence in the El Abra detention center resulted in four deaths and 11 injured. Human Rights Watch has found that control within prisons is often left to inmates.

In a June report, the UN Office on Drugs and Crime (UNDOC) estimated that the area used for unregulated coca cultivation destined for the illegal cocaine trade was reduced from 25,300 to 23,000 hectares between 2012 and 2013. UNDOC attributed the decrease to the Morales administration's control and eradication policies.

While the 2009 constitution and jurisdictional law recognize indigenous customary law on conflict resolution, reform efforts have not fully resolved questions regarding its jurisdiction and proper application. This lack of clarity has allowed some perpetrators of vigilante crimes, including lynching, to misrepresent their actions as a form of indigenous justice.

The 2009 constitution recognizes 36 indigenous nationalities, declares Bolivia a plurinational state, and formalizes local political and judicial control within indigenous territories. In general, racism is rife in the country, especially against indigenous groups. The 2010 antiracism law contains measures to combat discrimination and impose criminal penalties for discriminatory acts. A criminal investigation into police abuses related to the violent dispersal of a 2011 indigenous protest against a planned highway through their territory was ongoing at the end of 2014. In April 2014, the government announced that it would postpone the highway project until the end of 2015 and focus on eliminating extreme poverty in the affected region, known as the Isiboro-Sécure Indigenous Territory and National Park (TIPNIS).

#### **G. Personal Autonomy and Individual Rights:** 10 / 16 (+1)

While the law protects freedom of movement, protesters often disrupt internal travel by blocking highways and city streets. Women enjoy the same formal rights to property ownership as men, but discrimination is pervasive, leading to disparities in property ownership and access to resources.

The constitution prohibits discrimination based on gender and sexual orientation, but it reserves marriage for opposite-sex couples only, and makes no provision for same-sex civil unions.

In the October 2014 general elections, women's rights organizations and the OAS electoral observation mission praised the promotion of women's political participation through alternating men and women on the ballot and requiring equal numbers of male and female candidates. According to the Women's Coordinator, the 2014 general elections were the first in which half of the candidates were women. As a result, 49 percent of members of the 2015 legislature will be women.

Violence against women is pervasive, and the justice system is ineffective at safeguarding women's broader legal rights. A March 2014 law increased the penalties for rape and abuse, including the recognition of spousal rape; creates a specialized police force for crimes against women; and categorizes violence against women as a public health issue. More than half of Bolivian women are believed to suffer from domestic violence at some point during their lives.

Child labor and forced labor are ongoing problems. A 2012 study by the United Nations reported instances of forced child labor in mining, agriculture, and the drug trade. Forced labor has also been reported on agricultural estates in the Chaco region. A law approved in July 2014 allows children aged 12 to 14 to enter work contracts as long as they do not work for longer than six hours a day. Children as young as 10 will be permitted to work in independent jobs such as shoe shining as long as they are under parental supervision. Hu-

man rights organizations have condemned the law, but supporters argue that it will help to regulate existing child labor issues.

Human trafficking continues to be a problem in Bolivia. The government enacted an antitrafficking law in 2012, but the U.S. State Department's 2014 *Trafficking in Persons Report* found that implementation was lacking, placing the country on its Tier 2 Watch List.

## Bosnia and Herzegovina

**Political Rights Rating:** 4

**Population:** 3,828,000

**Civil Liberties Rating:** 3

**Capital:** Sarajevo

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Ratings change:** Bosnia and Herzegovina's political rights rating declined from 3 to 4 because the government largely ignored a significant civic movement protesting corruption and calling for reforms in early 2014, and proved generally unresponsive to the population's concerns.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	4,3,PF	3,3,PF	4,3,PF	4,3,PF	4,3,PF	4,3,PF	4,3,PF	3,3,PF	3,3,PF	4,3,PF

### INTRODUCTION

Bosnia and Herzegovina (BiH)'s entrenched nationalist parties—the Party of Democratic Action (SDA), the Croatian Democratic Union of Bosnia and Herzegovina (HDZ-BiH), and the Serb Democratic Party (SDS)—prevailed in October 2014 general elections, underlining the continued ethnic division in Bosnian politics. Organization for Security and Co-operation in Europe (OSCE) monitors assessed the polls as competitive, but a low turnout rate of 54 percent underlined voters' disillusionment.

The elections came in a year marked by widespread antigovernment protests in February and heavy damages caused by flooding in May. As a result of the mass outpouring of dissent in February, the European Union (EU) announced that it would shift its efforts in BiH toward encouraging economic and judicial reforms.

**POLITICAL RIGHTS:** 23 / 40 (–1)

**A. Electoral Process:** 8 / 12

The 1995 Dayton Accords that ended BiH's civil war created a loosely knit nation composed of two states, or entities—the Federation, whose citizens are mainly Bosniak and Croat, and the largely Serb Republika Srpska—that operate under a weak central government. The role of head of state is fulfilled by a three-member presidency comprising one Bosniak, one Serb, and one Croat; each is elected to a four-year term, which the three presidents serve concurrently.

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 Republika Srpska 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 Republika Srpska. The House of Representatives elects the head of the council

of ministers (equivalent to the prime minister), who leads the state-level government. The Federation and the Republika Srpska have their own presidents, parliaments, and other governing bodies, which are responsible for policymaking on the entity level. Many political posts are awarded under a population-based ethnic quota system prescribed by the Dayton Accords.

Recent elections were deemed generally free and fair. The SDA, the HDZ-BiH, and the SDS dominated the October 2014 general elections, underlining ethnic divisions in Bosnian politics. The SDA took 10 of the 28 seats allotted to the Federation in the House of Representatives. The vote to fill the 14 seats allotted to the Republika Srpska was largely split between the Alliance of Independent Social Democrats (SNSD), which won 6 seats, and the SDS, which took 5. Denis Zvizdić of the SDA was appointed in December as head of the Council of Ministers. Mladen Ivanić of the Party of Democratic Progress (PDP), Dragan Čović of the HDZ-BiH, and Bakir Izetbegović of the SDA were respectively elected to the Bosnian Serb, Bosnian Croat, and Bosniak seats of the tripartite presidency.

The SDA and HDZ-BiH were the primary winners in concurrent elections to the Federation's parliament. A governing coalition had yet to emerge at the year's end. The SNSD won a plurality in elections to the Republika Srpska's parliament. In December, the body confirmed a four-party coalition government led by returning prime minister Željka Cvijanović of the SNSD. Milorad Dodik, a Bosnian Serb leader known for his separatist rhetoric, returned as the entity's president.

#### **B. Political Pluralism and Participation: 10 / 16**

Political parties typically organize and operate freely, though the political arena in the Federation is generally limited to Bosniaks and Croats, while Serbs dominate politics in the Republika Srpska. Coalitions at all levels of government shift frequently.

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, the OHR has been reluctant to intervene in the country's politics. Additionally, under the Dayton Accords, representatives from each of the three major ethnic groups, at both state and entity levels, may exercise a veto on legislation deemed harmful to their interests. As a result, Bosniaks, Serbs, and Croats must agree on major legislation before it can advance. Such consensus is rarely reached.

Citizens who do not identify as Bosniak, Bosnian Serb, or Bosnian Croat are ineligible to run for the state-level presidency or serve in the House of Peoples. BiH's leaders have not enacted reforms addressing the 2009 Sejdić-Finci ruling at the European Court of Human Rights (ECHR), which ordered that this exclusion be rescinded. The EU in its 2014 progress report for BiH stressed the persisting need to take action in this area.

#### **C. Functioning of Government: 5 / 12 (-1)**

The country's complex institutional framework provides many avenues for corrupt behavior among politicians, and corruption remains a serious problem. Enforcement of legislation designed to combat corruption is weak due to the lack of strong and independent anticorruption agencies and a dearth of political will to address the issue. When corruption probes are actually opened, they rarely result in convictions. A small victory in the fight against corruption was registered in June 2014, when the House of Peoples passed an EU-backed money-laundering law that had already been approved by the lower house. In the Federation, the entity-level parliament approved a set of laws in June mandating the establishment of two new offices dedicated to fighting corruption and organized crime, though how effective the new agencies will be remains to be seen.



In May, heavy rains gave way to significant flooding that killed more than a dozen people and inflicted massive property damage in BiH. Government officials faced criticism for a slow official response to the disaster. There has been widespread suspicion that government officials and civil servants were involved in the embezzlement of aid donations.

The antigovernment protests in 2014 were accompanied by the organization of numerous municipal plenums at which citizens met to discuss their grievances and to demand anticorruption investigations and the resignations of corrupt officials. Activity by the plenums, which drew support from members of all three of BiH's major ethnic groups, precipitated the resignation of the heads of four cantons in the Federation and of the head of the national Directorate for Police Coordination. However, government officials largely refused to engage with the plenums, and the movement eventually lost momentum without forcing major reforms or resignations at senior levels of government.

**CIVIL LIBERTIES: 37 / 60****D. Freedom of Expression and Belief: 10 / 16**

The constitution and the human rights annex to the Dayton Accords provide for freedom of the press, but this right is not always respected in practice. While a large number of independent broadcast and print outlets operate, they tend to appeal to narrow ethnic audiences, and most neglect substantive or investigative reporting. Due to political squabbling, the current director of the country's Communications Regulatory Agency has been in power for 10 years, even though the term limit for the position is four years. The public broadcaster, BiH Radio Television (BHRT), which targets multiethnic audiences, has faced growing political pressure in recent years. In January 2014, Sinan Alić, a former journalist whose work had focused on war crimes, was attacked while walking his dog and was hospitalized with head injuries; Alić said he had received threatening text messages in the previous months. There were numerous reports of police employing excessive force against journalists covering the antigovernment protests that erupted in early 2014. Police in December, acting on a court order, raided the offices of the news website Klix.ba after it had publicized recordings of a phone conversation that appeared to implicate Bosnian Serb politicians in a bribery scheme. Computers and other equipment belonging to the organization were confiscated.

Citizens enjoy freedom of religion, but only in areas where their particular ethnic group represents a majority. Acts of vandalism against holy sites of all three major faiths have been reported in recent years. Members of BiH's Muslim community reported several attacks against Muslims in the Bosnian Serb-dominated town of Zvornik in 2014. Police also arrested several Muslims suspected of assisting Islamic extremists in Iraq and Syria. Some remained in custody at the year's end, though no subsequent convictions have been reported.

While the authorities do not restrict academic freedom at institutions of higher education, academic appointments are heavily politicized, with ethnic favoritism playing a significant role. Primary and secondary school curricula are also politicized. Depending on their ethnicity, children use textbooks printed in Croatia, Serbia, or Sarajevo. At some schools in the Federation, Bosniak and Croat students are divided into classes on the basis of their ethnicity, meeting in segregated classrooms despite attending school in the same building. In November 2014, the Federation's Supreme Court ruled that these divisions are discriminatory. It remains to be seen whether such schools will change their practices accordingly.

**E. Associational and Organizational Rights: 7 / 12**

The constitution provides for freedoms of assembly and association. While the various levels of government generally respect these rights in practice, security forces employed excessive force against demonstrators in 2014. In February, protests erupted in more than

20 cities throughout the country, drawing participants frustrated by widespread corruption and interethnic squabbling within senior levels of government that for years have prevented officials from addressing a deteriorating economy. Hundreds of people were wounded amid clashes between demonstrators and police, and a number of government buildings were heavily damaged by vandals. Separately, nongovernmental organizations—particularly those that are critical of the authorities—have faced intimidation.

While no legal restrictions on the right of workers to form and join labor unions exist, discrimination against union members is common. Unemployment in BiH is among the highest in Europe, and many workers have reportedly declined to file anti-union-related complaints with labor inspectors for fear of losing their jobs. However, courts in both the Federation and Republika Srpska frequently rule in favor of workers when faced with such cases.

#### **F. Rule of Law:** 10 / 16

The judiciary remains susceptible to influence by nationalist political parties and faces pressure from the executive branch. The lack of a single, supreme judicial body and the existence of four separate court systems—for the central state, Republika Srpska, the Federation, and the self-governing Brčko district—contribute to overall inefficiency. The country has made some efforts to reduce its case backlog, but the number of cases pending in the court system remains high. The police do not always fully inform people of their rights upon arrest, and witness protection programs are not always available to those who need them. Prisons are overcrowded and prisoners sometimes face abuse.

The state court—which handles organized crime, war crimes, corruption, and terrorism cases—has made progress on adjudicating cases. A number of people convicted of war crimes have seen the constitutional court overturn their convictions in legal proceedings that came in response to a 2013 ECHR ruling that the 2003 criminal code, which has heavier penalties for war crimes than the preceding 1976 code, cannot be retroactively applied. Many similar cases remain in the courts. Results of the 2013 census, whose release has been delayed, are expected to formally display the extent of wartime ethnic cleansing.

Members of the LGBT (lesbian, gay, bisexual, and transgender) community face discrimination and occasional physical attacks, as well as harassment in the country's media. In February 2014, around 10 masked assailants burst into an LGBT film festival in Sarajevo and attacked panel speakers addressing a crowd. While two arrests followed, organizers complained that police had failed to respond after festival staff had reported receiving threats earlier in the day. Entity-level laws do not protect LGBT people from discrimination. While national laws do offer such protection, these measures are often disregarded.

#### **G. Personal Autonomy and Individual Rights:** 10 / 16

The law protects freedom of movement. Some issues surrounding the return of people displaced during the civil war persist, but few refugees are now attempting to return to their homes.

Unemployment hovers at around 44 percent, though there is a large informal economy. Outdated labor regulations discourage growth, and government gridlock prevents the implementation of economic reforms. Individuals face discrimination in employment, housing, and social services in regions that are not dominated by their own ethnic group.

Women are legally entitled to full equality with men but are underrepresented in politics and government and face discrimination in the workplace. Sexual harassment remains problematic. Police are largely unresponsive to violent domestic disputes, particularly in rural areas. According to the U.S. State Department, BiH is a source, destination, and transit

country for men, women, and children trafficked for the purpose of prostitution and forced labor. Roma children are particularly susceptible.

# Botswana

**Political Rights Rating:** 3  
**Civil Liberties Rating:** 2  
**Freedom Rating:** 2.5  
**Freedom Status:** Free  
**Electoral Democracy:** Yes

**Population:** 2,039,000  
**Capital:** Gaborone

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	3,2,F	3,2,F	3,2,F	3,2,F	3,2,F	3,2,F

### INTRODUCTION

In October 2014, Botswana—the world’s largest diamond producing country and the only one to have successive democratic elections since independence—held its 11th general election. The ruling Botswana Democratic Party (BDP) won the most seats in the tightest race in the country’s history. President Seretse Khama Ian Khama was reelected for a second term. Despite allegations of intimidation and violence against opposition party members and journalists in the run-up to the elections, the environment was largely peaceful.

The BDP faces increasing opposition, and critics accuse Khama of creeping authoritarianism. Shortly after being sworn in, the retired army general insisted that new members of parliament vote for a vice president by show of hands rather than secret ballot. This attempt to position his brother to fill the role was thwarted by a court ruling in November. Political tensions increased further in July, following the death of leading opposition party leader Gomolemo Motswaledi in a traffic accident that some believed to be a possible assassination.

In September, police officers arrested two journalists and raided the offices of the *Sunday Standard* under the auspices of a colonial-era sedition law.

### POLITICAL RIGHTS: 28 / 40

#### A. Electoral Process: 10 / 12

In 2008, President Festus Mogae retired before the end of his term, leaving Vice President Khama to assume the presidency. Khama is the son of Botswana’s first president. Mogae was the second successive president to resign before the end of his term, leading critics to accuse the BDP of subverting democratic institutions by prematurely stepping aside to allow the vice president to assume the presidency without a formal vote. Despite being elected indirectly by the National Assembly, the president holds significant power. The president can prolong or dismiss the legislature, which does not have the authority to impeach him. Democracy advocates have alleged that power has become increasingly centralized around Khama, with many top jobs going to military officers and family members.

Botswana’s unicameral 63-seat National Assembly, of which 57 members are directly elected, four are nominated by the president and approved by the assembly, and two (the president and the attorney general) are ex-officio members. All members as well as the president serve five-year terms and there are no term limits.

In October 2014 elections, the ruling BDP won 37 of the 57 contested seats. The Umbrella for Democratic Change (UDC) won 17 seats, and the center-left Botswana Congress Party (BCP) won the remaining 3 seats.

In 2013, President Khama broke ranks with the African Union and the Southern African Development Community (SADC) to declare that Zimbabwe's elections were not free and fair and that Botswana would no longer participate in SADC observer missions.

**B. Political Pluralism and Participation:** 10 / 16

The BDP has dominated the political scene since Botswana's independence in 1966. However, factions have emerged in recent years, particularly since 2010. In 2012, the opposition parties (Botswana Movement for Democracy [BMD], Botswana National Front, and Botswana Peoples Party) coalesced under the UDC but continue to retain separate identities within constituencies. However, shuffling of legislators between the BMD and BDP diminished the former's representation in parliament and sapped it of key leaders.

In July 2014, BMD leader and Secretary of the UDC Gomolemo Motswaledi was killed in a car accident. President Khama vetoed a parliamentary request for an inquiry into the questionable circumstances surrounding his death. A UDC investigation found no evidence to support a conspiracy theory, though the suspicions added to growing criticism that the Khama administration uses violence to suppress opposition voices.

The House of Chiefs is a 35-member national body that serves in an advisory role on matters of legislation pertaining to tribal law and custom. It is primarily comprised of the country's eight major Setswana-speaking tribes. Smaller groups tend to be left out of the political process. Under the Territories Act, land in ethnic territory is distributed under the jurisdiction of majority groups. Due in part to their lack of representation in the House of Chiefs, minority groups are subject to patriarchal Tswana customary law despite having their own traditional rules for inheritance, marriage, and succession.

**C. Functioning of Government:** 8 / 12

Botswana's anticorruption body has special powers of investigation, arrest, and search and seizure, and the body generally boasts a high conviction rate. Nevertheless, there are almost no restrictions on the private business activities of public servants (including the president, who is a large stakeholder in the tourism sector), and political ties often play a role in awarding government jobs and tenders. Botswana was ranked 31 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. Despite this, President Khama has shielded a number of high-profile allies from indictment and prosecution.

Botswana does not have a freedom of information law, and critics accuse the government of excessive secrecy.

**CIVIL LIBERTIES:** 45 / 60 (-1)

**D. Freedom of Expression and Belief:** 12 / 16 (-1)

Botswana has a free and vigorous press, with several independent newspapers and magazines. The private Gaborone Broadcasting Company (GBC) television system and two private radio stations have limited reach, with the result that the country relies on broadcasts from neighboring South Africa. State-owned outlets dominate the local broadcast media, which reach far more residents than the print media, yet provide inadequate access to the opposition and government critics. The country's only broadsheet printing company reportedly has commercial ties to senior BDP officials and has been accused of pre-publication censorship. The 2008 Media Practitioners Act, which placed all media un-

der government regulation and opened violations to criminal prosecution, has not yet been implemented due to legal challenges. The government does not restrict internet access, though access is rare outside cities.

The Penal Code proscribes that the publication of articles likely to cause disaffection or hostility towards the president is a criminal offence. In September 2014 Edgar Tsimane and Outsa Makone, journalist and editor for the *Sunday Standard*, were arrested and charged with sedition for publishing an article about President Khama's alleged car accident due to speeding. After being detained for 23 hours, Tsimane fled to South Africa seeking temporary asylum. Makone was released pending a court hearing. On September 9, the director of intelligence services raided the offices of the *Sunday Standard* searching for "seditious" materials.

Freedom of religion is guaranteed, but all religious organizations must register with the government. Academic freedom is generally respected. In July 2014, the University of Botswana banned political parties from working with students or backing them in elections to the student representative council.

Private discussion is generally free in Botswana. However, reports of increasing electronic surveillance, rogue intelligence agents, and lack of proper oversight mechanisms for spy agencies have contributed to a growing climate of suspicion and have reportedly dampened private discussion.

#### **E. Associational and Organizational Rights: 10 / 12**

The government generally respects the constitutional rights of assembly and association. Nongovernmental organizations (NGOs), including human rights groups, operate openly without harassment. However, the government has barred organizations supporting the rights of the San (an indigenous tribal population) from entering the Central Kgalagadi Game Reserve (CKGR), the subject of a long-running land dispute. Demonstrations at the reserve have been forcibly dispersed.

While independent labor unions are permitted, workers' rights to strike and bargain collectively are dependent upon the type of service they render. In 2012, labor unions appealed to the International Labour Organization (ILO) concerning restrictions in the country, including the 2009 deregistration of the Botswana Federation of Public Sector Unions umbrella group. The case remained pending at the end of 2014.

#### **F. Rule of Law: 12 / 16**

The 2014 Mo Ibrahim Index ranked Botswana first in Africa for upholding the rule of law. The courts are generally considered to be fair and free of direct political interference (with the prominent exception of high-profile corruption charges), though the legal system is affected by staffing shortages and a large backlog of cases. Trials are usually public, and those accused of the most serious violent crimes are provided with attorneys. Civil cases, however, are sometimes tried in customary courts, where defendants have no right to legal counsel. According to a 2013 Court of Appeal ruling, a customary law that favored a youngest-born son over older sisters in awarding inheritance is unconstitutional. The ruling set a precedent for the supremacy of civil over customary law.

Security forces have been accused of politically motivated extrajudicial killings in the past, and the shooting of Costa Kalafatis in December 2013 by security police in unclear circumstances revived concerns about violence by security personnel. Occasional reports of police abuse to obtain evidence or confessions have been reported. Botswana uses corporal and capital punishment, a practice that has been criticized by rights groups and has soured relations between Botswana and South Africa since the deportation of murder suspect Edwin Samotse from South Africa against that country's law.

Prisoners suffer from poor health conditions, though the government has responded by building new facilities and providing free HIV and AIDS treatment to inmates. Following a landmark 2013 ruling in a legal case legislated by two prisoners and supported by the Botswana Network on Ethics, Law and HIV and AIDS (BONELA), foreign prisoners incarcerated in Botswana receive free antiretroviral therapy.

The San tend to be marginalized in education and employment opportunities. Migrants from Zimbabwe continue to face xenophobia and are often denied salaries by being deported just before pay day. Immigration policies in place since 2010 were designed to halt the flow of undocumented immigrants into the country, mostly from Zimbabwe. Botswana has built a fence along its border with that country, ostensibly to control foot-and-mouth disease among livestock; it is widely supported as a means of halting illegal immigration. Following the 2013 Zimbabwean elections, the government stopped granting refugee status to asylum seekers, stating it no longer necessary as the political situation in Zimbabwe had improved.

While same-sex sexual activity is not explicitly criminalized, “unnatural offences” are punishable by up to seven years in prison. However, there were no reported cases during 2014. A 2010 amendment to the Employment Act outlaws workplace dismissal based on an individual’s sexual orientation or HIV status. In 2013, representatives of the NGO Lesbians, Gays and Bisexuals of Botswana (LEGABIBO) filed a case with the High Court of Botswana seeking review of a decision by the director of civil and national registration and the minister of labour and home affairs denying them registration. In November 2014, in a landmark ruling that will secure future rights of the LGBT (lesbian, gay, bisexual, and transgender) community, the Botswana High court determined that the government cannot deny an LGBT group registration.

#### **G. Personal Autonomy and Individual Rights: 11 / 16**

Since 1985, authorities have relocated about 5,000 San to settlements outside the CKGR. The government insists that the San have been relocated to give them access to modern education and health facilities, rejecting claims that the government wants unrestricted access to diamond reserves in the region. A judicial panel ordered the government to allow the San to return to the CKGR in 2006, and several hundred San have since returned. However, disagreement remains as to how many will be allowed to live in the reserve, and relatives of those involved in the case are not allowed to enter the area without a permit. In January 2014, the San lost rights to hunt in Botswana, effectively denying them a way of life. In October it was alleged that as many as 200 San people have faced beatings, abuse, and arbitrary arrests by police and park rangers.

With the exception of the restrictions imposed on the San, citizens of Botswana generally enjoy freedom of travel and internal movement. Botswana’s regulatory framework is considered conducive to establishing and operating private businesses.

Women are underrepresented in the government. Since the 2014 elections, women make up 9 percent of the National Assembly. Women enjoy the same rights as men under the constitution, but customary laws limit their property rights, and women married under traditional laws have the same legal status as minors. The 2004 Abolition of Marital Powers Act established equal control of marriage estates and equal custody of children, removed restrictive domicile rules, and set the minimum marriage age at 18. However, enforcement of the act is not uniform and generally requires the cooperation of traditional authorities, which is not always forthcoming.

Domestic violence and trafficking for the purposes of prostitution and labor remain significant problems.

## Brazil

**Political Rights Rating:** 2

**Population:** 202,769,000

**Civil Liberties Rating:** 2

**Capital:** Brasilia

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

### INTRODUCTION

In the October 2014 general elections, President Dilma Rousseff defeated challenger Aécio Neves to win a second term in office. The presidential election was the closest and most divisive in Brazil's recent history. Rousseff secured victory despite a campaign clouded by slow economic growth, rising living costs, and high inflation. In September, allegations of corrupt dealings between Rousseff's Workers' Party (PT) and state-controlled oil company Petrobras cast more shadows on the ruling party, though the scandal was not enough to dissuade Rousseff's supporters. In concurrent legislative elections, the PT remained the largest party in the lower house, and the PT-allied Brazilian Democratic Movement Party (PMDB) won the most seats in the upper house.

In April, Rousseff signed Brazil's long-debated Marco Civil bill into law. The legislation, which has been called the first civil rights framework for the internet, safeguards user rights through regulations on equal access, privacy protection, and data retention.

Brazil hosted soccer's World Cup during the summer of 2014. While protests—directed mainly against the scale and alleged unfairness of spending for the event—were largely peaceful, some confrontations between protesters and security agents led to injuries and arbitrary arrests. Throughout the demonstrations, law enforcement officials harassed, detained, and attacked journalists. Allegations of excessive force, including the indiscriminate use of rubber bullets and tear gas, were also leveled at police. In addition, Brazil was criticized internationally after eight workers were killed during rushed construction of World Cup venues.

**POLITICAL RIGHTS:** 33 / 40

**A. Electoral Process:** 11 / 12

Brazil is a federal republic governed under a presidential system. Elections are generally free and fair. The president is elected by popular vote for a four-year term and is eligible for reelection to a second term. Rousseff, the incumbent, won the October 2014 election with 51.6 percent in a runoff vote, having also led the first round in a field of 11 candidates. Her primary challenger, Neves of the centrist Brazilian Social Democratic Party (PSDB), received 48.4 percent of the runoff vote.

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 the October 2014 general elections, despite a loss of 16 seats, the PT remained the largest party in the lower house with 70 deputies. While the centrist, PT-allied PMDB claimed only 66 seats in the lower house, it maintained its lead in the Senate,

with 18 seats. The PT held only 12 seats in the upper house. The opposition PSDB was the third-strongest party, winning 54 seats in the lower house and 10 in the Senate.

**B. Political Pluralism and Participation:** 14 / 16

Brazil has an unfettered multiparty system marked by vigorous competition between rival parties. The electoral framework encourages the proliferation of parties, a number of which are based in a single state. Although the PT has been in power since 2003, no single force has been able to dominate both the executive and legislative branches in recent years. A 2007 Supreme Court decision outlawed switching parties after elections, though lawmakers have continued to change on occasion for financial and other inducements. Accordingly, some parties display little ideological consistency; the sheer number of parties means that the executive branch must piece together diverse coalitions to pass legislation. During the 2014 elections, the number of parties represented in the lower house increased from 22 to 28, complicating coalition building.

Afro-Brazilians remain underrepresented in politics. The Senate has one self-identified black representative, and only one of Rouseff's 38 cabinet members is black.

**C. Functioning of Government:** 8 / 12

In spite of the Rouseff administration's public intolerance of corruption, graft remains endemic in Brazil, especially among elected officials. In September 2014, Roberto Costa, an imprisoned former director of Petrobras, accused more than 40 politicians—including one minister, three governors, six senators, and dozens of deputies—of participating in a massive kickback scheme. Costa alleged that in exchange for supporting the government in congressional votes, the accused had pocketed 3 percent of Petrobras's contracts with third parties between 2004 and 2012. If Costa's claims are corroborated, the scheme would severely undermine the credibility of Brazil's already beleaguered oil company.

Brazil was ranked 69 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. Brazil is a cofounder of the Open Government Partnership, a multinational organization seeking to increase governmental transparency and democratic ideals while decreasing corruption. As part of its pledge to support these goals, Brazil enacted an Access to Information Law in May 2012.

**CIVIL LIBERTIES:** 48 / 60

**D. Freedom of Expression and Belief:** 15 / 16

The constitution guarantees freedom of expression, but politicians and influential businessmen made use of existing laws to curtail critical reporting throughout 2014. Despite the Supreme Court's 2009 repeal of a 1967 press law dictating harsh penalties for libel, defamation remains a crime and carries a minimum sentence of three months in prison. Journalists, especially those who focus on organized crime or corruption, are frequently subjected to violence. Three journalists—a cameraman, a newspaper owner, and a blogger—were killed during 2014. Police also attacked at least 38 reporters during the 2014 World Cup. Between May 2013 and March 2014, the Brazilian Association of Investigative Journalism documented 163 violations of press freedom. In more than 100 of these cases, journalists were deliberately attacked after identifying themselves as members of the press.

In a positive step in September 2014, the Supreme Court overturned a ban on the distribution of *ISTOÉ*, a popular weekly newspaper. The ban had been requested by Cid Gomes, the governor of Ceará, after the paper alleged that he was involved in the Petrobras corruption scandal. While the ruling was a victory for press freedom, judges in provincial areas continued to interfere with media coverage of specific stories during 2014, specifically



those involving politicians. The news media are privately owned, and there are dozens of independent papers and broadcast stations across the country. Financial dependence on state advertising, however, sometimes renders the press vulnerable to manipulation.

Brazil has been praised as a champion of internet user rights. In April 2014, Rousseff signed the Marco Civil da Internet, a so-called bill of rights for the internet. The new law, which went into effect in June, guarantees universal internet access and establishes strong privacy protections for Brazilian users.

The constitution guarantees freedom of religion, and the government generally respects this right in practice. Academic freedom and private discussion are likewise unrestricted.

#### **E. Associational and Organizational Rights: 10 / 12**

Freedoms of association and assembly are generally respected, as is the right to strike. Several instances of police brutality were documented during the largely peaceful World Cup protests in June and July 2014. The International Trade Union Confederation noted examples of government and corporate interference in collective labor rights during the year, which in some instances extended to denials of the right to strike. Despite these reported disruptions, various police strikes took place, with officers demanding better pay and bonuses. 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. Labor issues are adjudicated in a system of special labor courts.

#### **F. Rule of Law: 10 / 16**

The judiciary, though largely independent, is overburdened and plagued by corruption. The courts are often subject to intimidation and other external influences, especially in rural areas, and public complaints over inefficiency are common. Access to justice also varies greatly due to Brazil's high level of income inequality. Despite these shortcomings, the country's progressive constitution has resulted in an active judiciary that often rules in favor of citizens over the state.

During the last 10 years, Brazil has maintained an average annual rate of 26 homicides per 100,000 residents, compared with a global average of approximately 7 per 100,000. This culture of violence is perpetuated by impunity and corruption; violent crime has also expanded due to Brazil's ties to the illegal drug trade. Highly organized and well-armed drug gangs frequently clash with military police or with private militias comprising off-duty police officers, prison guards, and firefighters.

The long-term presence of special Pacifying Police Units (UPP) has successfully quelled violence in several urban *favelas*, or slums, though the sustainability of this peace remains to be seen, as does the government's ability to successfully expand the program to other impoverished areas. Moreover, allegations of violence by the UPP continue to raise concerns about their tactics.

In early 2014, Rio de Janeiro and São Paulo were plagued by a crime wave targeting public transport systems. In April, a 48-hour police strike in Bahia State led to a spike in crime, with 39 murders and numerous incidents of looting and car theft in the state capital of Salvador.

According to UN figures, Brazil's police force remains entrenched in corruption and violence and is responsible for the deaths of more than 2,000 people each year. Torture is used systematically to extract confessions from suspects, and extrajudicial killings are portrayed as shootouts with dangerous criminals. Police officers are rarely prosecuted for abuses, and those charged are almost never convicted. No police officers were held accountable in connection with the widely reported abuses that occurred during a wave of protests in 2013.

A 2013 law created a watchdog body known as the National Mechanism to Prevent and Combat Torture. It consists of 11 experts with unprecedented power to visit any civilian or military facility where torture or ill-treatment has been documented. Despite this positive step, torture remained a serious problem in 2014. Brazilian law does not require that detainees be brought before a judge promptly after arrest, which increases opportunities for abuse in custody.

In 2014, Brazil had the largest prison population in Latin America. With more than 549,000 inmates, its prison system, which is known to be anarchic, overcrowded, and largely unfit for human habitation, held 75 percent more prisoners than its intended capacity. Extreme overcrowding sometimes results in men and women being held in the same facilities. Pretrial detention can last for months or even years, and a chronic backlog in court cases routinely results in substantial trial delays.

Brazilian law prohibits discrimination on the basis of race, gender, disability, or social status, but the country continues to struggle with racial discrimination. On average, Afro-Brazilians, who make up 7–8 percent of the population, bring home only 43 percent of the earnings of their white counterparts and suffer from higher rates of homicide, poverty, and illiteracy; an estimated 50 percent of Afro-Brazilians are illiterate. Government policies that have begun to change these trends include the 2010 Statute of Racial Equality, which granted land rights to inhabitants of *quilombos*, communities of descendants of escaped slaves. In 2013, the first beneficiaries of a 2012 affirmative action law on education began taking classes. The law requires public universities to reserve 50 percent of admission spots for students coming from public schools, most of whom are poor, and dictates that the number of students of African descent must increase in accordance with the racial composition of each state. In June 2014, Congress passed a law requiring that at least 20 percent of its civil service employees be of African descent.

Indigenous peoples make up less than 1 percent of the population. Despite increased governmental spending on social welfare programs, many indigenous communities are mired in poverty and lack adequate sanitation and education services. Unresolved and often violent land disputes between indigenous communities and farmers continued in 2014, as the latter frequently refused to vacate land that the constitution has demarcated for indigenous use. In the face of court processes that further delay already lengthy procedures, tribes in 2014 occasionally resorted to forceful evacuation of those inhabiting their protected lands.

Although Brazil has a largely tolerant society, violence against members of the LGBT (lesbian, gay, bisexual, and transgender) community continued during 2014.

#### **G. Personal Autonomy and Individual Rights: 13 / 16**

While Brazilians generally enjoy freedom of movement and choice of residence, the owners of the largest estates control nearly 60 percent of the country's arable land. The poorest 30 percent of the population hold less than 2 percent of the farmland. Land invasions are organized by the grassroots Landless Workers' Movement, which claims that the seized land is unused or illegally held. Progress on land reform has been slow, due in part to a strong farm caucus and the economic importance of large-scale agriculture.

A 2003 update to the legal code granted women rights equal to those of men for the first time in the country's history. Upon entering office, Rousseff vowed to push women's rights onto the national and international agendas. Women make up almost one-third of her cabinet. Some 27 percent of senior managers in Brazil are female, compared with a global average of 21 percent, and Petrobras is the only major oil company worldwide with a female leader. In 2013, Congress approved a constitutional amendment extending the same rights that all regulated workers enjoy to household workers, many of whom are women.

Brazil's law on domestic violence, under which each state has a special force dedicated to addressing crimes against women, stands out in the region. Nevertheless, violence against women and children is commonplace, and protective laws are rarely enforced. While contraception is available, abortion is illegal, with rare exceptions. Approximately one in four women who have illegal abortions are eventually hospitalized due to complications.

After a 2011 Supreme Court ruling that same-sex couples should benefit from the same rights as married couples, a 2013 law legalized same-sex marriage throughout the country.

Although Brazil abolished slavery in 1888, slavery-like conditions pose a significant problem in rural—and increasingly in urban—zones. Measures to fight the impunity of employers, such as mobile inspection units and a public “black list” of offending companies and landowners, have proved effective in reducing forced labor in rural Brazil to some extent. A 2012 constitutional amendment allows the government to confiscate all property of landholders found to be using slave labor. Landowners who enslave workers also face fines and sentences of two to eight years in prison. Government investigators conduct rescue operations; in 2013, more than 2,000 people were freed from slavery-like working conditions.

Approximately 3 million minors aged 10 to 17 are victims of child labor in Brazil. The government has sought to address the problem by cooperating with various nongovernmental organizations, increasing inspections, and offering cash incentives to keep children in school. Legislation enacted in May 2014 classifies the sexual exploitation of minors as “a heinous crime,” with penalties of four to ten years in prison without eligibility for bail or amnesty. Human trafficking—primarily for the purpose of forced labor and commercial sexual exploitation—is a problem in Brazil.

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## Brunei

**Political Rights Rating:** 6

**Civil Liberties Rating:** 5

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Population:** 419,000

**Capital:** Bandar Seri Begawan

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF

### INTRODUCTION

In May 2014, Brunei implemented the first of three phases of new criminal regulations based on Sharia (Islamic law), with plans to implement all phases by 2015 or 2016. The regulations are based on Brunei's new Sharia Penal Code, announced by Sultan Hassanal Bolkiah Mu'izzaddin Waddaulah in 2013. The first phase includes crimes resulting in fines or imprisonment, many of which already appear under existing laws, such as proselytizing religions other than Islam.

**POLITICAL RIGHTS:** 7 / 40

**A. Electoral Process:** 0 / 12

Brunei is a constitutional sultanate. The sultan is the head of state and prime minister, and continues to wield broad powers under a long-standing state of emergency imposed

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in 1984. Sultan Hassanal is also minister of defense and minister of finance. The sultan is technically advised by the Council of Cabinet Ministers, the Legislative Council, the Privy Council, and the Religious Council. Citizens convey concerns to their leaders through government-vetted councils of elected village chiefs. Brunei's vast oil, gas, and mineral resources form the backbone of the country's development plan and the royal family's power.

No direct legislative elections have been held since 1962. The unicameral Legislative Council has no political standing independent of the sultan. Following the completion of its first five-year term, the Legislative Council was disbanded in 2011 and replaced with a newly appointed and expanded 33-member council. In March 2014, the council included 19 appointed members, 11 cabinet members, the sultan, Prince Al-Muhtadee Billah, and Prince Mohamed Bolkiah. The 19 appointed members represented Brunei's four administrative districts, *cheteria* (titled officials), and professional, social, and religious groups.

#### **B. Political Pluralism and Participation:** 3 / 16

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. Since the National Solidarity Party was deregistered without explanation in 2008, the NDP has been Brunei's sole legal political party. However, NDP has no formal political role, few activities in practice, and weak membership.

#### **C. Functioning of Government:** 3 / 12

The reform efforts of the sultan have been largely superficial; while many of them are designed to attract foreign investment, they are also considered preparations for an eventual succession and the expected depletion of the country's oil and gas reserves, which account for about 90 percent of state revenues. Although the Legislative Council sits at the will of the sultan and has no real power, it formally passed the state budget and engaged in question and answer sessions with government officials that showed a continued openness to light oversight activity.

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. Sultan Hassanal's family members hold key appointments. His son, Crown Prince Al-Muhtadee Billah Bolkiah, is head of the monetary authority and senior minister at the prime minister's office, and the sultan's brother, Prince Mohamed Bolkiah, is minister of foreign affairs and trade.

#### **Discretionary Political Rights Question A:** 1 / 0

Citizens have the opportunity to convey concerns to their leaders through government-vetted councils of elected village chiefs.

#### **CIVIL LIBERTIES:** 23 / 60

#### **D. Freedom of Expression and Belief:** 6 / 16

Journalists in Brunei face considerable restrictions. Officials may close newspapers without cause and fine and imprison journalists for up to three years for reporting deemed "false and malicious." Amendments to the national sedition law in 2005 strengthened prohibitions on criticizing the sultan and the national "Malay Muslim Monarchy" ideology. The country's main English-language daily newspaper, the *Borneo Bulletin*, is controlled by the sultan's family and often practices self-censorship. A second English-language daily, a smaller, Malay-language newspaper, and several Chinese-language papers are also

published. Brunei's only television station is state run, but residents can receive Malaysian broadcasts and satellite channels.

The new regulations of the 2013 Penal Code include provisions limiting the use of certain words and expressions deemed to be sacred to Islam in reference to other religions in print, speech, or public statement. The words and expressions include some common in the Malay language such as "Allah" (god) and "hukum" (law). The crime is subject to three years in prison and/or a maximum fine of \$12,000. No cases have used this law since implementation began in May 2014.

The country's internet practice code stipulates that content must not be subversive or encourage illegitimate reform efforts. The sultan's public comments in 2013 and 2014 suggest that he opposes "abuses" of online platforms to foment internal strife and discussions that oppose the royal family and political system. Brunei has an active online discussion community, however, and social media are not censored.

The state religion is Islam, but the constitution allows for the practice of other religions. The new Sharia Penal Code includes a rule against propagating or proselytizing in publication or speech a religion other than Islam to Muslims or atheists. The study of Islam, Malay Muslim Monarchy ideology, and the Jawi (Arabic script used for writing the Malay language) are mandatory in all schools. The teaching of all other religions in schools is prohibited.

Non-Shafeite forms of Islam are actively discouraged. Building or consecrating a mosque requires permission from the Religious Council. Marriage between Muslims and non-Muslims is not allowed. Muslims require permission from the Ministry of Religious Affairs to convert to other faiths, though official and societal pressures make conversion nearly impossible.

Academic freedom is generally respected, though in 2013 a Burmese professor at Universiti Brunei Darussalam resigned his position, citing academic censorship.

The government utilizes an informant system to monitor suspected dissidents, and emails, chat-rooms, and cellphone messages are monitored for subversive content. However, in practice there is relatively open discussion in public spaces.

#### **E. Associational and Organizational Rights: 3 / 12**

Emergency laws continue to restrict freedoms of assembly and association. No more than 10 people can assemble for any purpose without a permit; permits are relatively easily and frequently obtained for social occasions such as weddings. Most nongovernmental organizations are professional or business groups. All groups must register and name their members, and registration can be refused for any reason. The law guarantees the right to form and join a union, but only a single union is active—that of the Brunei Shell Petroleum workers. Strikes are illegal, and collective bargaining is not recognized. Civil servants may not join a political party.

#### **F. Rule of Law: 6 / 16**

The constitution does not provide for an independent judiciary. Although the courts generally appear to act independently, they have yet to be tested in political cases. Civil and criminal law is based on British Common Law and is enforced in secular courts, while Sharia is enforced in Sharia courts. Final recourse for civil cases is managed by the Privy Council in the United Kingdom, and for religious cases the Religious Council of Brunei.

The 2013 Sharia Penal Code, whose implementation began in May 2014, includes rules that apply to non-Muslims as well as Muslims. For example, those found guilty of cohab-

iting, whether nonmarried Muslims or a nonmarried Muslim with a non-Muslim, can be subject to a fine and/or prison time. Many of the new Sharia rules overlap with rules already existing in the civil and criminal codes, but under the new Sharia Penal Code there will be different sentences and burdens of proof. A defendant will only be tried in a single court under a single code, but comprehensive rules dictating which court will try whom and for which crime were not established concretely by year's end.

Enforcement of the Sharia provisions has been complicated by confusion about overlapping rules, as well as institutional preparation. Of the more than 100 qualified and registered Sharia lawyers in Brunei, as of June 2014 only 16 were registered to practice in Sharia courts. The first person to be convicted under the new Sharia Penal Code was an Indonesian in July who was found guilty of smoking during fasting hours. He was fined \$2,500.

Brunei had the death penalty for crimes including rape, drug trafficking, and murder before the new Sharia code was launched, though the last known execution took place in 1957. In August 2014, a Kenyan woman was found guilty and sentenced to execution for trafficking methylamphetamine through Brunei on her way to Malaysia. She was still in detention at year's end. A backlog of capital cases results in lengthy pretrial detention for those accused of serious crimes. Caning is mandatory for 42 criminal offenses, including immigration violations, and is commonly carried out, though an attending doctor can interrupt the punishment for medical reasons. Prison conditions generally meet international standards.

Brunei's many "stateless" people, mostly longtime ethnic Chinese residents, are denied the full rights and benefits of citizens.

Same-sex relations are illegal, and in practice, individuals do not disclose their sexual orientation. The new Sharia code, when later phases are implemented, will impose the death penalty by stoning for same-sex relations.

#### **G. Personal Autonomy and Individual Rights: 8 / 16**

Freedom of movement is respected. All government employees, domestic and foreign, must apply for permission to travel abroad, but permission is easily obtained.

The new Sharia code criminalizes "indecent behavior" by Muslims and non-Muslims, and enjoins women to dress "modestly." Religious enforcement officers raid homes to arrest people for *khalwat*, the mingling of unrelated Muslim men and women, with sufficient probable cause. Most first offenders are fined or released due to a lack of evidence.

Islamic law generally places women at a disadvantage in cases of divorce and inheritance. All women in government-run institutions and schools are required or pressured to wear traditional Muslim head coverings, but women hold some high-level government posts. Women have access to family planning. In 2014, Brunei ranked 98 out of 142 countries in the World Economic Forum's Global Gender Gap report; it scored much better on questions of economic participation than on political empowerment and health and survival.

Brunei serves primarily as a destination, and to a lesser extent, as a transit and source country for the trafficking of men and women for forced labor and prostitution. There are approximately 100,000 migrant workers in the country, and they remain largely unprotected by labor laws and vulnerable to exploitation. Workers who overstay visas are regularly imprisoned and, in some cases, caned or whipped.

## Bulgaria

**Political Rights Rating:** 2

**Population:** 7,226,000

**Civil Liberties Rating:** 2

**Capital:** Sofia

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,2,F	1,2,F	1,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

### INTRODUCTION

Bulgaria's fragile coalition government, which had faced regular protests and calls for its resignation since it took power after early elections in 2013, was further weakened by poor performance in European Parliament elections in May 2014 and finally collapsed following a series of crises that emerged in June.

Early in the month, Bulgaria was forced to cease work on the South Stream pipeline, which was intended to deliver natural gas from Russia to Eastern and Central Europe, after the European Commission found that the project was in violation of European Union (EU) energy regulations. Separately, the EU suspended funds for regional development programs in Bulgaria over concerns about fraud and mismanagement. These EU interventions led the Movement for Rights and Freedoms (DPS) party to split with the lead faction in the ruling coalition, the Bulgarian Socialist Party (BSP), and call for early elections.

Also in June, the central bank seized Corporate Commercial Bank (KTB), the country's fourth-largest lender, after a sudden run in which customers removed over a fifth of its deposits. The bank was known for funding the progovernment media empire of DPS politician Delyan Peevski, and the large customer withdrawals were reportedly triggered when Peevski withdrew his money. An audit of KTB found accounting gaps and unsecured loans to entities linked to the bank's owner, Tsvetan Vassilev, who was charged in August with embezzlement. Prime Minister Plamen Oresharski resigned in July, and elections took place in early October. In November, the center-right opposition party Citizens for the European Development of Bulgaria (GERB) formed a minority government with the liberal Reformist Bloc, with support from two additional parties. The new government is Bulgaria's fifth in two years, counting two caretaker administrations.

**POLITICAL RIGHTS:** 33 / 40 (+2)

**A. Electoral Process:** 11 / 12 (+1)

The unicameral National Assembly, composed of 240 members, is elected every four years in 31 multimember constituencies. The president, elected for up to two five-year terms, is the head of state but has limited powers. The legislature chooses the prime minister, who serves as head of government. In the 2011 presidential election, Rosen Plevneliev of GERB defeated Ivailo Kalfin of the BSP in a runoff with 53 percent of the vote.

In the October 2014 parliamentary elections, GERB led with 84 seats, followed by the BSP with 39, the DPS with 38, the Reformist Bloc with 23, and the nationalist Patriotic Front with 19. A new populist party, Bulgaria without Censorship (BBT), took 15 seats, while the Alternative for Bulgarian Revival (ABV), a Socialist splinter group led by

former president Georgi Parvanov, secured 11 seats. The ultranationalist Ataka party also won 11 seats. The ABV and most Patriotic Front lawmakers endorsed the new GERB-led government—which was headed by returning prime minister Boyko Borisov.

According to the Organization for Security and Co-operation in Europe (OSCE), the 2014 elections were open and competitive, and fundamental rights were respected. In a departure from the 2013 elections, there were no prominent allegations of large-scale fraud that cast doubt on the overall validity of the voting. Nevertheless, monitors noted that certain electoral regulations, including campaign finance rules, were poorly enforced. Observers have blamed the unusually low voter turnout of approximately 48 percent on voter fatigue and lackluster campaigns. As in previous elections, accusations of vote buying and other irregularities undermined public confidence in the process. A new electoral code, adopted in March and amended in April, introduced the option for voters to choose specific candidates rather than party lists, but low awareness effectively left party leaders in control of who won seats on each list.

In the May 2014 elections for the European Parliament, GERB won six seats, followed by the BSP and DPS with four seats each. BBT in alliance with a small nationalist party took two seats, and the Reformist Bloc took one. Ataka failed to win a seat.

#### **B. Political Pluralism and Participation: 14 / 16**

A record eight factions won seats in the 2014 elections, passing a 4 percent vote threshold required for representation. The center-left BSP lost more than half of its seats, as did Ataka, which had allied itself with the unpopular government. GERB, which was founded in 2006 and governed from 2009 to 2013, is one in a series of center-right parties to rise and fall in Bulgaria's multiparty system.

The law dictates that electoral campaigns must be conducted in the Bulgarian language. While the ethnic Turkish minority is represented by the DPS, the Romany minority is more marginalized. Small Romany parties are active, and many Roma reportedly vote for the DPS. Two Romany candidates won seats in the 2014 elections, while none had won in 2013. Ataka and smaller nationalist parties regularly use hate speech in their campaigns, targeting ethnic Turks, Roma, Jews, Muslims, and Syrian refugees, among other groups.

#### **C. Functioning of Government: 8 / 12 (+1)**

Corruption is a serious concern in Bulgaria. Both the EU interventions and the KTB collapse in 2014 were seen as consequences of illicit collusion among the political and economic elite. Peevski's New Bulgarian Media Group (NBMG) consistently supports the party in power, and its rapid expansion was backed by KTB. In turn, the bank received a great deal of business from state-owned enterprises, creating a triangular relationship. A rift between Peevski and Vassilev allegedly triggered the run on KTB deposits in June. In November, the central bank revoked KTB's license, clearing the way for bankruptcy proceedings and the repayment of some \$2.3 billion in insured deposits.

EU concerns about South Stream included suspicions that contracts were awarded to businesses linked to the BSP and DPS, at inflated costs and without transparent competition. The EU's unrelated suspension of funding for regional development and tourism programs in June added to an existing suspension of EU assistance for environmental programs. All stemmed from Bulgaria's repeated contracting and accounting irregularities.

Bulgaria was ranked 69 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. The resignation of the Oresharski government after a year of public pressure was seen as a victory for accountability, and the postelection coalition talks were praised for transparency.



**CIVIL LIBERTIES:** 46 / 60 (-1)**D. Freedom of Expression and Belief:** 14 / 16

Bulgarian media have become more vulnerable to political and economic pressures as some foreign media firms withdraw from the struggling market and domestic ownership becomes more concentrated. News outlets often tailor coverage to suit the interests of their owners. Although the state-owned media generally provide balanced coverage, ineffective legislation leaves them exposed to political influence. The government does not restrict internet access.

Religious freedom is generally upheld, but Muslims and members of other minority faiths have reported instances of harassment and discrimination, and some local authorities have blocked proselytizing or the construction of minority religious buildings. A series of raids in November 2014 led to the arrest of an imam and six others suspected of aiding the Islamic State militant group. The government does not restrict academic freedom.

**E. Associational and Organizational Rights:** 11 / 12

The authorities generally respect freedoms of assembly and association. Although police occasionally used excessive force during the large and frequent antigovernment protests in 2013, the demonstrations were generally peaceful. Protests occurring in 2014 proceeded largely without incident.

Nongovernmental organizations operate freely. Workers have the right to join trade unions, but public employees cannot strike or bargain collectively, and private employers often discriminate against union members without facing serious repercussions.

**F. Rule of Law:** 10 / 16 (-1)

Bulgaria's judiciary has benefited from legal and institutional reforms associated with EU accession, but practical gains in efficiency and accountability have been lacking. The EU has noted ongoing flaws in the judicial appointment and disciplinary processes.

Organized crime is a serious problem, and scores of suspected contract killings over the past decade remain unsolved. Former interior minister Tsvetan Tsvetanov went on trial in 2014 for presiding over unchecked surveillance. In May, he was acquitted of separate embezzlement charges and sentenced to four years in prison for obstruction of justice in the investigation of a police commander. Tsvetanov claimed the charges against him were political and pledged to appeal his conviction. Incidents of mistreatment by police have been reported, and conditions in many prisons remain inadequate.

Ethnic minorities, particularly Roma, face discrimination in employment, health care, education, and housing. Discrimination based on sexual orientation is illegal, but societal bias against LGBT (lesbian, gay, bisexual, and transgender) people reportedly persists.

More than 11,000 asylum seekers were registered in Bulgaria during 2013, a significant increase from the previous annual average of approximately 1,000. Syrian refugees accounted for the majority of the surge, which overwhelmed government preparations and drew hostility from ultranationalist groups. Conditions in reception centers reportedly improved in 2014, but Human Rights Watch (HRW) linked this to a harsh new policy of blocking refugees at the border with Turkey, which led to a drop-off in entries. As the government continued the construction of a 160-kilometer border fence, HRW documented dozens of cases in which groups of Syrians, Afghans, and others were allegedly detained, beaten, and forced back across the Turkish border, in violation of domestic and international law.

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**G. Personal Autonomy and Individual Rights:** 11 / 16

Bulgarians face no significant restrictions on their freedom of movement, whether for internal or external travel, and are generally able to change residence or employment without interference.

Bulgaria's shadow economy accounts for approximately one-third of the country's gross domestic product; widespread corruption has been suggested as a key factor behind the phenomenon. Organized crime is believed to play an influential role in private business activity.

Women remain underrepresented in political life, accounting for just a fifth of National Assembly seats after the 2014 elections. Domestic violence is an ongoing concern. The country is a source of human-trafficking victims, of whom Roma make up a disproportionately large share.

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## Burkina Faso

**Political Rights Rating:** 6↓**Population:** 17,886,000**Civil Liberties Rating:** 3**Capital:** Ouagadougou**Freedom Rating:** 4.5**Freedom Status:** Partly Free**Electoral Democracy:** No

**Ratings Change:** Burkina Faso's political rights rating declined from 5 to 6 as a result of the dissolution of the government and parliament by the military, which took charge of the country after President Blaise Compaoré was forced to resign amid popular protests over his attempt to run for reelection in 2015.

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,3,PF	5,3,PF	5,3,PF	5,3,PF	5,3,PF	5,3,PF	5,3,PF	5,3,PF	5,3,PF	6,3,PF

**INTRODUCTION**

After a series of protests over the past four years, including mass demonstrations in 2013 against alterations to the constitution and attempts to create a second legislative chamber, the situation in Burkina Faso became more volatile in 2014. A proposed change to the constitution to allow President Blaise Compaoré to suspend term limits and run in the 2015 presidential election caused disagreement within and between the country's political parties. The government and opposition clashed throughout the year over the issue, and mass opposition protests led to confrontations with security forces in late October. Following a declaration of a state of emergency on October 30, Compaoré stepped down from office, and the country came under military rule. A transitional government took power in mid-November.

**POLITICAL RIGHTS:** 9 / 40 (-8)**A. Electoral Process:** 2 / 12 (-3)

Compaoré, a former army captain, had held power since ousting populist president Thomas Sankara in 1987. Supported by his Congress for Democracy and Progress (CDP) party, Compaoré won Burkina Faso's first democratic election in 1991, and was last elected in 2010 to his second seven-year term since two-term presidential limits were reintroduced

in 2000. In 2012, the CDP won a comfortable majority in parliamentary elections, taking 70 of the 127 seats. The constitution gives members of the National Assembly five-year terms.

International monitors have judged recent elections in Burkina Faso to be generally free but not entirely fair, due to the CDP's privileged access to state resources and the media. Electoral reforms in 2009 extended the right to vote in presidential elections and referendums to Burkinabé living abroad, but not until the 2015 presidential election.

Compaoré's bid to change the constitution in order to be eligible for reelection to a third term caused profound political instability in 2014. Amid disagreement between the government and the opposition on the proposed amendment and violent protests by opposition supporters, a state of emergency was declared on October 30. The military intervened that day and dissolved the National Assembly, and Compaoré stepped down from the presidency on October 31. The military took control of the country and suspended the constitution. Lieutenant Colonel Isaac Zida, a deputy commander of the elite presidential guard, emerged as the new head of state.

Following talks mediated by the Ghanaian, Nigerian, and Senegalese presidents, civilian and military leaders agreed on a transitional charter on November 13. The charter allowed a special college of religious, military, political, civil, and traditional leaders to elect an interim president, who would then appoint a prime minister, who would in turn appoint a cabinet. A 90-member transitional council would serve as a legislative body, comprising 30 members from former opposition parties, 25 members from civil society, 25 members from the military and security services, and 10 members drawn from Compaoré's CDP and other parties.

On November 15, Zida agreed to restore the Burkinabé constitution. Michel Kafando, former foreign minister and former UN ambassador, was named transitional president, while Zida was appointed transitional prime minister. Under the transitional charter, neither Zida nor Kafando will be eligible to run in the next presidential election, slated for 2015. The transitional council met for the first time in late November.

#### **B. Political Pluralism and Participation: 6 / 16 (-2)**

The Burkinabé constitution guarantees the right to form political parties, and 13 parties were represented in the legislature prior to its dissolution in October 2014. The Union for Progress and Change (UPC) party was the main opposition party in the National Assembly. The ruling CDP controlled many of the government's resources and limited the playing field for opposition parties, many of which it had coopted. One such party was the Alliance for Democracy and Federation—African Democratic Rally (ADF-RDA), which, while formally the largest opposition party in the National Assembly, had supported Compaoré and the CDP in recent elections. In December, the transitional government suspended the CDP, the ADF-RDA, and the Federation of Associations for Peace and Progress with Blaise Compaoré (FEDAP-BC), an association that supported Compaoré.

The military suffers from corruption among elites and in recruiting practices, despite recent reform attempts. After the dissolution of the National Assembly and the suspension of the constitution in October, people's political choices came under the domination of the military. In addition to serving as transitional prime minister following the signing of the transitional charter in November, Zida also led the defense ministry. In all, military officials claimed 6 of the 26 posts in the transitional cabinet, with the remaining posts divided among members of political parties and civil society.

Minority rights are generally respected in politics, though a small, educated elite, the military, and labor unions have historically dominated the scene. Under the military and

transitional regimes, the ability of all groups to exercise full political rights and participate in political life was hindered.

**C. Functioning of Government:** 1 / 12 (-3)

The dissolution of the National Assembly, suspension of the constitution, and subsequent political actions by the military following Compaoré's resignation effectively eliminated the ability of elected officials to carry out their duties, including in legislation and policymaking. The military had no mandate to interfere in political succession. Domestic protests continued while Zida ruled, reflecting popular dissatisfaction with the actions of the military.

Corruption remained a problem in 2014, despite public and private anticorruption initiatives in recent years. Courts are often unwilling or unable to adequately prosecute many senior officials charged with corruption. The government stepped up anticorruption efforts in 2012, firing the head of the country's notoriously corrupt customs office; no major anticorruption actions were taken in 2014. Burkina Faso was ranked 85 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

In 2012, the National Assembly voted to give immunity from prosecution to all presidents since Burkina Faso's 1960 independence, despite an opposition boycott of the vote. There was a near-total lack of accountability and transparency following the military intervention in October 2014, which removed elected representatives from power and impeded the functions of state institutions.

**CIVIL LIBERTIES:** 36 / 60

**D. Freedom of Expression and Belief:** 13 / 16

Although the constitution guarantees freedom of expression, which is generally respected, many media outlets practice self-censorship. Journalists occasionally face criminal defamation prosecutions, death threats, and other forms of intimidation. In addition to the state-owned outlets, dozens of private radio stations and newspapers, along with several private television stations, operate in the country. The government does not restrict internet access.

In October 2014, antigovernment protesters stormed and looted the Ouagadougou offices of the state-owned Radiodiffusion Télévision du Burkina, which has traditionally been heavily influenced by the government. Media outlets were generally able to cover the actions of the military and the transitional government, with mainstream media providing room for some critical discussion.

In November, Zida announced his intention to reopen a probe into the 1998 murder of journalist Norbert Zongo, who had been killed while investigating the death of an employee of Compaoré's brother. In March, the African Court on Human and People's Rights had ruled that the failure of the Compaoré government to seek accountability in Zongo's death had left a negative impact on media freedom in Burkina Faso. In December, the court ruled on the appeal case of the editor of the private weekly *L'Ouragan*, who had been sentenced to 12 months in prison over articles alleging corruption in the state prosecutor's office. In that case, it found that imprisonment on charges of defamation was a violation of the right to free expression, and that the enforcement of criminal defamation laws should be limited.

Burkina Faso is a secular state, and freedom of religion is respected. Academic freedom is generally unrestricted, though for years the Compaoré government pointedly quelled student-led protests and political agitation, fearing their potential to spread to other segments of society. Universities were occasionally shut down and student protesters arrested and dispersed.

**E. Associational and Organizational Rights: 8 / 12**

The constitution provides for the right to assemble, though demonstrations are often suppressed or banned. While many nongovernmental organizations operate openly and freely, human rights groups have reported abuses by security forces. In January 2014, Burkina Faso's largest opposition protest in decades occurred as crowds demonstrated against the proposed term-limit extension as well as attempts to create a second legislative chamber. Compaoré's supporters organized rallies to endorse the contested changes. In October, ahead of a parliamentary vote on amending the constitution to remove the presidential term limit, opposition supporters clashed with security forces, who used tear gas to disperse the protesters on at least one occasion. By the end of the month, protesters were demanding the president's resignation, and the violence of the demonstrations escalated; government buildings, including the parliament building, were lit on fire. According to Amnesty International, at least 10 people were killed and hundreds injured in the October protests.

The constitution guarantees the right to strike, and unions are able to engage freely in strikes and collective bargaining, although only a minority of the workforce is unionized.

**F. Rule of Law: 7 / 16**

The judiciary is formally independent but has historically been subject to executive influence and corruption. The courts are further weakened by a lack of resources and citizens' poor knowledge of their rights. The operations of the judiciary were impeded by the suspension of the constitution in October 2014 but resumed following the charter's reinstatement and the establishment of the transitional government.

Human rights advocates in Burkina Faso have repeatedly criticized the military and police for committing abuses with impunity. Police often use excessive force and disregard pretrial detention limits.

Discrimination against various ethnic minorities occurs but is not widespread. LGBT (lesbian, gay, bisexual, and transgender) people, as well as those infected with HIV, routinely experience discrimination.

**G. Personal Autonomy and Individual Rights: 8 / 16**

The constitution provides for freedom of movement within the country, although security checks on travelers are common. Prior to the dissolution of the government, equality of opportunity was hampered in part by preferential treatment given to CDP members, including in the acquisition of public contracts.

While illegal, gender discrimination remains common in employment and education, as well as in the upholding of property and family rights; it is particularly common in rural areas. Reforms in 2009 established a 30-percent quota for women on all party candidate lists in municipal and legislative elections, but the law was vague regarding implementation. Before its dissolution, the 127-seat National Assembly included 20 women. In the north, early marriage contributes to lower female school enrollment and a heightened incidence of obstetric fistula. Human rights groups have recorded a significant drop in the prevalence of female genital mutilation since its criminalization in 1996.

Burkina Faso is a source, transit, and destination country for trafficking in women and children, who are subject to forced labor and sexual exploitation. According to the U.S. State Department's 2014 Trafficking in Persons Report, Burkina Faso does not comply with the minimum standards for eliminating human trafficking.

# Burundi

**Political Rights Rating:** 6

**Population:** 10,483,000

**Civil Liberties Rating:** 5

**Capital:** Bujumbura

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Status Change:** Burundi's political rights rating declined from 5 to 6, and its status declined from Partly Free to Not Free, due to a coordinated government crackdown on opposition party members and critics, with dozens of arrests and harsh sentences imposed on political activists and human rights defenders.

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,5,PF	4,5,PF	4,5,PF	4,5,PF	4,5,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF	6,5,NF

## INTRODUCTION

Burundi's authoritarian government increased its crackdown on opposition parties and restricted freedom of assembly in 2014. Against the backdrop of national elections scheduled for mid-2015, the ruling party continually disrupted the activities and targeted the members of opposition groups. In the government's harshest move, in March, police arrested 70 people in Bujumbura for allegedly planning to participate in an opposition protest and subjected the group to a summary one-day trial.

Throughout 2014, outlets critical of the government were threatened with closure. In March, press freedom was further undermined when the president appointed six progovernment representatives to the media regulatory body. Authorities also regularly obstructed peaceful demonstrations and organized meetings in 2014, including a peaceful Women's Day march organized by the women's league of the opposition Unity for National Progress (UPRONA) party in Bujumbura.

A law creating a truth and reconciliation commission was passed in April in a vote boycotted by opposition members, who expressed concern over the commission's lack of independence. A new land law, adopted in January, was condemned by critics who argued that it could shift the country back into ethnic conflict.

**POLITICAL RIGHTS:** 11 / 40 (-1)

**A. Electoral Process:** 4 / 12

A new constitution was adopted in 2005 after a series of agreements ended Burundi's 12-year civil war, which began with the 1993 assassination of a newly elected Hutu president and ultimately led to the deaths of more than 300,000 people. The president, who is elected to a five-year term, 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. The lower house—National Assembly—has 100 members directly elected by proportional representation for five-year terms. The constitution requires the National Assembly to be no more than 60 percent Hutu and no less than 40 percent Tutsi, with three additional deputies from the Twa ethnic minority. The upper house, the Senate, consists of 34 members chosen by locally elected officials for five-year terms. Each of Burundi's 17 provinces chooses two senators—one Tutsi and one Hutu. The Twa are also allocated three senators. In both houses, a minimum of 30 percent of the legislators must be women.

If an election produces a distribution that is not in line with ethnic and gender distribution requirements, new deputies are co-opted in order to reach the quotas. As such, following the May 2010 elections, there are currently 106 deputies serving in the National Assembly. The elections also produced a total of 41 members of the Senate—three additional members were co-opted, while four former presidents serve as *ex officio* members.

The May 2010 local elections were beset with procedural irregularities, restrictions on freedom of movement for opposition leaders, the arrest of dozens of opposition activists, and a ban on all opposition party meetings. In response, most opposition parties boycotted the presidential and parliamentary polls that June and July. The ruling National Council for the Defense of Democracy–Forces for the Defense of Democracy (CNDD-FDD)—a largely Hutu party associated with a former rebel group—captured 81 percent of the vote for the lower house, followed by the Tutsi-led UPRONA with almost 12 percent. The Front for Democracy in Burundi (FRODEBU), a CNDD-FDD ally, took nearly 6 percent. The CNDD-FDD took 32 of the 34 elected seats in the Senate, leaving UPRONA with 2. Incumbent president Pierre Nkurunziza was reelected with some 92 percent of the vote.

In the lead-up to national elections scheduled for 2015, the CNDD-FDD unsuccessfully attempted to amend the constitution to allow Nkurunziza to run for a third presidential term. Nkurunziza is nevertheless widely expected to seek reelection. A new electoral code, adopted in April 2014, was favorably reviewed by opposition leaders.

Over 3.6 million Burundians had registered to vote by late 2014 in a process denounced as flawed by civil society and opposition groups. A key issue concerned identification cards, which are required for registration; critics alleged that cards were widely distributed to government supporters and systematically denied to oppositionists. The opposition also charged that members of the ruling party dominate the electoral commission.

#### **B. Political Pluralism and Participation: 5 / 16 (–1)**

More than two dozen political parties are active in Burundi, ranging from those that champion radical Tutsi positions to those that hold extremist Hutu views. Most are small in terms of membership, and many Tutsi have now joined formerly Hutu-dominated parties. The current government consists of members of the CNDD-FDD, UPRONA, and FRODEBU. Many political parties include youth branches that intimidate and attack opponents.

In 2014, the government continually disrupted opposition party activities, obstructing meetings, banning demonstrations, and targeting party members with harassment, arrests, and violent attacks. Critics accused the CNDD-FDD of arming its youth wing, Imbonerakure, to terrorize the electorate and attack the opposition in collaboration with local authorities and with complete impunity. Dozens of violent incidents involving Imbonerakure were reported during the year. In March, Ananias Nsabaganwa of FRODEBU was shot and killed by a group of Imbonerakure, soldiers, and local authorities in Kirundo Province. Violence allegedly flared when Nsabaganwa was unable to contribute to the group's fundraising campaign for a local cemetery; some believe the killing was politically motivated.

Also in March, police arrested 70 people in Bujumbura for allegedly planning to participate in a protest affiliated with the opposition Movement for Solidary and Democracy (MSD) party. They were tried on charges of rebellion and insurrection during a one-day summary hearing. The hurried proceedings resulted in 21 defendants sentenced to life in prison, 27 defendants sentenced to between 2 and 10 years, and 22 defendants acquitted. The MSD was suspended until July.

In October, Léonce Ngendakumana, the head of the opposition coalition Alliance des Démocrates pour le Changement-Ikibiri (ADC-Ikibiri), was sentenced to one year in prison

for making false accusations and inciting racial hatred. He was known for calling on the international community to exert pressure on the CNDD-FDD ahead of the 2015 elections.

In February, the ruling party intervened in UPRONA's affairs, unseating UPRONA president Charles Nditije and replacing him with a closer regime ally. Burundi's Vice President Bernard Busokoza, also of UPRONA, criticized the move and was subsequently fired as well. Three UPRONA ministers resigned in protest of these events, and internal discord left the party divided in two factions. The vice president of FRODEBU, Frédéric Bamvuginyumvira, was released from detention in March on medical grounds following a December 2013 arrest; his initial charges of adultery had been changed to corruption. The government reportedly rigorously vetted opposition party leaders in an effort to prevent them from running.

### C. Functioning of Government: 2 / 12

Corruption and nontransparent government practices are significant problems in Burundi, which ranked 159 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. Burundi's largest anticorruption watchdog, the Anticorruption and Economic Malpractice Observatory (OLUCOME), is active in investigating and raising public attention about corruption in the government. In September 2014, anti-riot police in Bujumbura forcibly stopped OLUCOME president Gabriel Rufyiri from staging a hunger strike at the justice ministry in protest against rising corruption. Rufyiri was previously imprisoned in 2006 for leading inquiries about corruption.

### CIVIL LIBERTIES: 21 / 60 (-1)

#### D. Freedom of Expression and Belief: 8 / 16

Freedom of expression is constitutionally guaranteed, but press laws restrict journalists through broad, vaguely written provisions. A 2013 media law has been widely criticized for limiting the protection of journalistic sources, requiring journalists to meet certain educational and professional standards, and banning content related to national defense, security, public safety, and the state currency. The law empowers the media regulatory body to issue press cards to journalists, suspend or withdraw cards as a result of defamation cases, and impose financial penalties for media offenses. In January 2014, the Constitutional Court rejected a challenge of the media law lodged by the Union of Burundian Journalists (UBJ), but reduced the law's high fines and penalties. The UBJ subsequently submitted a challenge to the East African Court of Justice. In March, the president appointed six pro-government representatives to the 15-member regulatory body; the remaining nine members are journalists, principally from state broadcasters.

Radio is the primary source of information for the majority of the population. The government dominates the media through its ownership of the public television and radio stations; it also runs *Le Renouveau*, the only daily newspaper. There are several private broadcast outlets, though most have a limited reach, and multiple international radio broadcasts are available in the capital. Print runs of most newspapers remain small, and readership is limited by low literacy levels. Access to the internet remains largely confined to urban areas.

Throughout 2014, the government often aggressively demanded journalists to name sources used in certain critical articles and threatened to shutter outlets reporting critically of government repression. Journalists have been increasingly willing to convey criticism of the government, though they continue to self-censor and are sometimes censored by authorities. Journalists are also frequently subject to arbitrary arrest, harassment, or threats.

Freedom of religion is generally observed, though authorities regularly harass the followers of Euzébie Ngendakumana, also known as Zebiya, who leads a small sect. In 2013,



police attacked members of the group during a monthly pilgrimage, killing nine of them. In January 2014, several followers were arrested as authorities reportedly searched for Zebiya herself in Bwiza.

For many years, civil strife and Tutsi social and institutional dominance had impeded academic freedom by limiting educational opportunities for the Hutu, but this situation has improved since 2005. The ability to engage in private discussion openly and freely, particularly on topics that are critical of the ruling party, is hindered by a fear of harassment by pro-government supporters.

#### **E. Associational and Organizational Rights: 3 / 12 (-1)**

The constitution provides for freedoms of assembly and association, but a 2013 law on public gatherings imposes restrictions on the right to assemble, including a one-day limit on the duration of public demonstrations. The law holds the organizers of public gatherings liable for any legal infractions made by participants and allows authorities to interrupt or cancel gatherings that pose a risk to public order. Empowered by the law, authorities regularly obstructed peaceful demonstrations and organized meetings throughout 2014. In February, the mayor of Bujumbura ordered police to halt the Burundian Bar Association's annual assembly due to the association's lack of authorization, even though authorization was not required for the private event. In March, police dispersed a peaceful Women's Day march organized by the women's league of the UPRONA party in Bujumbura using teargas. Numerous MSD meetings were also reportedly denied authorization in 2014.

Onerous and costly registration requirements prevent many local nongovernmental organizations (NGOs) from receiving official legal recognition. Registration must be completed in person at the Ministry of Interior in Bujumbura, which is difficult for NGOs based in remote areas, and extensive documentation is required.

Despite the various obstacles, there is modest but important civil society activity with a focus on human rights. The National Independent Human Rights Commission, established in 2011, has been able to operate independently and investigate politically sensitive cases. In 2014, the commission worked with international organizations to draft a law to protect human rights defenders.

Nevertheless, members of human rights groups that criticize the government are often subject to intimidation, threats, arrest, or surveillance. In May, the head of the Association for the Protection of Human Rights and Detained Persons, Pierre Claver Mbonimpa, was arrested and charged with spreading false rumors and inciting violence in relation to remarks he made regarding the politically motivated attacks perpetrated by Imbonerakure. He was provisionally released in September on medical grounds.

The constitution provides protections for organized labor, and the labor code guarantees right to strike. The Confederation of Burundi Trade Unions has been independent since its establishment in 1995. Most union members are civil servants and have bargained collectively with the government.

#### **F. Rule of Law: 4 / 16**

Burundi's judiciary is hindered by corruption, a lack of resources and training, and executive interference in legal matters. The current judicial system struggles to function effectively or independently and cannot handle the large number of pending cases, many of which are politically sensitive. Crimes, especially those related to political violence, often go unreported or uninvestigated.

In April 2014, Parliament passed a law creating a truth and reconciliation commission to provide accountability for abuses committed between 1962 and 2008, though opposition

members boycotted the vote out of concern over the commission's lack of independence. In December, Parliament elected 11 members to the commission in a vote that the opposition also boycotted; under the new law, members are elected by a simple majority. Of the 11 members, 6 are Hutu, 4 are Tutsi, and 1 is Twa. The opposition accused the vote of being politically motivated, charging that the commission is comprised primarily of affiliates of the ruling party. There are concerns that the body could be used as a political tool to selectively punish the opposition, especially in the lead-up to the 2015 elections.

Impunity for police brutality remains widespread. Beginning in late December, security forces and Imbonerakure reportedly committed dozens of extrajudicial executions of armed rebel group members during a clash in Cibitoke Province. The authorities believed the rebels were planning to disrupt the 2015 elections.

Albinos face a particular threat from discrimination and violence. Since 2008, at least 18 albinos have been murdered in Burundi. Although close to a dozen arrests have been made in connection with such crimes, only one has resulted in a conviction in recent years. Members of the LGBT (lesbian, gay, bisexual, and transgender) community face official and societal discrimination, and same-sex sexual activity is a criminal offense.

#### **G. Personal Autonomy and Individual Rights: 6 / 16**

The constitution provides for freedom of movement, though citizens are restricted from traveling outside their communities without a special permit on Saturday mornings as part of a government effort to encourage participation in local service projects.

A new land law, adopted in January 2014, strengthened the authority of Burundi's National Commission of Land and Other Belongings to resolve disputes between current landowners and refugees returning to reclaim their land. Critics argue that the new law could shift the country back into ethnic conflict if it is not implemented in an unbiased manner.

Women have limited opportunities for advancement in the economic and political spheres, especially in rural areas. Sexual and domestic violence are serious problems but are rarely reported to law enforcement agencies. The 2009 penal code criminalizes gay and lesbian sexual activity, and punishments include up to two years in prison.

## Cambodia

**Political Rights Rating:** 6

**Civil Liberties Rating:** 5

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Population:** 14,804,000

**Capital:** Phnom Penh

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF

#### **INTRODUCTION**

The Cambodia People's Party (CPP) and the Cambodian National Rescue Party (CNRP) finally reached an agreement in July 2014, bringing to an end the CNRP's 10-month parliamentary boycott over Cambodia's contested national elections and enabling opposition members to take their seats and re-form the National Election Commission.

In January, police shot and killed at least four protesters in Phnom Penh during demonstrations for higher wages and better working conditions. Protests and public demonstrations were subsequently banned until late July.

In August, the Extraordinary Chambers in the Courts of Cambodia (ECCC), commonly known as the Khmer Rouge Tribunal, found former top Khmer Rouge officials Khieu Samphan and Nuon Chea guilty of crimes against humanity, homicide, torture, genocide, and religious persecution against the Khmer Cham and ethnic Vietnamese minorities. The octogenarians were sentenced to life imprisonment. A second part of the genocide trials is expected to continue in 2015.

Relations with Vietnam and ethnic Vietnamese in Cambodia took a turn for the worse in February, after a traffic incident escalated into a deadly mob attack against an ethnic Khmer man. Diplomatic relations with Thailand also came under strain when more than 240,000 Khmer laborers in Thailand fled to Cambodia amid rumors of a Thai military crackdown on undocumented migrant workers in July.

**POLITICAL RIGHTS:** 11 / 40 (+1)

**A. Electoral Process:** 4 / 12 (+1)

Under the current Cambodian constitution, promulgated in 1993, the king, currently King Norodom Sihamoni, is chief of state. The monarchy remains highly revered as a symbol of national unity but has little political power.

Cambodia's bicameral legislature consists of a 123-seat National Assembly and a 61-seat Senate. National Assembly members are elected by party-list voting to serve five-year terms. In the Senate, 57 members are elected by parliamentarians and commune councils, 2 are elected by the National Assembly, and 2 are appointed by the king for six-year terms. The prime minister and cabinet are approved by a majority vote in the National Assembly. Voting is tied to a citizen's permanent resident status in a village, township, or urban district, and cannot be changed easily.

In the 2012 Senate elections, the CPP won a 46-seat majority. The remaining 11 seats went to the personalist liberal Sam Rainsy Party (SRP), now part of the CNRP. In the 2013 National Assembly elections, the CPP captured 68 of 123 seats, its worst showing since 1998. The elections were marred by reports of duplicate voter names, vote buying, and large groups of voters casting ballots in communes where they were not registered; the National Election Committee (NEC) identified more than 250,000 duplicate names and 290,000 missing names from voter rolls. The CNRP rejected the official results, charging that it had won 63 seats, and—despite the NEC's findings—unsuccessfully petitioned for the creation of an independent authority to investigate its claims. As a result, all 55 CNRP parliamentarians refused to take their seats at the 2013 assembly's opening session. The CPP nominated Hun Sen for his fifth term as prime minister, and the single-party legislature formed a government without the CNRP. The CPP and CNRP reached an agreement in July 2014 that ended the CNRP's boycott and led to the appointment of a new NEC by both parties. The government agreed to formally recognize a minority leader in parliament who would be responsible for representing minority interests to the prime minister.

**B. Political Pluralism and Participation:** 4 / 16

The constitution outlines the right of Cambodians to participate in multiparty democracy, but in practice, political opposition is restricted. Harassment or threats against opposition supporters are not uncommon, and opposition leaders have faced legal suits for criticizing the ruling party. Opposition lawmakers were arrested on numerous occasions

during 2014 related to protests that took place in July. The CPP is known to reward its supporters with coveted positions and financial incentives. In June 2013, the CPP-run National Assembly stripped 27 opposition lawmakers of their parliamentary status on the grounds that they held membership in multiple parties, since many CNRP parliamentarians were also members of the now-defunct SRP or HRP.

In 2013, longtime opposition leader Sam Rainsy returned to Cambodia after fleeing 2010 charges by the Cambodian government related to allegations he made that Cambodia ceded territory along the border to Vietnam. The SRP joined Kem Sokha's Human Rights Party (HRP) to form the CNRP in 2012, creating the nation's second-largest party and the strongest opposition to the CPP in recent years.

### **C. Functioning of Government:** 3 / 12

Corruption remains a serious obstacle to Cambodia's economic development and social stability. A 2010 law established the Anti-Corruption Unit (ACU), though its implementation has been slow. Many in the ruling elite abuse their positions for private gain. Increased investment in mining, forestry, agriculture, textile manufacturing, tourism, hydropower, and real estate has brought notable economic growth in recent years, but these enterprises frequently involve land grabs by powerful politicians, bureaucrats, and military officers.

Neotism and patronage undermine the functioning of a proper, transparent bureaucratic system. Following unexpectedly poor showings in the 2013 elections, the CPP forced several party members to resign so that the sons of high-ranking party leaders, including those of Prime Minister Hun Sen and Interior Minister Sar Kheng, could assume seats in parliament.

### **CIVIL LIBERTIES:** 20 / 60

#### **D. Freedom of Expression and Belief:** 9 / 16

Freedom of speech is not fully protected. A 2010 law continues to criminalize defamation and bar written criticism of public officials or institutions. The government uses lawsuits, criminal prosecution, and occasionally violent attacks as means of intimidation against the media. Criticism of government policy is not well tolerated, and authorities are especially sensitive to media coverage of land grabs and extralegal resource extraction. The death of Chut Wutty, an environmentalist killed in 2012 while assisting investigations into illegal logging, remains unsolved.

Print journalists are somewhat freer to criticize the government than television or radio broadcasters, but print media reaches only about 10 percent of the population. There are roughly 20 privately owned print and broadcast outlets, including several owned and operated by the CPP and opposition parties, though a number have closed in recent years due to financial difficulties. Broadcast licensing processes remain opaque. There are no restrictions on access to foreign broadcasts via satellite.

A draft of a cybercrime law was leaked in April 2014. The law would criminalize libel of government institutions posted on online media, including social media like Facebook and Twitter, and curtails forums for public dissent. The government claimed that the bill had already been dropped.

The majority of Cambodians are Theravada Buddhists and can practice their faith freely, but societal discrimination against religious and ethnic minorities remains a problem.

Teachers and students practice self-censorship regarding discussions about Cambodian politics and history. Criticism of the prime minister and his family is often punished.

**E. Associational and Organizational Rights: 3 / 12**

The government's tolerance for freedoms of association and assembly has declined in recent years. Crackdowns are unpredictable and often harsh. Violence against activists continued in 2014, especially during protests of forced evictions and workers' rights.

Hundreds of thousands of Cambodians from across the country participated in 2013 protests calling for an independent investigation into the results of the July elections. Protests were banned for the first half of 2014 following a violent January 3 demonstration by labor rights activists and workers in which at least four people were killed. Demonstrations resumed in summer 2014, including in protest of the ban. In July 2014, demonstrators violently attacked security forces, and activists, including several opposition lawmakers, were arrested; at the end of the year, 19 people remained in prison on charges of insurrection related to the July events. The protest ban was lifted in July and the barbed wire surrounding Freedom Park in Phnom Penh and other public spaces was removed later that month.

Civil society groups work on a broad spectrum of issues and offer social services, frequently supported by international funding. Those that work on justice and human rights, as opposed to social or health issues, generally face more state harassment.

Cambodia has a small number of independent unions, and workers have the right to strike, though many face retribution for doing so. Tensions between garment workers and law enforcement officials grew in 2014 as workers protested low wages and poor or dangerous working conditions. The government raised the minimum wage several times throughout the year from \$61 a month to \$100 in response to protests, but challenges to labor rights remain. A lack of resources and experience limit union success in collective bargaining, and union leaders report harassment and physical threats.

**F. Rule of Law: 2 / 16**

The judiciary is marred by inefficiency, corruption, and a lack of independence. There is a severe shortage of lawyers, and the system's poorly trained judges are subject to political pressure from the CPP, which has also undermined the Khmer Rouge tribunal. Abuse by law enforcement officers, including illegal detention and the torture of suspects and prisoners, is frequent. Impunity of elites and sham trials are common. When the former Bavet governor was convicted for the 2011 shooting of three protesters in 2013, he was sentenced to only one and a half years in prison. There were more politically motivated charges in 2014, with the ongoing detentions of CNRP supporters, many of whom are being held without trial. Jails are severely overcrowded, and inmates often lack sufficient food, water, and health care.

The ECCC, established to try the leaders of the genocidal Khmer Rouge regime, found Khieu Samphan and Nuon Chea guilty of crimes against humanity, homicide, torture, genocide, and religious persecution against the Khmer Cham and ethnic Vietnamese minorities in August 2014. Both Samphan and Chea were sentenced to life imprisonment and are currently appealing their sentences. Their convictions follow on the 2012 life sentence of former chief of the Tuol Sleng prison Kang Kek "Duch" Iew, the 2012 release of Ieng Thirith after she was declared mentally unfit to stand trial, and the 2013 death of Ieng Sary. A second trial against Samphan and Chea for charges of genocide began in August 2014.

Minorities, especially those of Vietnamese descent, often face discrimination. Anti-Vietnamese sentiment continued against Vietnam and the ethnic Vietnamese minority. In July, an ethnic Vietnamese man was killed in Phnom Penh following a traffic incident that escalated into an anti-Vietnamese mob.

While same-sex sexual relationships are not criminalized, gays and lesbians have neither the right to marry nor legal protections from discrimination.

**G. Personal Autonomy and Individual Rights: 6 / 16**

The constitution guarantees the rights to freedom of travel and movement, and the government generally respects these rights in practice. However, restrictions do occur. Reports surfaced in 2013 that police prevented protesters in Svay Rieng province from traveling to Phnom Penh to participate in political opposition demonstrations.

Land and property rights are regularly abused for the sake of private development projects. While estimates vary, the state has seized 12 percent or more of Cambodia's land in concessions to private developers. Over the past several years, hundreds of thousands of people have been forcibly removed from their homes in both rural and urban areas, with little or no compensation or relocation assistance, to make room for commercial plantations, mine operations, factories, and high-end office and residential developments. Senior officials and their family members are frequently involved in these ventures, alongside international investors. Throughout 2014, protests continued in response to forced evictions for a development project in Boeung Kak Lake, leading to several arrests of land rights activists in November.

Women suffer widespread economic and social discrimination, lagging behind men in secondary and higher education. Rape and violence against women, including acid attacks, are common. The first conviction for an acid attack under a 2011 law outlawing the practice took place in 2013, but attacks are still frequent. Men, women, and children are frequently trafficked to and from Cambodia for prostitution and forced labor, and the government has done little to address the issue or provide assistance to victims.

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## Cameroon

**Political Rights Rating:** 6**Population:** 22,789,000**Civil Liberties Rating:** 6**Capital:** Yaoundé**Freedom Rating:** 6.0**Freedom Status:** Not Free**Electoral Democracy:** No**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2004	2005	2006	2007	2008	2009	2010	2011	2013	2014
	6,6 NF	6,6 NF	6,6 NF	6,6 NF	6,6 NF	6,6 NF	6,6 NF	6,6 NF	6,6 NF	6,6,NF

**INTRODUCTION**

Cameroon saw growing fault lines in 2014, the result of a worsening security situation in the country's north and east, high youth unemployment, aging political leadership, and the lack of an obvious presidential heir in the ruling party. The Far North province, which borders the stronghold of Boko Haram in Nigeria, faces increasing incursions from the Islamic militant group. Instability in neighboring Central African Republic, which shares a 500-mile-long border with Cameroon, has also led to increasing confrontations between Cameroon's military and rebel groups.

As part of government's response to the rise in extremist violence, in December President Paul Biya signed a sweeping new antiterrorism law. However, the law was criticized by the opposition, media, and civil society groups as severely restricting freedom of speech and assembly. It imposed the death penalty for "acts of terrorism"; however, critics alleged that such acts were vaguely defined and that the law could be used to silence dissent.

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While arrests for same-sex sexual behavior have declined, Cameroon still has the highest number of individuals in prison for such acts in the world. As of early 2014, at least 15 men and women were in prison because they were believed to be gay.

**POLITICAL RIGHTS:** 9 / 40 (+1)

**A. Electoral Process:** 3 / 12

Now in his fourth decade in power, Biya retains a strong hold on Cameroon. His Cameroon People's Democratic Movement (CPDM) controls the Senate, the National Assembly, and municipal councils by large majorities. In the 2011 presidential elections, Biya beat out nearly two dozen opponents to claim 78 percent of the vote; the poll was widely viewed as tainted. Despite his advanced age of 85, Biya has not groomed a successor. There is no provision for a presidential runoff, which impedes the ability of opposition candidates to unseat the incumbent.

Cameroon has a 180-seat National Assembly and established the 100-seat Senate in 2012; representatives serve five-year terms. In 2013, Cameroon held National Assembly elections, direct elections for municipal councilors, and long-delayed elections for its first Senate. The CPDM won 56 of the elected Senate seats, while the main opposition party, the Anglophone-led Social Democratic Front (SDF), won the remaining 14. Biya appointed an additional 30 senators, three from each of the country's 10 regions. The CPDM took 148 assembly seats and won 305 of the country's 360 communes. While some observers characterized the elections as free and fair, there were also accusations that the CPDM paid bribes to certain municipal councilors of up to \$90 each.

Cameroon adopted a new electoral code in 2012 that introduced biometric voter registration. However, Biya still chooses the members of the electoral commission.

**B. Political Pluralism and Participation:** 3 / 16

Despite having almost 300 political parties, Cameroon remains essentially a one-party state. The numerous opposition parties often have aging leadership and are highly fragmented, preventing any one from becoming a credible threat to the ruling CPDM or forming effective coalitions. The SDF is the largest opposition party and has a national base; other opposition groups suffer from ethnic and regional biases that limit their membership.

State patronage and Biya's control of high-level appointments help the CPDM retain power. The state also controls the release of mandated public funding for political parties, as well as the salaries of village chiefs, who in turn control their local votes.

The Baka minority is not represented in the legislature or in the top levels of government.

**C. Functioning of Government:** 3 / 12 (+1)

Corruption is systemic. Bribery is commonplace in all sectors, from gaining school admission to fixing traffic infractions. An anticorruption campaign called *Opération Epervier* (Operation Sparrowhawk) was begun in 2006, but critics say it has been used to remove potential political opponents. Former minister and presidential hopeful Marafa Hamidou Yaya was sentenced in 2012 to 25 years in prison for embezzlement. Cameroon's former ambassador to the United States, Jérôme Mendouga, died in November 2014 after spending five years awaiting trial in Yaoundé's notorious Kondengui prison on embezzlement charges. In October 2013, a court sentenced former prime minister Inoni Ephraim and former minister of state Atangana Mebara to 20 years in prison for corruption, both on embezzlement charges.

Cameroon has been classified as compliant with the Extractive Industries Transparency Initiative (EITI)—which asks countries to submit reports detailing the proceeds they have gained from the extraction of their natural resources—since late 2013. Cameroon was

ranked 136 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 16 / 60

**D. Freedom of Expression and Belief:** 7 / 16

The constitution guarantees free speech, and there are some 500 newspapers and 100 radio and television stations. However, genuine freedom of expression remains elusive. The constitution gives officials the power to ban newspapers based on a claimed threat to public order. Defamation remains a criminal offense, and the National Communications Council (CNC), which started functioning full time in 2013, has taken a hard-line approach to enforcement of the country's communications law, summoning journalists for "violating professional ethics."

Several journalists were arrested and detained in 2014. Reporters were targeted after critical reporting on topics including the health of the president and alleged embezzlement by government officials. In April, the car of Denis Nkwebo, a journalist at the daily newspaper *Le Jour*, was blown apart outside of his house. Nkwebo, who had criticized efforts by security forces to curb attacks by Boko Haram, had been warned by government insiders to tread carefully. In late November, the CNC banned six journalists from working. Author and founding member of the Cameroon Writers Association Enoch Meyomesse—who had run as an opposition candidate in the 2011 presidential election—remained imprisoned throughout 2014, after being jailed in 2011 and convicted in 2012 of complicity in stealing and illegally trafficking in gold.

There are no restrictions on internet use, but internet penetration is very low, at 11 percent in 2014.

Cameroonians can exercise religious freedom, with generally little government interference. Religious groups are required to register with the government, a process that can take several years. There are no legal restrictions on academic freedom, but state security informants operate on university campuses. Public criticism of the government and membership in opposition political parties can have a negative impact on professional opportunities and advancement.

**E. Associational and Organizational Rights:** 3 / 12

Freedoms of assembly and association, while legally protected, are subject to significant restrictions, including a requirement that organizers notify the government before assemblies take place. In practice, this policy leads to frequent suppression of the right to free assembly. In November 2014, the director of a local nongovernmental organization (NGO), Nasako Besingi, and five of his colleagues were arrested and charged with holding an undeclared public meeting while distributing t-shirts opposing the building of a large-scale palm oil plantation by U.S.-based Herakles Farms.

The influence of civil society has gradually weakened over the years, with many NGOs relying entirely on foreign assistance and others coopted or overtly supported by the regime. Other NGOs are no more than a registered name and a website.

Trade unions, strikes, and collective bargaining are permitted, and there is a growing public sector trade union movement, though unions are still subject to numerous restrictions. The Groupement Inter-Patronal du Cameroun (GICAM) business association is often critical of government policies.

**F. Rule of Law:** 2 / 16

The judiciary is subordinate to the Ministry of Justice, and political influence and corruption weaken courts. Lengthy pretrial detentions are commonplace, and there are reports



of arbitrary detention and judicial harassment of activists. For example, local NGO leader Bensingi has been arrested multiple times for his environmental activism and his trial postponed nearly a dozen times. Célestin Yandal, the leader of an Adamaoua-based youth advocacy NGO, has likewise been subject to arbitrary detention and judicial harassment.

The security forces act with impunity for human rights violations including excessive use of force, torture and other abuse, and extrajudicial executions. Prisons are overcrowded and conditions are sometimes life threatening. Torture and abuse of detainees are widespread.

In May, Boko Haram kidnapped 10 Chinese road construction workers. In July, 17 Cameroonians were kidnapped, including the wife of Vice Prime Minister Amadou Ali. All 27 people were released in October. Seven Cameroonian soldiers were killed in a December 27 attack on a military base in Achigachia. In response, the Cameroonian military launched airstrikes against the militants, reportedly killing 41 Boko Haram fighters.

The roughly 30,000 members of the Baka pygmy community face discrimination in Cameroon. Many are born in isolated forest areas and lack birth certificates needed to obtain a national identity card, which excludes them from many government services.

Discrimination against the LGBT (lesbian, gay, bisexual, and transgender) community is also rife. The penal code forbids “sexual relations with a person of the same sex” and includes prison sentences of up to five years. In practice, people are prosecuted with no evidence of sexual activity, but rather on suspicions that they are gay. Two women were arrested and imprisoned on such suspicion in early 2014. In January, Roger Jean-Claude Mbede, who had been imprisoned in 2011 after sending a text message to another man that said “I am very much in love with you,” died after his family reportedly took him out of the hospital. Mbede had been serving a three-year sentence but was given a provisional medical release in 2012.

#### **G. Personal Autonomy and Individual Rights: 4 / 16**

Travel is largely unrestricted, though Boko Haram activity in Cameroon’s Far North has increased insecurity in the region.

Cameroon’s ranking in the World Bank’s 2014 *Doing Business* report dropped to 148 out of 189 economies. Agribusinesses operate with little or no consultation with local inhabitants, and a lack of transparency means people are usually unaware of potential environmental hazards. Concerns have been raised about the government’s failure to recognize indigenous forest peoples’ right to prior consent when logging concessions are granted.

The constitution guarantees equal rights to men and women, but traditional legal values often take precedence and do not always provide women full rights. Although the penal code criminalizes rape against women, perpetrators are declared innocent if the victim has reached puberty and freely consents to marriage. Female genital mutilation is still practiced, particularly in isolated areas of the extreme north, east, and southwest regions. Women won 56 National Assembly seats in the 2013 elections, a significant increase over previous years, and 20 Senate seats.

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.

# Canada

**Political Rights Rating:** 1

**Population:** 35,549,000

**Civil Liberties Rating:** 1

**Capital:** Ottawa

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

## INTRODUCTION

On October 22, 2014, an armed gunman entered the Canadian parliament building after fatally shooting a member of the Canadian armed forces on duty at the Canadian War Memorial. The gunman was shot and killed by parliament security personnel. Classified as a terrorist act by the Royal Canadian Mounted Police, this event marked the greatest security breach at Parliament Hill since 1996.

The day of the shooting, the Canadian government was due to present a bill that would grant Canada's spy agency, the Canadian Security Intelligence Service (CSIS), more surveillance authority and broader range for cooperation with foreign agencies. The bill would also grant "blanket anonymity" to informants for CSIS, which could have a significant impact on court proceedings that are based on accusations by informants. As of late December, the bill was pending before the House of Commons.

Numerous corruption investigations during the year resulted in the resignation of a senator and the chief of staff, as well as the suspension of three additional senators. An ongoing inquiry into corruption within Québec's construction industry revealed that the largest labor federation was under the control of organized crime.

The proposed Charter of Québec Values, intended to restrict religious expression by public sector employees, was terminated at the close of the National Assembly of Québec's parliamentary session in 2014. The newly elected Liberal party leadership announced a "new, watered-down version" of the old bill in the fall of 2014.

**POLITICAL RIGHTS:** 39 / 40

**A. Electoral Process:** 12 / 12

Canada is governed by a prime minister, a cabinet, and Parliament, which consists of an elected 308-member House of Commons and an appointed 105-member Senate. Senators may serve until age 75. Lower-house elections are held every four years, with early elections called only if the government loses a parliamentary no-confidence vote. The British monarch is head of state, represented by a ceremonial governor-general who is appointed on the advice of the prime minister.

In the 2011 general elections, the Conservative Party triumphed, securing 166 seats to form a majority government. The social democratic New Democratic Party (NDP) secured 103 seats to become the leading opposition party for the first time. The center-left Liberal Party won 34 seats, while the Bloc Québécois, which favors Québec separatism, secured only 4 seats. The Green Party captured 1 seat.

In November 2014, a former Conservative campaign worker, Michael Sona, was sentenced to nine months for his role in a scandal in which misleading phone calls were placed

from Conservative Party campaign offices to non-Conservative voters to misinform them that their polling stations had been relocated. In 2013, the Canadian Federal Court had ruled that electoral fraud committed during the 2011 election was not severe enough to overturn the voting results.

The chief electoral officer released a report in 2013 recommending that political parties be held liable for the misuse or loss of voter information; a second report scheduled to be released before the 2015 federal election will detail sanctions and penalties for such violations.

In June 2014, the Fair Elections Act—a broad and controversial set of measures promoted by the government to address voter fraud and update campaign finance laws—came into force. An open letter signed by 465 academics vehemently argued that the act would “undermine the integrity of the Canadian electoral process.”

The 2012 Fair Representation Act added 30 new seats to the House of Commons in an effort to be distributed among Alberta, British Columbia, Ontario, and Québec, increasing effective representation of provinces with growing populations.

#### **B. Political Pluralism and Participation:** 16 / 16

Canadians are free to organize in different political parties, and the political system is open to the rise and fall of competing parties. While two parties have traditionally dominated the political system—the Conservative Party, espousing a center-right to right-wing political position, and the Liberal Party, espousing a center to center-left position—recent years have seen the rise of new parties. The center-left New Democratic Party is currently the official opposition party in the House of Commons. A total of 18 political parties competed in the 2011 elections, as well as 61 independent candidates.

#### **C. Functioning of Government:** 11 / 12

Canada has a reputation for clean government and a record of vigorous prosecution of corruption cases. Canada was ranked 10 out of 175 countries and territories surveyed in Transparency International’s 2014 Corruption Perceptions Index. However, the country has been criticized for failing to effectively combat bribery of foreign public officials in international business transactions. The government strengthened the Corruption of Foreign Public Officials Act in 2013 with amendments that will facilitate prosecution of Canadian individuals and companies that bribe foreign officials.

Efforts to address corruption in Québec continued during 2014 as the Charbonneau Commission, a public inquiry into corruption in the construction industry, finished its public hearing phase in September. Several mayors and others were arrested on corruption and related charges in 2013. In September 2014, former construction magnate Tony Accurso testified that he gave former Montreal police chief Jacques Duchesneau C\$250,000 (US\$200,000) to pay off campaign debt.

The controversial 2012 bill to amend the Access to Information Act and the Privacy Act failed to pass in February 2014. Despite the existence of the Access to Information Act, there are many challenges to obtaining information, including lengthy delays and excessive costs.

#### **CIVIL LIBERTIES:** 59 / 60

#### **D. Freedom of Expression and Belief:** 16 / 16

Canada’s media are generally free; journalists are mostly protected from violence and harassment in their work and are able to express diverse views. However, defamation remains a criminal offense, punishable by up to five years in prison. No statutory laws protect confidential sources, and the courts often decide whether or not to respect source confidentiality on a case-by-case basis. Media ownership continues to become more concentrated.

A 2013 bill intended to combat cyberbullying has been criticized for defining the crime in vague language and allowing internet service providers and telecommunications companies to provide customer information to the government without a warrant. The bill would also allow police to remotely access personal computers and mobile phones. In June 2014 the Supreme Court ruled that law enforcement would be required to have a warrant before obtaining subscriber information. At the end of 2014, the bill was before the Senate.

The constitution and other legislation protect religious freedom. However, there have been cases of societal discrimination based on religious affiliation, including numerous acts of violence and vandalism against Canada's Jewish and Muslim communities. There has also been controversy over the legality of wearing religious clothing and face coverings in public. The Charter of Québec Values bill, an effort to restrict "overt" and "conspicuous" religious symbols in 2013, was terminated with the end of the National Assembly of Québec session in 2014. Following the electoral loss of the Parti Québécois in April provincial elections, the new majority Liberal party announced it was proceeding with a more moderate version of the bill.

Academic freedom is respected. However, a policy prohibiting federally funded scientists from speaking to the media about their research, even after it has been published, continued to be enforced in 2014.

#### **E. Associational and Organizational Rights: 12 / 12**

Freedoms of association and assembly are generally respected. However, the police response to 2012 student demonstrations against tuition hikes in Québec occasionally turned violent. In May 2014 a provincial government-appointed commission issued a report condemning both the Liberal government's response to the protests and the police force's tactics in handling protesters. The Liberal government criticized the report as politically motivated.

Trade unions and business associations enjoy high levels of membership and are well organized. However, the Conservative government has adopted a tough line with unions representing public workers and has interfered with the rights of workers to organize, strike, and bargain collectively.

#### **F. Rule of Law: 15 / 16**

The judiciary is independent. Canada's criminal law is based on legislation enacted by Parliament; its tort and contract law is based on English common law, with the exception of Québec, where it is based on the French civil code.

A 2012 anticrime law increased mandatory minimum sentences, provided for harsher sentences for young offenders, and eliminated conditional sentences such as house arrest or community service for some crimes. According to the 2013–14 Annual Report of the Office of the Correctional Investigator, the country's prison population has increased 17.5 percent since 2005. The number of visible minorities in prison has risen by 75 percent in the last decade; while the aboriginal population comprises about 4 percent of Canada's population, they represent close to one-quarter of all inmates.

While authorities have taken important steps to protect the rights of the country's indigenous population, they remain subject to multiple forms of discrimination and have unequal access to education, health care, and employment. In a landmark ruling delivered in June 2014, the Supreme Court of Canada held that, unless they signed a treaty with the government, Canada's indigenous populations still hold title to their ancestral lands. The ruling also provided long-awaited detail on the specifics of indigenous title.

Human rights groups have argued that an immigration law that took effect in 2013 creates an unfair system by increasing detention time for refugees and granting sole discretion

to the minister of citizenship and immigration to designate certain countries of origin as “safe.” The law also imposes a waiting period of five years before refugees can apply for permanent residence.

Despite advances in legal equality, LGBT (lesbian, gay, bisexual, and transgender) Canadians continue to occasionally face discrimination and be the targets of hate crimes.

#### **G. Personal Autonomy and Individual Rights: 16 / 16**

Freedom of movement is constitutionally protected and upheld in practice. Property rights in Canada are not constitutionally protected, and a 2012 survey published by the Fraser Institute found that Canadian property rights were the weakest among “Western Countries.”

Women’s rights are protected in law and in practice. Women hold approximately 25 percent of the seats in the lower house of Parliament, about 37 percent in the Senate, and about one-third of the cabinet. Women are well represented in the labor force, though they still earned 28 percent less than men for the same work in Ontario in 2012. Indigenous women and girls face racial and economic discrimination, as well as high rates of gender-based violence. In 2012, Canada enacted a National Action Plan to Combat Human Trafficking.

Canada legalized same-sex marriage in 2005.

## Cape Verde

**Political Rights Rating:** 1

**Population:** 508,600

**Civil Liberties Rating:** 1

**Capital:** Praia

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

#### **INTRODUCTION**

Cape Verde is a Sub-Saharan nation noted for its political and economic stability, despite unique natural and economic disadvantages that include the threat of volcanic eruption, a lack of natural resources, and a severe shortage of water and arable land. The ten-island nation continued to rely heavily on international aid, agricultural imports, and foreign loans in 2014. Although Cape Verde is considered one of the least corrupt countries in Africa, the government was criticized by opposition members in 2014 for financial misconduct in public construction and infrastructure projects.

**POLITICAL RIGHTS:** 37 / 40

**A. Electoral Process:** 12 / 12

Cape Verde’s president (head of state) and members of the 72-seat National Assembly are elected by universal suffrage for five-year terms. The prime minister is nominated by the National Assembly and appointed by the president.

In the 2011 presidential election, former foreign minister Jorge Carlos Fonseca claimed 54 percent of the vote in a second-round runoff. In legislative elections also held in 2011, the African Party for the Independence of Cape Verde (PAICV) secured a majority with 38

seats, President Jorge Carlos Fonseca's Movement for Democracy (MpD) won 32 seats, and the Democratic and Independent Cape Verdean Union (UCID) took 2. International observers declared the elections to be free and fair.

**B. Political Pluralism and Participation:** 15 / 16

Political parties are free to form and operate. Since a multiparty political system was introduced in 1991, the PAICV and the center-right MpD have dominated politics.

Throughout the year 2014, parliamentary parties engaged in heated debate about perceived pro-PAICV bias in the speaker of the National Assembly. In September 2014, four new cabinet ministers were sworn in, including three women, bringing the composition of the cabinet to eleven women and eight men.

**C. Functioning of Government:** 10 / 12

There are relatively high levels of transparency and low levels of corruption in Cape Verde as compared to other African nations. Cape Verde was ranked 42 out of 175 countries and territories in Transparency International's Corruption Perceptions Index. Bribery and nepotism are common at municipal and national levels. In July 2014, an MpD deputy cited cases of embezzlement through various public works projects, including the Sal-Rei Port, the Vale dos Cavaleiros Port, and the Fogo ring highway. The highway, the length of which had been set at 80 kilometers during planning, was unveiled in July 2014, measuring less than 31 kilometers at a cost of \$1.7 million per kilometer.

Reform of mechanisms for ensuring transparency and ethical behavior in public office was ongoing in 2014.

**CIVIL LIBERTIES:** 53 / 60

**D. Freedom of Expression and Belief:** 15 / 16

Freedom of the press is guaranteed by law and generally respected in practice, but government authorization is required to publish newspapers and other periodicals. The presence of independent media is small but vigorous, and there are several private and community-run radio stations. State-run media include radio and television stations. The government does not impede or monitor internet access.

The constitution requires separation of church and state. The majority of Cape Verdeans belong to the Roman Catholic Church, which enjoys a somewhat privileged status. In April 2014, the parliament voted to enhance existing legislation to ensure that members of all religions are granted equal treatment.

Academic freedom is respected, and opportunities for higher education have expanded rapidly in recent years.

**E. Associational and Organizational Rights:** 11 / 12

Freedoms of assembly and association are legally guaranteed and observed in practice. Nongovernmental organizations (NGOs) operate freely. The constitution also protects the right to unionize, and workers may form and join unions.

In January 2014, thousands of workers demonstrated peacefully on the island of Sal against proposed changes to the Labor Code. The protesters also demanded unemployment benefits and higher wages. The two largest labor unions, National Union of Cape Verdean Workers (UNTC-CS) and the Cape Verdean Confederation of Free Labor Unions (CCSL), called for a two-day national strike in April. The government responded by calling a meeting of the Council for Social Agreement, which brings together representatives of unions, the private sector, and the government, in order to address the strikers' concerns.

**F. Rule of Law:** 14 / 16

Cape Verde's judiciary is independent. However, the capacity and efficiency of the courts are limited. According to the Judicial Superior Council, the court system's backlog significantly decreased in 2014, partly due to the use of more modern equipment. Authorities made steps in April 2014 to establish courts of appeal in the country. Courts on the islands of Praia and Mindelo have yet to be established.

Violent crime remains a serious problem in Cape Verde. Armed robberies are common, and cases of sexual violence have increased in recent years. Public security and criminal justice are impeded by poor coordination among relevant government entities, as well as by weak criminal investigation training and lack of resources for security forces.

Ethnic divisions are not a salient problem in Cape Verde. Same-sex sexual activity is legal.

**G. Personal Autonomy and Individual Rights:** 13 / 16

The National Assembly approved new legislation in 2014 to regulate the entry, stay, departure, and expulsion of foreigners. The law gave all illegal immigrants in Cape Verde who entered the country before November 17, 2011, a period have 90 days, beginning on November 17, 2014, to request a permit for temporary residency. Beyond the deadline, all illegal immigrants who remain in the country will face expulsion.

While discrimination based on gender is prohibited by law, wage discrimination and unequal access to education persist. Violence against women is also a major problem. In June 2014, a group of female officials established the Association of Democratic Women to improve female participation in Cape Verdean politics. There are 15 women in the National Assembly, holding approximately 21 percent of all seats.

Cape Verde's economy continues to face challenges in the wake of the 2008 financial crisis. While the tourism industry was stable in 2014, remittances and the flow of private capital were in decline. Domestic confidence in the economy remains low amid high unemployment.

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## Central African Republic

**Political Rights Rating:** 7**Population:** 4,779,000**Civil Liberties Rating:** 7**Capital:** Bangui**Freedom Rating:** 7.0**Freedom Status:** Not Free**Electoral Democracy:** No**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,4,PF	5,4,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF	7,7,NF	7,7,NF

**INTRODUCTION**

The political landscape of the conflict-torn Central African Republic (CAR) took a potential step toward stability in January 2014 following the resignation of president and Muslim military leader Michel Djotodia and the election of interim president Catherine Samba-Panza. Samba-Panza has no affiliation to any of the rebel groups involved in the conflict.

Political instability, violence, religious cleansing, and the massive internal displacement of more than one million people in the ongoing conflict between the largely Muslim Séléka

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forces responsible for the 2013 coup and Christian militias known as anti-Balaka, who include supporters of ousted president François Bozizé, continued to worsen the country's humanitarian crisis. In February 2014, UN secretary-general Ban Ki-moon launched the UN Multidimensional Integrated Stabilization Mission in Central African Republic (MINUSCA), authorizing more than 11,000 UN troops to join the African-led peacekeeping forces already stationed in CAR since 2013.

In July 2014, Séléka and anti-Balaka signed a cease-fire agreement, but implementation of the accord proved short-lived. Séléka military chief Joseph Zoundeiko ignored the cease-fire and called for a partition of the country along religious lines.

In September 2014, the International Criminal Court (ICC) opened a probe into the CAR conflict, citing widespread incidences of rape, murder, forced displacement, persecution, and pillaging since 2012. According to the Associated Press, more than 5,000 people were killed from December 2013 to September 2014, and this is likely a vast underestimation due to the difficulty of collecting accurate data.

**POLITICAL RIGHTS:** 0 / 40

**A. Electoral Process:** 0 / 12

Until the start of the civil war in 2012, CAR experienced a decade of relative stability under President Bozizé. In March 2013, Séléka rebels seized the capital and Bozizé fled the country. Djotodia appointed himself president, suspending both the constitution and parliament. He appointed a weak transitional government and put a transitional charter into place. Djotodia announced his resignation in early January 2014, along with his prime minister, amid mounting international outcry over ballooning violence and human rights abuses. The National Transitional Council (CNT) elected Catherine Samba-Panza as interim president on January 23, 2014. She beat her opponent, Désiré Kolingba, in a second round of voting with 75 votes to his 53. She appointed André Nzapayeké as her prime minister. In August, Nzapayeké resigned in the wake of the broken cease-fire deal. Mahamat Kamoun was appointed as the country's first Muslim prime minister, though he lacked Séléka's support.

The current parliament is the 105-seat CNT appointed after the coup. The CNT is charged with creating a new constitution. In December 2014 the UN Development Programme (UNDP) announced that it will support the organization of a constitutional referendum and parliamentary and presidential elections by August 2015.

**B. Political Pluralism and Participation:** 1 / 16

Political participation came to a standstill in 2013 when Séléka took over the government, armed groups proliferated, and sectarian tensions and violence escalated. The situation did not change significantly in 2014, as violence between Séléka and anti-Balaka continued throughout the year. While the main political parties—such as the National Convergence “Kwa Na Kwa” associated with ex-president Bozizé, the Movement for the Liberation of the Central African People, and the Central African Democratic Rally—remain legal, the CNT is not elected. No laws prohibit new parties, but the transitional government and instability make party competition difficult. Elections are scheduled for 2015, but no campaigning occurred during 2014. Due to the sectarian and religious nature of the political tensions, political pluralism and participation have been heavily curtailed.

**C. Functioning of Government:** 0 / 12

The 2013 coup removed all elected office holders from power and imposed a nontransparent, unelected regime. The security situation means the new government cannot provide basic protection and services.



Until the coup, corruption remained pervasive in all branches of government, despite some steps toward reform in recent years. Diamonds accounted for about half of the country's export earnings, but a large percentage circumvented official channels. Fighting corruption is not possible under the current security situation. In 2014, President Samba-Panza was implicated in a corruption scandal involving embezzlement of more than one billion francs (\$2 million) given to the CAR by Angola. CAR was ranked 150 of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index.

**Discretionary Political Rights Question B:** -1 / 0

The deliberate targeting of Christian civilians by Séléka has sparked unprecedented clashes between the country's Muslim and Christian populations. The creation of the Christian anti-Balaka militia in 2013 has led to regular targeting of Muslim civilians as well, including waves of anti-Muslim violence in early 2014. Thousands from each group have gone into hiding or fled abroad. Those remaining live in enclaves.

**CIVIL LIBERTIES:** 6 / 60

**D. Freedom of Expression and Belief:** 4 / 16

The 2004 constitution guarantees freedom of the press, though criminal penalties remain for some defamation charges. Given the security situation, these have not been enforced, and there has been some easing of the environment for journalism since President Samba-Panza came to power. Nevertheless, reporting is extremely difficult. French photo-journalist Camille LePage was killed in an ambush in the western Bouar region in May 2014 while embedded with the anti-Balaka. Désiré Sayenga, editor at *Le Démocrate* newspaper, and René Padou of the Protestant radio station Voix de la Grâce were killed in May.

The conflict has forced most community radio stations to close, and residents outside the capital have very little access to media. Very few people have access to the internet.

The free practice of religion has become impossible. Since the Séléka takeover, sectarian violence between Muslims, mostly aligned with Séléka, and the country's Christian population has increased dramatically. During 2014, clashes between Christian and Muslim groups remained constant and severe, with thousands killed.

Academic freedom was generally respected under Bozizé, but since the start of civil conflict universities have had difficulty functioning. By early 2013, as many as half of the country's schools were closed and taken over by militia groups; universities shut down as well.

The coup had a chilling effect on private political discussion. In June 2014, the Ministry of Communication temporarily banned text messaging. However, some private discussion persists in practice, as the government of President Samba-Panza does not have the means to curtail it.

**E. Associational and Organizational Rights:** 1 / 12

The security situation has effectively curtailed freedom of assembly and made it impossible for nongovernmental organizations to operate effectively. The ongoing violence has also made it difficult for unions to function properly.

**F. Rule of Law:** 0 / 16

Pre-coup corruption, political interference, and lack of training in the judiciary worsened under the influence of the Djotodia administration. There are widespread reports of atrocities, including torture and extrajudicial killings, committed by both Séléka and anti-Balaka militias. These problems persist under the government of President Samba-Panza, which does not have the resources to enact reforms.

In June 2014, Samba-Panza requested ICC help in dealing with ethnic crimes given that the ongoing violence prevents local courts from investigations. In September, the ICC opened a probe into the CAR conflict, citing widespread incidences of rape, murder, forced displacement, persecution, and pillaging since 2012. The humanitarian situation is dire. In December 2014, the United Nations estimated that more than 500,000 people had been internally displaced, and more than 414,000 others have fled to neighboring countries.

Particularly violent clashes between anti-Balaka and police forces occurred in the first two weeks of October, with at least 13 people killed in Bangui and dozens kidnapped. At least 28 people were killed in December during further clashes between anti-Balaka and Séléka militias.

MISCA forces have been accused of numerous human rights abuses as well. In a March 2014 incident, Human Rights Watch (HRW) reported at least 24 people killed and more than 100 wounded after Chadian soldiers opened fire on civilians in Bangui. HRW criticized the disappearance and presumed executions of at least 11 civilians from the town of Boali the same month. These abuses have not been investigated.

Same-sex sexual acts are illegal, punishable by fines and imprisonment, though there have not been reports that this law has been enforced. However, societal discrimination against LGBT (lesbian, gay, bisexual, and transgender) people remains strong, and many hide their gender identity.

#### **G. Personal Autonomy and Individual Rights: 1 / 16**

Widespread violence and religious persecution have severely hindered the movement of citizens and undermined the protection of private property. Large areas of the country are unreachable due to the intense violence. Attacks on the airport during clashes between anti-Balaka and police forces in early October 2014 caused it to close temporarily. In November, Séléka rebels blocked two highways through Bangui and exchanged fire with UN peacekeepers.

Private businesses and homes are regularly looted and destroyed by militants on both sides of the conflict. The agricultural economy, the livelihood of 75 percent of the population, has come to a halt, with 77 percent of livestock destroyed and food reserves down by 40 percent. Since the coup, Séléka forces have taken control of the diamond industry, and the government cannot protect or regulate the extraction of natural resources. The Kimberley Process, a multigovernment scheme to stop the trade of "conflict diamonds," suspended exports from CAR in May 2013.

Even before the coup, constitutional guarantees for women's rights were not enforced, especially in rural areas. No specific law criminalizes domestic abuse, which is widespread, and there is a high incidence of sexual violence against women by state and nonstate actors.

# Chad

**Political Rights Rating:** 7

**Population:** 13,285,000

**Civil Liberties Rating:** 6

**Capital:** N'Djamena

**Freedom Rating:** 6.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF

## INTRODUCTION

In August 2014, the Union of Forces of Resistance (UFR), a rebel coalition that had ended its armed rebellion against the government in 2010, repeated threats that it could again take up arms. This, in combination with civil unrest and a massive influx of refugees from Central African Republic (CAR) throughout the year, contributed to instability in 2014.

Chad maintained some troops in Mali after beginning to withdraw in May 2013. Chad had originally sent 2,000 troops in early 2013 to help drive out Islamist fighters as part of an intervention spearheaded by France, Déby's longtime ally. In September 2014, after five of its soldiers were killed, Chad accused the UN mission in Mali of neglect.

In March 2014, Chadian soldiers were accused of human rights abuses in CAR, where Chad has contributed substantially to an African Union peacekeeping force. President Déby claimed that the accusations were efforts to tarnish the country's reputation, and ordered a full withdrawal of its troops. Chad began to play an important role in France's Opération Barkhane, which aims to fight the Islamist threat in the Sahel. Opposition actors, who say that foreign countries are propping up President Déby and choosing regional stability over the internal politics of Chad, have criticized this decision.

According to the UN High Commissioner for Refugees (UNHCR), more than 450,000 refugees reside in Chad—mainly from Sudan, CAR, and Nigeria. In addition, more than 120,000 Chadians have been repatriated from CAR.

**POLITICAL RIGHTS:** 5 / 40

**A. Electoral Process:** 3 / 12

Chad has never experienced a free and fair transfer of power through elections. Déby, a former military commander, ousted dictator Hissène Habré in 1990, and has won four presidential elections since. The president is elected for five-year terms, and a 2005 constitutional amendment abolished term limits. The executive branch dominates the judicial and legislative branches, and the president appoints the prime minister.

The unicameral National Assembly consists of 188 members elected for four-year terms. Legislative elections originally due in 2006 were repeatedly postponed due to insufficient equipment and staffing, as well as delays in voter registration. When they finally took place in February 2011, Déby's Patriotic Salvation Movement (MPS) party won 117 seats and 14 more went to Déby's allies, leading to an absolute majority for the president. The most successful opposition party won only 10 seats. The European Union praised the peaceful and fair conduct of the elections, despite some logistical problems. However, the opposition claimed that irregularities occurred both before the vote—due to the government's

media dominance and the use of state resources to benefit the ruling party—and during the elections, including issues with electoral rolls and voter registration cards. It also pointed to the Independent Electoral Commission's official results page, which showed irregularities. A request by opposition parties to reprint voter registration cards was rejected.

Citing irregularities before and during the parliamentary elections, the three main opposition candidates boycotted the presidential poll in April 2011, which Déby won with 89 percent of the vote.

#### **B. Political Pluralism and Participation:** 1 / 16

More than 70 political parties operate in Chad, though a number of them were created by the government to divide the opposition. Only the ruling MPS has significant influence.

The government claimed to have foiled a coup following two separate clashes in May 2013, at a military barracks and in a residential neighborhood in the capital, in which several people were killed. In the aftermath of the fighting, four members of parliament—two from the ruling party and two from the opposition—were arrested and charged with conspiracy; two were provisionally released later in the month and the others in September. Many observers have stated that these arrests were politically motivated in order to crack down on government critics; some have also questioned whether the coup may have been staged for this purpose. The arrests appeared to violate the immunity legally guaranteed to the country's lawmakers; only the National Assembly can remove a member's immunity, and it had not done so in these cases. In February 2014, the charges against all four were dismissed.

Despite rivalries within Déby's northeastern Zaghawa ethnic group, members of that and other northern ethnic groups continue to control Chad's political and economic systems, causing resentment among the country's more than 200 other ethnic groups. Although they comprise about 40 percent of the population, Christians in the south have been excluded from political power for more than 20 years. Déby's tight control as well as political instability in the border regions further exacerbate obstacles to Christians' political participation.

#### **C. Functioning of Government:** 1 / 12

According to international monitors, corruption is endemic in Chad and prevails at all levels of government, from the presidential cabinet to the police force and local bureaucracy. Despite becoming an oil producer in 2003, Chad remains one of the world's poorest nations; Chad ranked 184 out of 187 states on the 2014 Human Development Index. Weaknesses in revenue management and oversight facilitate the diversion of oil revenues from national development projects to private interests and growing military expenditures, and fighting corruption has not been a government priority. High-profile journalists, labor leaders, and religious figures have faced harsh reprisal for their criticisms of Chad's corruption, including arrest, prosecution, and expulsion from the country. Chad was ranked 163 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

In January 2014, an audio recording surfaced featuring Ahmat Bachir, President Déby's chief of staff, soliciting money from former justice minister Jean-Bernard Padaré. In March, Padaré was arrested and charged with embezzling funds that he allegedly then offered to Bachir. Bachir was relieved of his duties as chief of staff but never arrested. According to Chad's anticorruption minister, the audio recording was not sufficient evidence to bring charges against Bachir, and the case against Padaré was based on other evidence. Nevertheless, the government faced accusations of political persecution. The case against Padaré remained pending at year's end.

**CIVIL LIBERTIES:** 16 / 60**D. Freedom of Expression and Belief:** 7 / 16

The constitution provides for freedom of the press and expression. However, both are severely restricted, and self-censorship is common. Broadcast media are controlled by the state. The High Council of Communication (HCC) exerts control over most content on the radio—the most important means of mass communication—and while there are roughly a dozen private stations, they face high licensing fees and the threat of closure for critical coverage. Reporting on the activities of rebels or any other information that could harm national unity has been banned since 2008. A small number of private newspapers circulate in the capital, and internet access is not restricted, but the reach of both is limited by poverty, illiteracy, and inadequate infrastructure.

A 2010 media bill eliminated imprisonment as a punishment for libel, slander, or insulting the president but introduced heavy fines or prison time for inciting racial and ethnic hatred and “condoning violence.” In October 2014, the HCC threatened several media outlets with sanctions for failing to adhere to professional standards, and forced a radio station to cease calls for a protest of fuel shortages gripping the country. In November, the journalist Boulga David was arrested while interviewing high school students in N’Djamena, possibly in connection with a student protest that was taking place nearby. He was beaten and interrogated for several hours before his eventual release.

Although Chad is a secular state, religion is a divisive force. Muslims, who make up slightly more than half of the population, hold a disproportionately large number of senior government posts, and some policies favor Islam in practice. At the same time, the authorities have banned Muslim groups that are seen as promoting violence. The government does not restrict academic freedom, but funds meant for the education system have reportedly been lost to corruption.

**E. Associational and Organizational Rights:** 4 / 12

Despite the constitutional guarantee of free assembly, the authorities ban demonstrations by groups thought to be critical of the government. In November 2014, protests rocked Chad’s three largest cities—N’Djamena, Moundou, and Sarh—in response to commodity shortages, sharp increases in fuel prices, and nonpayment of public workers’ salaries. Protesters attacked state-owned vehicles and private petrol stations and marched toward government buildings before being dispersed with live fire from the police. Reports indicate that between three and five people were killed by security forces; dozens were also arrested and detained for several hours before ultimately being released.

Insecurity has severely hindered the activities of humanitarian organizations in recent years. Although the country has been relatively stable since 2011, recurrent bandit attacks on humanitarian workers make access to the population difficult.

The constitution guarantees the rights to strike and unionize, but a 2007 law imposed limits on public-sector workers’ right to strike. Nevertheless, Chad’s teacher’s union was the driving force behind the November protests and launched a concurrent strike, along with lawyers and judicial workers. In the days following the protests, the government was reported to have paid the back wages the teachers were demanding.

**F. Rule of Law:** 2 / 16

The rule of law and the judicial system remain weak, and the political leadership heavily influences the courts. Civilian leaders do not maintain control of the security forces, which routinely ignore constitutional protections regarding search, seizure, and detention. Human rights groups credibly accuse the security forces and rebel groups of

killing and torturing with impunity. Prison conditions are inhumane, and many inmates are held for years without charge. In July 2014, the union of judges and lawyers in Chad demanded the resignation of Minister of Justice Béchir Madet due to corruption accusations and the illegal release of prisoners, as well as paternalistic appointments. No action was taken by the end of the year.

Former Chadian president Hissène Habré was arrested in Senegal in 2013, where he has resided since his ouster from power in 1990. He is currently awaiting trial for war crimes committed during his rule.

In September 2014, the cabinet approved a new penal code. Although activists lauded the new code's abolition of the death penalty, they decried its criminalization of same-sex relations and heavy fines and prison terms for those convicted. Parliament had yet to ratify the penal code by year's end. Due to cultural and legal restrictions, LGBT (lesbian, gay, bisexual, and transgender) citizens are forced to conceal their sexual orientation and gender identity. No nongovernmental organizations related to LGBT rights function in Chad.

Clashes have occurred between Christian farmers of the various southern ethnic groups and Muslim Arab groups living largely in the north. The influx of refugee pastoralists with their herds from neighboring states has created tension with Chadian farmers and pastoralists due to disputes over land and water resources.

Chad is home to more than 450,000 refugees that have fled conflict in recent years in neighboring CAR, South Sudan, and Nigeria. More than 100,000 refugees poured into Chad from CAR alone in 2014 as violence in that country intensified. In May, Chad closed its border with CAR, leaving many displaced persons with nowhere to go. Although it opened a corridor for refugees later in the year, the passage led to remote and isolated regions of southern Chad that were difficult for humanitarian groups to access. The government has cooperated with the United Nations and other international organizations to administer aid, but these initiatives are drastically underfunded and the majority of refugees live in dire conditions.

#### **G. Personal Autonomy and Individual Rights: 3 / 16**

Although the constitution guarantees freedom of movement, the government restricts the movement of citizens within the country and controls the movement of both internally displaced persons (IDPs) and refugees. Government control of the economy, repression of minority rights, and lack of security in certain areas of the country also exacerbate freedom of movement, employment, and education.

Although laws establishing land and property rights are nominally in force, statutory law is functionally irrelevant to the majority of the country's population owing to the state's minimal presence in rural areas; customary and Islamic law govern land ownership and use rights in practice. Traditionally, communal land holding was common and the conveyance of land outside the community was rare. However, as environmental pressures have made agricultural and pastoral land more scarce, a market for land has emerged, largely outside the purview of the state. Owing to high levels of corruption, establishing and operating a business in Chad is extremely difficult, though in practice 80 percent of the population is employed in the informal agricultural sector.

Chadian women face widespread discrimination and violence. In the 2011 elections, 24 female members were elected to the National Assembly, or about 13 percent. Female genital mutilation is illegal but routinely practiced by several ethnic groups. Chad is a source, transit, and destination country for child trafficking, and the government has not made significant efforts to eliminate the problem. The U.S. State Department again placed Chad on the Tier 2 Watch List in its 2014 Trafficking in Persons Report.

# Chile

**Political Rights Rating:** 1

**Population:** 17,711,000

**Civil Liberties Rating:** 1

**Capital:** Santiago

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

## INTRODUCTION

President Michelle Bachelet began her second term in March 2014 with an aggressive reform agenda aimed at the constitution, education, and taxation. In September, Congress passed the administration's tax reform bill, which aims to increase state revenue by increasing corporate taxes and abolishing a number of existing corporate tax exemptions. The increase is expected to help with social reforms, including a major overhaul of the education system.

Bachelet attempted to ease tensions with Chile's Mapuche indigenous people in 2014. She appointed Francisco Huenchumilla, a politician of Mapuche descent, to the governorship of the Araucania region, home to the country's largest Mapuche community. Following his appointment, Huenchumilla issued an apology for the state's seizure of Mapuche lands in the 19th century, outlining a policy agenda to solve the land dispute and combat poverty and socioeconomic inequality in Araucania.

A spate of small bombings, allegedly by antisystem anarchists, gripped Santiago throughout the year. While small-scale bomb attacks are common in Santiago, injuries and casualties are rare. In September, however, an explosion at one of the capital's metro stations injured 14 people. The Bachelet administration promised to improve government responses to such incidents and opened discussion of reforms to counterterrorism legislation and the reach of Chile's intelligence agency.

**POLITICAL RIGHTS:** 39 / 40

**A. Electoral Process:** 12 / 12

The president of Chile is elected for a four-year term, and consecutive terms are not permitted. The Senate's 38 members serve eight-year terms, with half up for election every four years, and the 120-member Chamber of Deputies is elected for four years.

General elections held in November 2013 were considered free and fair. The ruling center-left New Majority coalition—formerly known as Concertación—won 67 seats in the Chamber of Deputies and 12 in the Senate, for a simple majority in both houses. Parties affiliated with the conservative Alliance coalition won 49 seats in the lower house and 7 in the Senate. Bachelet, who previously served as president from 2006 to 2010, was elected president in a runoff election in December 2013.

**B. Political Pluralism and Participation:** 15 / 16

Chile has a multiparty political system with two dominant coalitions. The center-left New Majority coalition is composed of the Christian Democratic Party, the Socialist Party, the Party for Democracy, and the Communist Party. The center-right Alliance coalition con-

sists of the Independent Democratic Union and the National Renewal party. Most parties identify themselves on the basis of political, economic, and social ideology.

In 2005, the Senate passed reforms that repealed some of the last vestiges of military rule, ending authoritarian curbs on the legislative branch and restoring the president's right to remove top military commanders.

No party specifically addresses issues of concern to Chile's indigenous groups. In 2014, Bachelet announced intentions to expand the representation of Chile's indigenous groups in national governance, though no specific steps had been made by year's end.

### **C. Functioning of Government:** 12 / 12

Levels of official corruption are low by regional standards. In addition to robust transparency and campaign-finance laws passed in 2003, a 2007 law offered protections for public employees who expose corruption. A freedom of information law was enacted in 2008, and the government generally grants public access to all unclassified information.

In September 2014, the national press began reporting about alleged corruption involving members of the Independent Democratic Union, prominent political figures—including a former finance minister and tax authorities—and contributions to political campaigns made by the holding company Penta Group. An investigation, focusing on allegations of both tax fraud and illegal campaign financing by the Penta Group, was ongoing at year's end. Chile was ranked 21 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

### **CIVIL LIBERTIES:** 56 / 60

#### **D. Freedom of Expression and Belief:** 16 / 16

Guarantees of free speech are generally respected, though some laws barring defamation of state institutions remain on the books. Unlike in neighboring Argentina and Uruguay, Chile has never repealed the media regulation framework established under its military regime. The Spanish media group PRISA owns 60 percent of radio stations, and two private Chilean companies, El Mercurio and Copesa, own approximately 95 percent of newspaper titles. This duopoly in the print sector hinders the ability of independent media to compete. There are no government restrictions on the internet.

The constitution provides for freedom of religion, and the government generally upholds this right in practice.

The government does not restrict academic freedom. In 2014, President Bachelet proposed an education reform package that aims to increase funding for preschools, reduce copayments for education, and obligate schools to be nonprofit institutions if they receive government funding. Some elements of the proposal had not been submitted to Congress by year's end, while others remained embroiled in heated debate in the Senate.

#### **E. Associational and Organizational Rights:** 11 / 12

The rights to form nongovernmental organizations and to assemble peacefully are largely respected. In May 2014, thousands of Chileans protested to urge the government to deliver promised educational reforms and include citizens in the reform dialogue; the protests proceeded largely peacefully. In August, participants of a major protest action called the National March for Education, initiated by student and teacher groups in multiple cities, echoed these concerns, critiquing the slow pace of reform while demanding greater public inclusion in the process. Police clashed with small groups of demonstrators in Santiago, leading to some arrests. The protest action was otherwise unimpeded.



Despite laws protecting worker and union rights, antiunion practices by private employers are reportedly common.

**F. Rule of Law:** 14 / 16

The constitution provides for an independent judiciary, and the courts are generally free from political interference. The right to legal counsel is constitutionally guaranteed, but indigent defendants have not always received effective representation.

The government has developed effective mechanisms to investigate and punish police abuse and corruption. However, excessive force and human rights abuses committed by the Carabineros—a national police element of the armed forces—still occur. Chile’s prisons are overcrowded, and inmates suffer from physical abuse and poor sanitation.

In September 2014, Bachelet announced a pledge to overturn the controversial amnesty law that protects military officers who committed human rights violations in the first five years of the regime of Augusto Pinochet, who ruled from 1973 to 1990. Critics of the law have deemed it inconsistent with Chile’s commitment to respecting human rights. The announcement was largely symbolic, as many courts have circumvented the ruling in recent years, allowing for the sentencing of more than 250 individuals. In May, 75 agents of Pinochet’s secret police force were convicted for the aggravated kidnapping of a political opponent.

Approximately one million Chileans identify themselves with indigenous ethnic groups. While indigenous people still experience societal discrimination, their poverty levels are declining, aided by government scholarships, land transfers, and social spending. The slow and delayed repatriation of the ancestral land of the Mapuche indigenous group has been a cause of years of violent protest, including arson attacks on disputed lands, aggravated in recent years by the application of Chile’s controversial antiterrorism law to cases of Mapuche resistance. The legislation, as modified from the Pinochet regime, allows for anonymous witness testimony, extended detention of suspects without charge, and lengthy sentences. In July 2014, the Inter-American Court on Human Rights annulled the conviction of eight indigenous activists who had been tried under the antiterrorism law in 2003; the Bachelet administration agreed to adhere to the decision.

LGBT (lesbian, gay, bisexual, and transgender) people continue to face societal bias, despite a 2012 antidiscrimination law that covers sexual orientation and gender identity. Chilean law does not permit transgender people to change gender indicators on identity documents, a restriction that in 2013 led the country’s first transgender congressional candidate to end her campaign. In the 2013 legislative elections, an openly gay man was elected to Congress for the first time. Bachelet has voiced support for efforts to strengthen laws against hate crimes and discrimination.

**G. Personal Autonomy and Individual Rights:** 15 / 16

The constitution protects the freedom of movement, and the government respects this right in practice.

In March 2014, the government issued a historic apology to the Mapuche for the seizure of their lands, and vowed to continue to buy more land for the Mapuche, while investing in antipoverty measures. One factor driving the protracted land conflict is the fact that the body in charge of buying back the disputed land, the National Corporation for Indigenous Development, lacks any expropriation powers. Accordingly, it has been locked in prolonged negotiations with landowners.

In 2014, President Bachelet appointed women to nine of 23 positions in the cabinet, as opposed to having in her first term a cabinet that was 50 percent female. In March, she

proposed the creation of a new ministry to support the institutional advancement of women's issues and gender equality; the proposal remained under discussion at year's end.

Violence against women and children remains a problem. Bachelet submitted a proposal in May to decriminalize abortion in cases of rape, incest, or endangerment of the mother's life; the bill was being debated in Congress at year's end. Chile is one of only five countries in the world that allows imprisonment for the crime of abortion.

In August 2014, a Senate committee voted unanimously to advance a bill allowing same-sex legal unions.

Chile is a source, transit, and destination country for human trafficking for sexual or commercial exploitation. While all forms of compulsory labor are illegal, forced labor, particularly among foreign citizens, continues to occur in the agriculture, mining, and domestic service sectors. In 2014, law enforcement agencies continued efforts to combat trafficking, following measures in 2013 that increased the capacity of prosecutors and investigators to respond to the issue.

## China

**Political Rights Rating:** 7

**Civil Liberties Rating:** 6

**Freedom Rating:** 6.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Population:** 1,364,072,000

**Capital:** Beijing

*Note:* The numerical ratings and status listed above do not reflect conditions in Hong Kong or Tibet, which are examined in separate reports.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF

### INTRODUCTION

Chinese Communist Party (CCP) general secretary Xi Jinping, who had assumed his post as part of a broader leadership rotation in November 2012, continued to consolidate his power in 2014. He headed a growing list of new coordinating bodies, or "leading small groups," that gave him direct supervision over policy areas including domestic security, internet management, and ethnic relations, emerging as the most powerful CCP leader since Deng Xiaoping.

An aggressive anticorruption campaign reached the highest echelons of the party during the year, and party and government bodies pushed forward incremental reforms of the petitioning system, household registration (hukou) rules, and laws on domestic violence. In October, the CCP Central Committee convened for its fourth plenum, focusing on improvements to the legal system.

However, such initiatives were accompanied by hard-line policies on political freedoms and civil liberties and a rejection of judicial oversight of party actions. Harassment of previously tolerated civil society organizations, labor leaders, academics, and state-sanctioned churches intensified. Internet controls continued to tighten, and several activists who had been detained in 2013 were sentenced to prison on politically motivated charges. Crack-downs related to the 25th anniversary of the Tiananmen Square massacre, the prodemocracy

Umbrella Movement protests in Hong Kong, and an Asia-Pacific Economic Cooperation (APEC) meeting in Beijing resulted in hundreds of new detentions.

Harsh state repression of the Uighur population's ethnic and religious identity, combined with long-standing socioeconomic grievances, have apparently fueled an escalating cycle of radicalization, with several deadly attacks attributed to Uighur extremists during 2014. The government responded with heavy-handed collective punishment and more intrusive restrictions on religious identity. Meanwhile, Uighur scholar Ilham Tohti was sentenced to life in prison in September for supposedly inciting separatism, signaling the authorities' intolerance of even peaceful advocates of Uighur rights and interethnic dialogue.

**POLITICAL RIGHTS: 2 / 40**

**A. Electoral Process: 0 / 12**

The CCP has a monopoly on political power, and its Politburo Standing Committee (PSC) sets government and party policy. At the 18th Party Congress in November 2012, a new PSC—headed by Xi—was announced following an opaque, internal selection process. The committee shrank from nine to seven members. Party members—who number some 80 million nationwide, or about 6 percent of the population—hold almost all top posts in the government, military, and internal security services, as well as in many economic entities and social organizations. Xi, the CCP general secretary, also serves as chairman of the party and state military commissions, and was named state president in March 2013.

The country's legislature, the 3,000-member National People's Congress (NPC), is elected for five-year terms by subnational congresses. It formally elects the state president for up to two five-year terms, and confirms the premier after he is nominated by the president. However, the NPC is a largely symbolic body. Only its standing committee meets regularly, while the full congress convenes for just two weeks a year to approve proposed legislation. The current NPC was seated in March 2013.

The country's only competitive elections are for village committees and urban residency councils, which hold limited authority and are generally subordinate to the local CCP committees. The nomination of candidates remains tightly controlled, and many of the elections have been marred by fraud, corruption, and attacks on independent candidates.

**B. Political Pluralism and Participation: 1 / 16**

The CCP does not tolerate any form of organized opposition or independent political parties. Citizens who attempt to form opposition parties or advocate for democratic reforms have been sentenced to long prison terms. Democracy advocate and 2010 Nobel Peace Prize winner Liu Xiaobo remained behind bars in 2014, having been sentenced in 2009 to 11 years in prison for his role in organizing the prodemocracy manifesto Charter 08. His wife, Liu Xia, has been under strict extralegal house arrest since 2010.

More than 190 political reform activists were detained during 2014, many for attempting to commemorate the 25th anniversary of the 1989 crackdown on prodemocracy demonstrators in Tiananmen Square, or for expressing support for protesters in Hong Kong. Several activists connected to the New Citizens Movement—a loosely organized network of individuals seeking to promote the rule of law, transparency, and human rights—who had been detained in 2013 received prison terms of up to 6.5 years during the year. One of the movement's leaders, Beijing lawyer Xu Zhiyong, was sentenced to four years in prison in January on charges of "gathering a crowd to disturb public order," having organized small protests to urge officials to disclose their assets and circulated photographs of the demonstrations online.

In addition to advocates of democracy and political reform, tens of thousands of grassroots activists, petitioners, Falun Gong practitioners, Christians, Tibetans, and U-

ghurs are believed to be in prison or extrajudicial forms of detention for their political or religious views, although complete figures are unavailable. In October 2014, the U.S. Congressional-Executive Commission on China published a partial list of over 1,200 current political prisoners.

### **C. Functioning of Government: 2 / 12**

Top party leaders and disciplinary bodies in 2014 continued an antigraft campaign—launched by Xi in November 2012—that experts described as the most sustained and intensive effort of its kind in recent memory. At least 30 senior state and party officials had been investigated and punished by the middle of 2014. Among those detained during the year were a powerful former general (Xu Caihou), a senior diplomat, and current or former provincial party secretaries. Most notably, Zhou Yongkang, a former internal security chief, was arrested and expelled from the party in December on charges of accepting bribes, violating party discipline, and committing sexual transgressions as part of corrupt transactions. Zhou was the first former member of the PSC to be subjected to such punishment. Tens of thousands of lower-ranking officials were also reportedly investigated, disciplined, and punished during the year.

Despite these efforts, corruption remained endemic, as the leadership rejected more fundamental reforms, such as requiring officials to publicly disclose their assets, creating genuinely independent oversight bodies, or lifting political constraints on journalists and law enforcement agencies. Prosecutions typically remained selective and decision making highly opaque, with informal personal networks and internal CCP power struggles influencing both the choice of targets and the outcomes. Factional infighting was widely seen as the driving force behind Zhou's prosecution, even if the charges themselves had merit.

Crackdowns on independent anticorruption activists and reprisals against foreign media for investigations of influence peddling by top officials' families have further undermined the effectiveness and legitimacy of the campaign. China was ranked 100 out of 175 countries and territories surveyed Transparency International's 2014 Corruption Perceptions Index.

CCP officials increasingly seek input from academics and civic groups regarding certain policy areas, though without relinquishing control over the decision-making process. Since open-government regulations took effect in 2008, many agencies have become more forthcoming in publishing official documents. High-level party declarations—such as the CCP's fourth plenum communiqué, adopted in October—continue to encourage greater disclosure of information, though implementation of previous measures has been incomplete. The poor quality of official responses has dampened citizens' initial eagerness to lodge complaints.

### **Discretionary Political Rights Question B: -1 / 0**

The government continues to pursue policies, including large-scale resettlement and work-transfer programs, that are designed in part to alter the demography of ethnic minority regions, especially Tibet and the Xinjiang Uighur Autonomous Region. During 2014, officials offered cash rewards for marriages between ethnic minority and Han Chinese citizens. They also issued high-level statements encouraging Uighurs to relocate to other parts of China, or hinting that the number of children permitted for ethnic minority families may be reduced in the future. [*Note:* Tibet is examined in a separate report.]

### **CIVIL LIBERTIES: 15 / 60**

#### **D. Freedom of Expression and Belief: 4 / 16**

Despite relative freedom in private discussion and citizen efforts to push the limits of permissible public speech, China's media environment remains extremely restrictive. All

Chinese television, radio, and print outlets are owned by the CCP or the state. Moreover, all media outlets are required to follow regularly issued CCP directives to avoid certain topics or publish content from party mouthpieces. In addition to routinely censored topics like the 1989 Tiananmen Square crackdown, directives issued in 2014 barred or “guided” reporting on antigovernment protests, an activist’s death in custody, high-level cases of official corruption, and extremist violence or fatal accidents. Outlets that disobey official guidance risk closure, and journalists face dismissal and sometimes imprisonment.

Pressure on investigative journalism and liberal media outlets remained intense during the year, as Beijing’s municipal propaganda department purchased a large stake in a leading liberal paper; several respected journalists faced detentions, beatings, or dismissals; and regulators took various restrictive actions.

According to the Committee to Protect Journalists, at least 44 journalists and online writers were behind bars in China as of December 2014, a notable increase from the previous year and the largest total in the world. The total number of Chinese citizens jailed for offenses involving freedom of expression, especially on the internet, was much higher. Several journalists faced questionable charges of bribery, defamation, “leaking state secrets,” or “spreading false rumors” in 2014, and for the first time in years, mainstream print journalists were formally arrested or sentenced to prison alongside internet-based writers, ethnic minority journalists, and freelancers. Gao Yu, a prominent dissident journalist, was detained in April, charged with “leaking state secrets,” and forced to give a televised confession in May; at year’s end she faced a possible sentence of life in prison. Also arrested and punished were individuals involved in the publishing industry, including Yao Wentian, a Hong Kong publisher known for working with dissident writers who was detained in 2013 while visiting China and sentenced in May 2014 to 10 years in prison.

Harassment of foreign reporters, including occasional physical assaults, and intimidation of their Chinese sources and staff continued during the year. The authorities used the threat of visa denials to retaliate against foreign journalists and news organizations for investigative or critical reporting. One *New York Times* correspondent, veteran journalist Austin Ramzy, was forced to leave the country in January and report from Taiwan after the government refused to issue him a visa. *Times* columnist Nicholas Kristof reported in November that he too was being denied a visa. The websites of Bloomberg News and the *New York Times* have been blocked since 2012, when they reported on the wealth of top leaders’ families, and other foreign news outlets experienced temporary blocking during 2014. Some international radio and television broadcasts, including the U.S. government-funded Radio Free Asia, have long been jammed.

The authorities block websites or force the deletion of content they deem politically threatening, and sometimes detain those who post such information. Starting around the June anniversary of the 1989 Tiananmen Square crackdown, a range of Google services that were previously available began being blocked in 2014, with restrictions on the Gmail e-mail application growing tighter toward the end of the year. The U.S.-based social-media platforms Twitter and Facebook have been blocked for years, and Chinese internet companies are obliged to adhere to official censorship directives.

Domestic microblogging and private chat services—with hundreds of millions of users—have grown rapidly since 2010 as a source of news, an outlet for public opinion, and a tool for civic mobilization. However, in 2014, the previous year’s crackdown on the popular microblogging service Sina Weibo was extended to Tencent’s WeChat, to which many Weibo users had migrated, even though its system of closed communities made it less conducive to news dissemination and public debate. In March, at least 39 public accounts

used by journalists, activists, and internet portals to share articles on current affairs were shut down or suspended. In August, such restrictions were formalized when the State Internet Information Office prohibited instant-messaging accounts from posting or reposting political news without official approval.

Throughout 2014, public figures with large microblog followings continued to face pressure in the form of deletions, locked accounts, and selective arrests and interrogations. In September 2013, the country's highest judicial authorities had issued a legal interpretation that expanded the scope and severity of criminal offenses covering online speech and allowed prosecutors to initiate criminal defamation cases in defense of public order or state interests. In April 2014, in the first reported conviction under the new regulations, microblogger Qin Zhihui was sentenced to three years in prison for alleged rumors he disseminated about celebrities and a former minister of railways.

Religious freedom is sharply curtailed by the formally atheist CCP. All religious groups must register with the government, which regulates their activities, oversees clergy, and guides theology. Some groups, including certain Buddhist and Christian sects, are forbidden, and their members face harassment, imprisonment, and torture. The largest among them is the Falun Gong spiritual group, whose adherents continued to suffer large-scale detention in extralegal centers for forced conversion or sentencing to long prison terms during 2014, despite the dismantling of the "reeducation through labor" camp system that began in 2013. Other unregistered groups, including unofficial Protestant and Roman Catholic congregations, operate in a legal gray zone. Some are able to meet quietly with the tacit approval of local authorities, but other "house church" gatherings are raided or evicted from their meeting locations. During 2014, harassment of both underground and state-sanctioned churches increased, especially in Zhejiang Province, where officials sought to curb the popularity of Christianity by removing publicly visible crosses and demolishing many church buildings; some 400 structures had been affected by year's end, according to Christian activists. In July, Zhang Shaojie, a pastor from a state-sanctioned church in the province, was sentenced to 12 years in prison, apparently in retaliation for his assistance to congregants protesting injustices and his defense of the church's land rights.

Authorities intensified curbs on Islam among the Uighur population of Xinjiang in 2014, while taking a more tolerant stance on religious expression among ethnic Hui Muslims throughout China. With growing tension in Xinjiang and deadly attacks apparently carried out by Uighur extremists, deployments of security forces escalated, as did the use of informants and restrictions on religious attire, beards, and fasting during the holy month of Ramadan. Clashes between Uighurs and police—some sparked by restrictions on religious practice—led to over 100 reported deaths. Official sources labeled many of these incidents terrorist attacks, grouping them with less ambiguous cases in which armed assailants targeted civilians, but rights groups reported that security forces used deadly force to suppress some protests. Official restrictions on journalists' access to Xinjiang made it difficult to independently verify the details of such cases.

Academic freedom is restricted with respect to politically sensitive issues. The CCP controls the appointment of top university officials, and many scholars practice self-censorship to protect their careers. Like foreign journalists, foreign academics face the threat of visa denials in retaliation for their work. Political indoctrination is a required component of the curriculum at all levels of education. The space for academic discussion of democratic ideas shrank further in 2014 amid growing political pressure on prominent institutions like the Chinese Academy of Social Sciences and calls by Xi to intensify ideological controls at universities. The government's intolerance for academic critics of its

policies was evident in the January arrest of Ilham Tohti, a prominent Uighur scholar and supporter of improved interethnic understanding, along with seven of his students. Tohti was sentenced in September to life in prison on charges of separatism, and at year's end the students also remained in custody, with some at undisclosed locations.

#### **E. Associational and Organizational Rights: 3 / 12**

Freedoms of assembly and association are severely restricted. Citizens risk criminal punishment for organizing demonstrations without prior government approval, which is rarely granted. Nevertheless, workers, farmers, and urban residents held tens of thousands of protests during 2014, citing grievances including land confiscation, widespread corruption, pollution, and fatal police beatings. The government has struggled to suppress protests without exacerbating public frustration, using force in some cases while employing subtler strategies to deter or disperse large gatherings in others.

The central government rates provincial and city officials based on the number of petitioners who travel from their jurisdictions to Beijing to report injustices. As a result, local authorities routinely intercept and harass petitioners, at times detaining them in illegal "black jails." Detained petitioners, many of whom are women, are reportedly subject to beatings, psychological abuse, and sexual violence. During 2014, the central government issued several guidelines for reforming the petitioning system, including steps to promote online submissions, instructions to courts to handle petitions on legal matters, and a prohibition on officials accepting complaints from petitioners who bypass lower levels of the bureaucracy. The success of the new policies remained to be seen, however, as some repression appeared to shift from Beijing to localities, contributing to a proliferation of extralegal detention facilities around the country.

Nongovernmental organizations (NGOs) are required to register, obtain a government sponsor, and follow strict regulations, including vague prohibitions on advocating non-CCP rule, "damaging national unity," or "upsetting ethnic harmony." Hundreds of thousands of civil society organizations have formally registered, especially those whose work is not politically sensitive or is focused on service provision. Registration requirements for service-oriented "social organizations" were loosened under new regulations in many of China's provinces in 2014, though the central government missed a 2013 deadline to pass national legislation. Pressure on other NGOs intensified, with a high-level probe by the new National Security Commission into the activities of international NGOs, restrictions on obtaining foreign donations, and an increase in harassment, raids, staff detentions, and asset freezes for advocacy groups working on public health and educational issues—including the Zhengzhou branch of the prominent Yirenping organization, the Liren Rural Libraries program, and the Transition Institute.

The only legal labor union is the government-controlled All-China Federation of Trade Unions (ACFTU), which has long been criticized for failing to properly defend workers' rights. Nevertheless, workers have asserted themselves informally via strikes, collective petitioning, and selection of negotiating representatives. They have also used social media to bolster solidarity. Strike activity has surged in recent years. According to the China Labour Bulletin, more than 1,300 strike incidents were reported in 2014, double the total for 2013. Arbitration mechanisms established under 2008 labor laws have proven disappointing to workers, who complain of biased mediators, lengthy procedures, and employers' failure to comply with rulings. The hiring of subcontractors has enabled employers to bypass contract protections in the 2008 legal reforms. Amendments that took effect in 2013 were designed to limit the use of subcontractors, but implementation remains uncertain. Workers are routinely denied social insurance and other legal benefits, while dangerous workplace conditions

claim many tens of thousands of lives each year. The use of juveniles in government-sanctioned “work-study” programs continues to be a serious problem.

After several years in which it was unusual for a labor leader to face arrest, multiple individuals were prosecuted in early 2014 for leading or participating in labor protests. None were sentenced to more than nine months in jail, and all were released by year’s end, but the cases were widely publicized in state media in an apparent effort to deter other labor activists. In addition, police in Guangdong Province in April detained two NGO activists—Zhang Zhiru and Lin Dong—who had advised workers involved in one of the largest strikes in recent memory, encompassing some 40,000 employees at the shoe manufacturer Yue Yuen. After their cases were publicized domestically and internationally, both were released without charge.

#### **F. Rule of Law: 2 / 16**

The CCP controls the judiciary. Party political-legal committees supervise the operations of courts at all levels, and allow party officials to influence verdicts and sentences. CCP oversight is especially evident in politically sensitive cases. Most judges are CCP members, and party and government officials determine judicial appointments, salaries, and promotions. Adjudication of minor civil and administrative disputes is fairer than in politically sensitive or criminal cases. However, even in commercial litigation and civil suits involving private individuals, previous limited progress toward the rule of law has stalled or been reversed in recent years. Judges have increasingly been pressured to resolve civil disputes through mediation, sometimes forced, rather than actual adjudication.

Following official statements in 2013 acknowledging the need for greater transparency and judicial autonomy from local authorities, incremental reforms were initiated in 2014, including a requirement for judges to post decisions on a public online portal and pilot programs in six provinces that shift oversight of appointments and salaries to a higher bureaucratic level. The party’s fourth plenum in October focused on legal reforms. The concluding communiqué included potentially meaningful changes, emphasizing the importance of the constitution and judicial professionalism, exploring the creation of cross-jurisdictional courts, and indicating that prosecutors would be permitted to file public-interest lawsuits. However, it also retained emphasis on the supremacy of the party over the legal system, rejecting actions that would increase the judiciary’s independence and generating skepticism among observers as to how significant any reforms would be.

The country’s growing contingent of civil rights lawyers continued to face restrictions and physical attacks in 2014. Lawyers were prevented from seeing their clients, disbarred, beaten, and in some cases detained and tortured. Prominent lawyer Gao Zhisheng was released in August after several years in prison or arbitrary detention, showing signs of torture and psychological trauma from his time in custody; he remained under tight surveillance and was barred from leaving the country to join his family in the United States.

Criminal trials, which often amount to mere sentencing announcements, are frequently closed to the public, and the conviction rate is estimated at 98 percent or more. Amendments to the criminal procedure code that took effect in 2013 include the exclusion of evidence obtained through torture, access for lawyers to their clients, and the possibility of witnesses being cross-examined. A survey of defense lawyers published by a Beijing law firm in March 2014 found that the ability of defense lawyers to meet with their clients had improved (except in politically sensitive cases), while the other provisions were proving more difficult to implement. The emerging trend of televised “confessions” by journalists, businessmen, and targets of corruption probes also raised doubts about the protection of defendants’ rights.



Torture remains widespread in practice, either for the purpose of extracting confessions or forcing 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. Overall, detention facilities are estimated to hold three to five million people. Conditions are generally harsh, with reports of inadequate food, regular beatings, and deprivation of medical care; the government generally does not permit visits by independent monitoring groups.

Under a reform initiated in 2013, the decades-old network of “reeducation through labor” camps, which permit individuals to be held for up to four years without a judicial hearing, has been abolished. Alternative nonjudicial detention systems were used during 2014 to hold the same categories of detainees, though often for shorter terms. Some camps were transformed into coercive drug-rehabilitation centers, and prostitutes were sent to “custody and education centers,” both of which typically involve forced labor. More broadly, a growing number of activists, petitioners, microbloggers, and Falun Gong practitioners have been confined in extralegal “black jails,” “legal education centers,” or psychiatric facilities. Others faced formal prosecution, with some receiving harsher sentences than those possible under the labor camp system, or intense official surveillance under the country’s rapidly expanding “community corrections” system.

Fifty-five crimes carry the death penalty, though state media reported in October 2014 that proposed legal amendments could downgrade nine nonviolent offenses, such as fraud and smuggling. The number of executions each year is a state secret. An estimate by the San Francisco-based Duihua Foundation put the number at 2,400 for 2013 and projected a similar figure for 2014. While still more than the combined total for the rest of the world, the rates represent a sharp decline from an estimated 12,000 annual executions in 2002. The government has voiced plans to phase out the use of organs from executed prisoners, who have served as the country’s primary source for transplant operations. Some experts have raised concerns that those imprisoned for their religious beliefs or ethnic identity have been used as sources for organs.

Chinese laws formally prohibit discrimination based on nationality, ethnicity, race, gender, religion, or health condition, but they do not guarantee equal treatment for all segments of society in practice. Ethnic and religious minorities, LGBT (lesbian, gay, bisexual, and transgender) people, the disabled, and people with HIV/AIDS face widespread de facto discrimination, in some cases with official encouragement. This includes discrimination in access to employment and education. Separately, despite international legal protections for asylum seekers and refugees, Chinese law enforcement agencies continue to seek out and repatriate North Korean defectors, who face imprisonment or execution upon return.

#### **G. Personal Autonomy and Individual Rights: 6 / 16**

The hukou system remains in place, limiting the ability of China’s 800 million rural residents and migrant workers to fully access urban social services, such as education for their children. In late 2013, senior leaders vowed to gradually lift registration restrictions, first in smaller cities and then in the larger ones. In July 2014, the State Council published a set of guidelines devolving authority for determining residency requirements (such as education level) to lower levels of government when granting urban hukou, while restricting their ability to use certain criteria, like the price of an applicant’s apartment.

Millions of people are affected by restrictions on foreign travel and passports, many of them Uighurs and Tibetans. Political and religious dissidents, human rights defenders, and certain scholars are also prevented from traveling abroad or to Hong Kong. Several indi-

viduals from Hong Kong who participated in prodemocracy protests in 2014 were barred entry to the mainland.

Property rights protection remains weak in practice. Urban land is owned by the state, even if the buildings that sit on it are privately owned. Rural land is collectively owned by villages. Farmers enjoy long-term lease rights to the land they farm, but are barred from selling or developing it. Low compensation standards and weak legal protections have facilitated land seizures by local officials, who often evict the residents and transfer the land rights to developers. Corruption is endemic in such projects, and local governments rely on land development as a key source of operating revenue, funds for debt repayment, and economic growth statistics that are critical to officials' careers. Residents who resist eviction, seek legal redress, or organize protests often face violence at the hands of local police or hired thugs. Since November 2013, the government has announced several policies aimed at expanding farmers' land-use rights and abolishing the cap on compensation for land expropriations; however, the reforms had not been implemented on a large scale by the end of 2014.

While state-owned enterprises continue to dominate banking and other key industries, the government in 2014 began instituting policies that could increase private-sector lending and strengthen market-based competition and energy pricing. Chinese citizens are legally permitted to establish and operate private businesses. However, those without official protection can find themselves at a disadvantage vis-à-vis competitors, in legal disputes, or in dealings with regulators. Foreign companies can similarly face arbitrary regulatory obstacles, demands for bribes and other inducements, or negative media campaigns.

China's population controls require couples to obtain government permission before having children. In 2014, authorities began to relax the one-child policy, allowing more couples to have two children, so long as at least one parent is an only child. Compliance with population controls is enforced by intrusive government directives—such as required implantation of long-term contraception devices—and the inability of unregistered children to obtain hukou status, except upon payment of substantial fines. Meeting birth quotas remains crucial to career advancement for local officials. Consequently, some have continued to resort to brutal practices like compulsory abortion and sterilization, though this is less common than in the past. According to the U.S. Congressional-Executive Commission on China, regulations in 22 of 31 provincial-level administrative units explicitly prescribe abortions as an enforcement tool. Relatives of unsterilized women or couples with unapproved births are subject to high fines, job dismissal, reduced government benefits, and occasionally detention. These controls, combined with commercial ultrasound technology and societal pressures favoring boys, have led to sex-selective abortion and a general shortage of females, exacerbating the problem of human trafficking.

Domestic violence affects one-quarter of Chinese women, according to official figures. The problem is addressed in scattered provincial-level laws; national-level provisions are not comprehensive. Many claims are not recognized by courts, leaving victims unprotected. In November 2014, the State Council released a draft anti-domestic violence law, though many Chinese advocates and foreign experts criticized it for its narrow definition of domestic violence, which excluded sexual violence, economic control, and relationships outside marriage. Several laws bar gender discrimination in the workplace, and gender equality has reportedly improved over the past decade, but bias remains widespread, including in job recruitment and college admissions. Women remain severely underrepresented in important CCP and government positions.

## Colombia

**Political Rights Rating:** 3

**Population:** 47,662,000

**Civil Liberties Rating:** 4

**Capital:** Bogotá

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	3,3,PF	3,3,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF

### INTRODUCTION

President Juan Manuel Santos won reelection in June after surviving a runoff election against Óscar Iván Zuluaga, the chosen candidate of Santos's predecessor, Álvaro Uribe. The ballot served as a referendum on Santos's management of the peace process between the government and the Revolutionary Armed Forces of Colombia (FARC). Uribe, who had a more hardline stance with the FARC as president, won a seat in the Senate during the March parliamentary elections.

Over the past year, the Colombian government and the FARC have made fitful progress toward ending the country's long-running internal conflict. Negotiators reached a partial agreement on drug trafficking in May, adding to accords achieved in 2013 on rural development and political rights for demobilized guerrillas. As of late 2014, negotiations were still under way regarding sensitive issues, such as accountability for crimes committed during the conflict. Despite some measure of progress, followers of Uribe, who are opposed to the peace talks, accused the government of extending amnesty to the FARC fighters.

Victims of the conflict made visits to the negotiation site in Havana, Cuba, throughout the year, prompting members of the FARC to take some responsibility for the country's rampant violence while also portraying themselves as having suffered as a result of government actions. Victims sought to ensure that perpetrators of abuses among both FARC members and government forces would be held accountable for their crimes in a manner consistent with both domestic and international law.

Optimism was tempered by several incidents. In February, the newsweekly *Semana* reported that military intelligence agents were illegally intercepting the communications of government negotiators. An acute crisis then occurred in November, when the FARC took army general Raúl Álzate captive. The FARC held Álzate, who had visited rebel-controlled territory without protection, for two weeks, during which time the government suspended the peace talks. Negotiations resumed after the general's release.

**POLITICAL RIGHTS:** 29 / 40 (+1)

**A. Electoral Process:** 10 / 12

The president is directly elected and is eligible for two consecutive four-year terms. 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 closed-list system; indigenous communities choose two additional members. The Chamber of Representatives consists of 166 members elected by closed-list proportional representation in multi-member districts. Congress debated various reforms throughout 2014, including proposals to eliminate immediate presidential reelection and to close parliamentary election lists.

The 2014 legislative and presidential elections were relatively peaceful, although the former were plagued by accusations of fraud and vote buying, and a number of elected congressmen were accused of having ties to organized crime or disgraced former politicians. President Santos's main allies, the Liberal Party, the Social National Unity Party (U Party), and Radical Change, won a substantial majority in the Chamber of Representatives, taking 92 seats. In the Senate, however, the coalition won only 47 seats. Uribe's Democratic Center took the second-most Senate seats with 20, and also claimed 19 seats in the Chamber of Representatives, making it the primary opposition force.

President Santos won the second round of the 2014 election with 51 percent of the vote against Zuluaga, who had won the first round with 29 percent to Santos's 26 percent. While Zuluaga was relatively conciliatory following the second round, Uribe alleged that Santos had committed fraud; domestic and international observers, including the Organization of American States, found no evidence to substantiate such claims. The most dramatic scandal involved allegations that Andrés Sepúlveda, arrested in May and indicted in September on charges of cyberespionage, had shared illegally intercepted intelligence with Uribe and members of the Zuluaga campaign. As of year's end, the Supreme Court was still investigating Uribe's involvement in the scandal.

Voter turnout in 2014 was roughly in line with other recent elections, with approximately 44 percent of voters participating in parliamentary balloting, and 40 and 48 percent voting in the two rounds of the presidential contest, respectively.

#### **B. Political Pluralism and Participation:** 11 / 16

The traditional Liberal-Conservative partisan duopoly that has long characterized Congress has in recent years been supplanted by a newer party system that is still evolving. The new system is comprised of the traditional parties—which are often characterized by factionalism—as well as regional movements, ideological groups from both the right and the left, and technocratic or issue-oriented parties. Santos's left-wing National Unity coalition, which enjoyed dominance in both chambers during his first term, continued to maintain the loose support of a significant majority of legislators following the 2014 elections, despite the vocal and cohesive presence of the Uribe-led right.

While general 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, including training programs to increase Afro-Colombian communities' capacity for governance and their awareness of their broader political rights.

#### **C. Functioning of Government:** 8 / 12 (+1)

Corruption occurs at multiple levels of public administration. Graft scandals have emerged in recent years within an array of federal government agencies. In July 2014, former minister of agriculture Andrés Felipe Arias was found guilty on corruption charges and sentenced to 17 years in prison, but as of year's end he was awaiting the outcome of extradition proceedings in the United States. In October, the two-year trial of former Senator Iván Moreno came to an end. Moreno was sentenced to 14 years in prison for extortion and illicit enrichment. The "parapolitics" scandal, which linked scores of politicians to illegal paramilitary groups, resulted in the investigation, arrest, or conviction of more than 90 legislators by the close of the 2006–10 Congress; investigations and trials continued in 2014.

Colombia was ranked 94 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. Part of the responsibility for combatting corruption rests with the inspector general, who is charged with monitoring the actions of elected officials. However, current inspector general Alejandro Ordóñez has removed

multiple mayors and bureaucratic officials from office or suspended their right to stand for election, prompting accusations that he is overly aggressive. Ordóñez met with a backlash after he removed Gustavo Petro from his post as mayor of Bogotá in December 2013. Petro returned to office in May 2014 following a series of competing administrative and judicial rulings. Although his image was severely tarnished by scandal and perceived incompetence, he remained in office at year's end. A reduction in the inspector general's powers was included in the political reforms proposed in 2014.

The government has made increasing efforts to ensure that the peace talks include access for a broad range of civic voices, including victims of the conflict. In 2014, victims attended negotiations in Cuba.

**CIVIL LIBERTIES:** 34 / 60

**D. Freedom of Expression and Belief:** 12 / 16

The constitution guarantees freedom of expression, and opposition views are commonly expressed in the media. Nonetheless, dozens of journalists have been murdered since the mid-1990s, many of whom were targeted for reporting on drug trafficking and corruption. Most of the cases remain unsolved, and although violence has declined in recent years, a local press watchdog recorded at least 131 threats and other abuses against the press in 2014. Two journalists were murdered—Luis Carlos Cervantes and Yonni Steven Caicedo—both of whom had been subject to intermittent threats in response to their work. 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.

The constitution provides for freedom of religion, and the government generally respects this right in practice. The authorities also uphold academic freedom, and university debates are often vigorous, though armed groups maintain a presence on many campuses to generate political support and intimidate opponents.

**E. Associational and Organizational Rights:** 5 / 12

Although provided for in the constitution, freedoms of assembly and association are restricted in practice by violence. The government provides extensive protection to hundreds of threatened human rights workers, but trust in the program varies widely. Scores of activists have been murdered in recent years, mostly by the criminal organizations that succeeded the paramilitary groups following a government-backed demobilization process in 2005. Although the Santos administration has reiterated respect for nongovernmental organizations (NGOs), violations against activists have continued, and have even increased in some areas. Land rights and victims' rights campaigners in particular are threatened by former paramilitaries seeking to smother criticism of their ill-gotten assets. According to the NGO We Are Defenders, 55 human rights activists were murdered in 2014, largely at the hands of paramilitary successor groups.

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, but still occur with regularity. Although a special prosecutorial unit has substantially increased prosecutions for such assassinations since 2007, few cases have targeted those who ordered the killings.

**F. Rule of Law:** 7 / 16

The justice system remains compromised by corruption and extortion. Although the Constitutional Court and the Supreme Court have demonstrated independence from the

executive in recent years, in 2014 justices from each court faced sanctions for abuses of power and improper behavior.

Many soldiers operate with limited civilian oversight, though the government has in recent years increased human rights training and investigated a greater number of military personnel for violations. Collaboration between security forces and illegal armed groups declined following the 2005 paramilitary demobilization, but rights groups report official toleration of paramilitary successor groups in some regions. Primary responsibility for combating these groups rests with the police, who lack the resources of the military, are frequently accused of colluding with criminal groups, and are largely absent from many rural areas where the groups are active. Nevertheless, many of the paramilitary groups' key leaders have been killed or arrested in recent years, as have several of Colombia's most wanted drug traffickers.

The systematic killing of civilians to fraudulently inflate guerrilla death tolls has declined substantially since a 2008 scandal over the practice led to the firing of dozens of senior army officers. More than 2,000 people may have been killed for such reasons. As of mid-2014, more than 700 soldiers had been convicted for the crimes; however, rights groups expressed concern that high-ranking officers had largely escaped punitive measures. Thousands of security personnel remained under investigation at year's end.

Civil-military relations were a source of significant tension in 2014, largely due to the perception that a significant portion of the armed forces opposes the peace process. Jurisdiction and punishment for human rights violations is a particularly sensitive issue. Convictions of high-ranking officers for forced disappearances prompted the passage of a 2012 constitutional amendment that expanded the jurisdiction of the military justice system, resulting in domestic and international outcry. In October 2013 the Constitutional Court struck down the amendment on the basis of procedural errors, but several similar bills remained under consideration at the end of 2014.

While violence has subsided since the early 2000s and homicides declined to their lowest level in decades in 2014, some areas, particularly resource-rich zones and drug-trafficking corridors, remain highly insecure. Homicide rates increased in Bogotá in 2014. Following a series of military blows against the FARC leadership between 2008 and 2011, the rebel group reorganized and focused on new tactics, including multiple attacks carried out by small units. The Peace and Reconciliation Foundation, a nongovernmental monitor, registered fewer than 1,200 attacks in 2014, a drop of nearly 40 percent from the previous year, due largely to unilateral governmental ceasefire periods that accounted for a total of eight weeks during the year. FARC guerrillas and paramilitary successor groups regularly extort payments from businesspeople and engage in forced recruitment, including of minors. The use of landmines in the internal conflict has added to casualties among both civilians and the military.

Impunity for crime in general is rampant. Debate continued in 2014 on legal and policy questions related to the Legal Framework for Peace, a constitutional reform enacted in 2012. Rights groups cautioned that it could allow broad impunity for all armed actors accused of atrocities during the conflict between rebel guerrillas and paramilitary groups. The Constitutional Court confirmed the law's constitutionality in August 2013, but the decision emphasized the legal necessity of prosecuting and punishing all alleged crimes against humanity. In December 2014, the Inter-American Court of Human Rights ruled that the Colombian state was responsible for the disappearance of 11 people and the torture of six others following a guerrilla takeover of the Supreme Court in 1985; it required the state to pay reparations and continue efforts to investigate and prosecute the violations.

Afro-Colombians, who account for as much as 25 percent of the population, make up the largest segment of Colombia's more than five million displaced people, and 80 percent

of Afro-Colombians fall below the poverty line. Areas with concentrated Afro-Colombian populations continue to suffer from abuses by the FARC and security forces.

Colombia is home to more than 1.7 million indigenous inhabitants. Most live on more than 34 million hectares granted to them by the government, often in resource-rich, strategic regions that are increasingly contested by various armed groups. Indigenous people have been targets from all sides in the various conflicts. The FARC drew widespread condemnation for a November 2014 attack that killed two members of an indigenous group in Cauca.

#### **G. Personal Autonomy and Individual Rights: 10 / 16**

Freedom of movement, choice of residence, and property rights are restricted by violence, particularly for vulnerable minority groups. Progress remains uneven on 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 continued 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.

Sexual harassment, violence against women, and the trafficking of women for sexual exploitation remain major concerns. Thousands of rapes have occurred as part of the conflict, generally with impunity. The country has restrictive abortion laws, though a 2006 Constitutional Court ruling allowed abortion in cases of rape or incest or to protect the life of the mother. Same-sex marriage has become a controversial issue, with a series of judicial and administrative decisions in 2013 allowing and then annulling same-sex marriages. No clear ruling from the Constitutional Court emerged in 2014.

Child labor is a serious problem in Colombia, as are child recruitment into illegal armed groups and related sexual abuse. A 2011 free trade agreement with the United States and a subsequent Labor Action Plan call for enhanced investigation and greater enforcement of abusive labor practices and rights violations, yet, according to a November 2014 report by the U.S. Government Accountability Office, progress remains deficient in several areas.

## Comoros

**Political Rights Rating:** 3

**Population:** 748,000

**Civil Liberties Rating:** 4

**Capital:** Moroni

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
<b>Rating</b>	4,4,PF	3,4,PF	4,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF

#### **INTRODUCTION**

In September 2014, President Ikililou Dhoinine abruptly postponed the scheduled November parliamentary elections until late December due to government unpreparedness. No elections had taken place at year's end.

Various international bodies and donors have pursued strategies to assist Comoros with its struggling economy and lacking infrastructure in recent years. In February 2014,

the Saudi Fund for Development pledged \$40 million toward Comoran infrastructure and health services.

Large numbers of Comorans illegally immigrate to the French-administered island of Mayotte to settle or to seek entry into metropolitan France, and the Comoran economy depends heavily on remittances and foreign aid. Tensions remain with France regarding the restrictions on movement between Comoros and Mayotte, which Moroni claims as part of its territory.

**POLITICAL RIGHTS:** 25 / 40

**A. Electoral Process:** 9 / 12

Since 1990, Comorans have voted in several parliamentary and presidential elections, though a pattern of military coups persisted for many years, with the first peaceful transfer of power through elections occurring only in 2006. The unicameral Assembly of the Union consists of 33 members, with 9 selected by the assemblies of the three islands and 24 by direct popular vote; all members serve five-year terms. Each of the three islands is semi-autonomous, with directly elected assemblies and governors. A 2009 referendum approved constitutional reforms increasing the powers of the federal government at the expense of the individual island governments. The reforms instituted a rotation of the federal presidency among the islands every five years.

Dhoinine won the presidential elections in 2010 with the support of then president Ahmed Abdallah Mohamed Sambi, becoming the first president from the island of Mohéli. The constitutional court upheld the election results despite irregularities reported on the island of Anjouan. In the 2009 legislative elections, the president's supporters won 19 of the 24 directly elected seats. In 2013, the constitutional court ruled that the end of the mandate for the president and governors must be respected.

In September 2014, President Dhoinine postponed parliamentary and municipal elections that had been scheduled for November until late December due to delays in meeting electoral code provisions. Despite general agreement among political parties that the postponement was necessary, a coalition of opposition parties denounced the delay and called for the creation of a government of national unity. No elections had taken place by year's end.

**B. Political Pluralism and Participation:** 11 / 16

Political parties operate freely. They are mainly defined by their positions regarding the division of power between the federal and local governments, and are generally formed in support of particular leaders. The main political groups are the Convention for the Renewal of the Comoros (CRC) and the Camp of the Autonomous Islands, an alliance of several parties. In February 2014, former president Sambi officially announced his intention to run for president in 2016 as a candidate for his new political party, Juwa.

The government regularly disrupts opposition parties' activities by denying them meeting and assembly space.

**C. Functioning of Government:** 5 / 12

There are reports of corruption at all levels, including in the judiciary, civil service, and security forces. In 2011, the opposition CRC, led by former president Azali Assoumani, filed a complaint in a Moroni court against Sambi for alleged misuse of public funds while in office. The allegations concern the sale of Comoran nationality to stateless individuals residing in Arab countries of the Persian Gulf, a practice used by Gulf regimes to avoid giving their stateless residents citizenship. Approximately \$200 million in revenue from this scheme was not accounted for during financial reconciliations by Comoran authorities.



The case was ongoing at the end of 2014. Comoros was ranked 142 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES: 30 / 60****D. Freedom of Expression and Belief: 10 / 16**

The constitution and laws provide for freedoms of speech and the press, though self-censorship is reportedly widespread. In 2013, two journalists from the newspaper *L'Observateur des Comores* were arrested for contempt of court after publishing a speech by a public prosecutor denouncing evidence of judicial corruption. Also in 2013, radio personality Abdallah Agwa of La Baraka FM was arrested for inciting hatred after approaching the corruption issue on air. No similar arrests were reported in 2014. The internet is available and unrestricted by the government.

Islam is the state religion, and 98 percent of the population is Sunni Muslim. Tensions have occasionally arisen between Sunni and Shiite Muslims, and non-Sunni Muslims are reportedly subject to discrimination, detentions, and harassment. Nineteen Shiites were arrested for practicing and propagating Shia doctrine in 2013. Conversion from Islam and non-Muslim proselytizing are illegal.

Academic freedom is generally respected.

**E. Associational and Organizational Rights: 6 / 12**

Freedoms of assembly and association are protected in the constitution, but the government restricts these rights in practice. Student protests were violently dispersed by police in early 2014, and a ban was issued in April on political demonstrations at the Grand Comore Island Assembly.

A few human rights groups and other nongovernmental organizations (NGOs) operate in the country. In 2013, the human rights NGO Lawyers Without Borders established a branch in Moroni. Workers have the right to bargain collectively and to strike, but collective bargaining is rare. In September 2014, the Confederation of Comoran Workers organized a two-day civil service work stoppage and rally to protest against deteriorating economic conditions and to demand payment of overdue wages.

**F. Rule of Law: 8 / 16**

The judicial system is based on both Sharia (Islamic law) and the French legal code, and is subject to influence by the executive branch and other elites. Minor disputes are often settled informally by village elders. Harsh prison conditions include severe overcrowding and inadequate sanitation, medical care, and nutrition.

In 2013, the government arrested 15 alleged coup plotters, including Mahamoud Ahmed Abdallah, the son of former president Ahmed Abdallah. Seven of those arrested were foreigners. The plotters were awaiting trial at year's end.

Same-sex sexual activity is punishable by imprisonment and fines.

**G. Personal Autonomy and Individual Rights: 6 / 16**

In June 2014, Comoros passed a law guaranteeing the freedom of movement for people living with HIV.

The law prohibits discrimination based on gender, and the government has taken steps to improve the political participation of women. However, in practice, women are still underrepresented at the political level; only one parliamentarian is female. Economic inequality also remains a key challenge, as women have far fewer opportunities for education

and salaried employment than men, especially in rural areas. In accordance with modern law and some customary laws, women have equal rights in inheritance matters. However, this is complicated by the concurrent application of Islamic law limiting gender equality. In addition, a poor system of land registration and women's difficulties in securing loans often negate the benefits of land ownership in practice. Sexual violence is believed to be widespread, but is rarely reported to authorities.

The unemployment rate hovers around 15 percent, and unemployment among young adults is around 45 percent. With 70 percent of its population unemployable, Comoros ranks second among the world's hungriest nations on the Global Hunger Index.

In 2012, the National Assembly passed a new labor code criminalizing the trafficking of children, who are often victims of forced labor within the country.

## Congo, Republic of (Brazzaville)

**Political Rights Rating:** 6

**Population:** 4,559,000

**Civil Liberties Rating:** 5

**Capital:** Brazzaville

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,5,PF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,PF	6,5,NF

### INTRODUCTION

The repression of opposition parties and independent media outlets in the Republic of Congo continued in 2014 as rumors flew that President Denis Sassou-Nguesso was making moves to modify the constitution and run for another term as president.

Congo is one of sub-Saharan Africa's major oil producers, but corruption and decades of instability have contributed to poor humanitarian conditions and extreme poverty for much of the population. Congo was ranked 140 out of 187 countries on the 2014 UN Human Development Index.

### POLITICAL RIGHTS: 7 / 40

#### A. Electoral Process: 1 / 12

The 2002 constitution limits the president to two seven-year terms, although Sassou-Nguesso has held office since seizing power in 1997 after a brief civil war; he had previously been president from 1979 until 1992. In 2009, Sassou-Nguesso eliminated the post of prime minister, consolidating executive power for himself. The Senate consists of 72 members, with councilors from each department electing six senators for six-year terms. Half of them come up for election every three years. Members of the 139-seat National Assembly are directly elected for five-year terms. Irregularities, opposition boycotts and disqualifications, and the absence of an independent electoral commission consistently tarnish elections in Congo.

Sassou-Nguesso was reelected in 2009 with 78 percent of the popular vote in a peaceful election that was deemed free by African Union observers, but marked by accusations of

fraud by the opposition and a domestic rights group. Rumors abounded throughout 2014 that Sassou-Nguesso was positioning himself to modify the constitution to allow himself another term in office, though no formal measures were taken in 2014.

Sassou-Nguesso's Congolese Labor Party (PCT) took 89 of the 139 available seats in the 2012 National Assembly elections. The PCT and its allies now control 117 of the body's seats. The elections were marred by accusations of fraud, low voter turnout, and postelection violence. Many opposition parties boycotted September 2014 departmental and municipal elections, and turnout was notably low. Indirect Senate elections took place in October 2014 for 36 of the seats. Parliament also passed a new electoral law establishing procedures for the next round of elections; the opposition criticized the new law for cementing the regime's control over the electoral commission.

The electoral law mandates that party lists comprise minimum percentages of women at both the local and national levels, but the law lacks enforcement mechanisms and is routinely ignored by parties.

#### **B. Political Pluralism and Participation: 3 / 16**

Most of the more than 100 registered political parties in Congo are personality driven and ethnically based. Members of Sassou-Nguesso's northern Mbochi ethnic group dominate key government posts, while the opposition remains weak and fragmented and faces official harassment. The PCT and its allies control the majority of Congo's National Assembly seats and hold most senior positions in the government. Voters elected seven candidates from UPADS in 2012, but the courts overturned the election of four of these candidates. In April 2014, two opposition supporters were arrested for wearing t-shirts that stated "Do not touch the 2002 Constitution" and had an image of a skull.

Indigenous populations, who are mostly from the Baka ethnic group, are rarely registered to vote and are generally excluded from the political process.

#### **C. Functioning of Government: 3 / 12**

Corruption, especially in the extractive industries, remains pervasive in Congo. Although the country became fully compliant with the Extractive Industries Transparency Initiative (EITI) in 2013, significant funds from the oil sector are still reportedly lost to corruption. The state oil company is directly under the control of the president's family and advisers, and recent investigations have revealed the company has been used to siphon money to the regime's favored associates.

French authorities have been investigating Sassou-Nguesso and his family for the alleged embezzlement of public funds since 2007. Congo has several active anticorruption bodies, but domestic prosecutions for corruption have been limited and are often politically motivated when they do occur. Congo was ranked 152 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

#### **CIVIL LIBERTIES: 23 / 16**

##### **D. Freedom of Expression and Belief: 8 / 16**

While the constitution provides for freedom of speech and of the press, the government's respect for press freedom is limited in practice. Speech that is perceived as inciting ethnic hatred, violence, or civil war is illegal, and the government can impose fines for defamation and incitement to violence.

In September 2014, Elie Smith, a Cameroonian journalist, was attacked in his home, allegedly because he was perceived as being sympathetic to the opposition, despite working

for a progovernment broadcaster. Days later, a Congolese journalist reporting on his attack was expelled to Mali. Smith himself was also expelled at the end of the month.

The biweekly newspaper *Talassa*, which is critical of the government, was banned from publishing for four months in February. In May, the government withdrew the paper's parent company's certificate of declaration, thus jeopardizing its legal right to existence, on the grounds that it violated a 2011 law banning a monopoly of ownership in communication and information. Similar companies with multiple media holdings sympathetic to the ruling party were spared similar actions.

With no nationwide radio or television stations, most citizens get their news from local broadcast sources. The state publishes the only daily newspaper. The government systematically censors journalists and uses government-owned media to counter critical reports in the independent media. Self-censorship among journalists is also common. Most of the newspapers published in Brazzaville are privately owned, and some print articles and editorials critical of the government. There are no government restrictions on internet access.

Religious freedom is generally respected. However, an influx of Muslim refugees from neighboring countries in recent years has fueled resentment among locals, leading to an uptick in anti-Muslim discourse in the public sphere and tensions in mixed areas.

Academic freedom in Congo is tenuous. Most university professors practice self-censorship in regard to politically sensitive topics, and many work as paid consultants for the government, compromising the potential for critical inquiry. In November 2014, two professors at Marien Ngouabi University were arrested and a third was threatened with detention, ostensibly due to their criticisms of the government and affiliation with the opposition.

#### **E. Associational and Organizational Rights: 6 / 12**

Freedoms of assembly and association are provided for in the constitution, though security forces have shown little tolerance for political demonstrations. Groups must receive official authorization to hold public assemblies. On several occasions in 2014, security forces violently dispersed gatherings, particularly among the political opposition, for alleged failure to obtain prior authorization. Nongovernmental organizations generally operate without interference, but they cannot challenge the ruling elite.

Workers' rights to join trade unions, to strike, and to bargain collectively are nominally protected, but only intermittently enforced. Most workers in the formal business sector belong to unions, which have also made efforts to organize in informal sectors such as agriculture and retail trade. Members of the security forces and other essential services are not allowed to form unions. In January 2014, employees of Marien Ngouabi University launched a strike demanding an increase in pay, which the government later granted. Also in January, the main teachers' unions in Congo called a general strike demanding better pay and benefits. The authorities responded aggressively, with a judge banning organizing efforts on the part of the unions and security forces harassing key union leaders.

#### **F. Rule of Law: 2 / 16**

Congo's underfunded judiciary is subject to corruption and political influence and crippled by institutional weakness and a lack of technical capability. Traditional courts dominate the judicial system in rural Congo, presiding over local property, inheritance, and domestic cases.

The government generally maintains control over security forces, though in some instances members of the security forces violate rights with impunity. The Human Rights

Commission (HRC), charged with addressing complaints about abuses committed by security forces, is largely ineffectual. Reports of arbitrary arrests and custodial torture continued in 2014. Prison conditions are life threatening. The death penalty is still on the books, though executions are not carried out.

In 2013, General Norbert Dabira was briefly arrested in France for crimes against humanity due to his alleged role in the disappearance of 350 Congolese refugees in 1999 during the country's civil war. He was released pending his trial, and petitioned French courts to dismiss the indictment. In October 2014, his petition was rejected, allowing the case against him in France to proceed.

Indigenous groups are often concentrated in isolated rural areas, and urban neighborhoods tend to be segregated. These groups are actively discriminated against in hiring and other areas. Congo's 2011 law on indigenous rights has had minimal effect.

While no law specifically prohibits same-sex sexual relations between adults, people found to have committed a "public outrage against decency" face punishments of up to two years in prison. The law prescribes up to three years in prison for same-sex relations if one participant is under the age of 21. Nevertheless, these are rarely enforced. Two gay rights groups exist in the country, focusing almost exclusively on the rights of gay men and HIV/AIDS issues.

#### **G. Personal Autonomy and Individual Rights: 7 / 16**

Historically, harassment by military personnel and militia groups inhibited travel, but in recent years reports of these types of obstacles have markedly declined. The judicial system offers few protections for business or property rights.

The year 2014 was defined by a controversial mass deportation of refugees hailing from the Democratic Republic of Congo. According to the United Nations, more than 130,000 were deported from the Republic of Congo between April and June alone, and the refugees were allegedly subject to physical and sexual abuse. Congolese authorities insisted the deportations were legitimate in order to quell insecurity.

Despite constitutional safeguards, legal and societal discrimination against women persists. Equal access to education and employment is limited, and civil codes regarding marriage formalize women's inferior status. Most women work in the informal sector and do not receive employment benefits or protection from abusive employers. Violence against women is reportedly widespread. Rape, including marital rape, is illegal, but this common crime is rarely reported or prosecuted. Abortion is prohibited in all cases except to save the life of the mother, though there are no restrictions on access to contraceptives. Women are underrepresented in government and decision-making positions, holding just 10 seats in the National Assembly and 10 Senate seats.

Congo is a destination for and source of human trafficking, and substantial improvements to the prevention and prosecution of the practice have not occurred.

## Congo, Democratic Republic of (Kinshasa)

**Political Rights Rating:** 6

**Population:** 71,167,000

**Civil Liberties Rating:** 6

**Capital:** Kinshasa

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,6,NF	5,6,NF	5,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF

### INTRODUCTION

Political corruption, weak rule of law, and violence remained prevalent in the Democratic Republic of Congo (DRC) in 2014. With President Joseph Kabila's second presidential term set to expire in 2016, factions of Kabila's coalition, the Alliance of the Presidential Majority (AMP), sought to amend the constitution to allow him to seek a third term. The national army, the Armed Forces of the Democratic Republic of Congo (FARDC), remained implicated in human rights violations, with little effective civilian control over its activities. Journalists and human rights advocates continued to face threats, unlawful detention, and beatings by state security forces and rebel groups around the country. In some cases, opposition lawmakers were arrested and imprisoned for speaking out against the government.

Despite progress implementing 2013 accords that formally ended hostilities between the national army and the M23, numerous rebel groups remain active in the provinces of North Kivu, South Kivu, Orientale, and Katanga, contributing to mass internal displacement. The DRC launched a new disarmament, demobilization, and reintegration (DDR) program in 2014 as part of its approach to armed groups in the country's east. Some critics decried a lack of progress toward implementing the UN-drafted Addis Ababa Accord, signed in 2013 by the DRC and ten neighboring countries, which aims at a region-wide effort to reduce support for armed groups in the DRC.

Regulations by western nations on trade in "conflict minerals" played a significant role in driving reforms in the extraction of natural resources in the DRC. In March, the European Commission proposed legislation on due diligence for some conflict minerals, though the proposal would not make reporting mandatory. Following advocacy from civil society groups and international advocates, the British oil firm SOCO International agreed in June to stop oil exploration in Virunga National Park.

**POLITICAL RIGHTS:** 9 / 40

**A. Electoral Process:** 3 / 12

Article 70 of the DRC's 2006 constitution stipulates that the president is elected for up to two five-year terms, and Article 220 prohibits amendments to key elements of the state's political framework, including the number and length of presidential terms.

Kabila was declared the winner of the November 2011 presidential election amid widespread criticism of the election by international observers; he defeated longtime opposition figure Étienne Tshisekedi, 49 percent to 32 percent, according to the Independent National Electoral Commission (CENI). The National Assembly elections, held concurrently, were also criticized as deeply flawed. Kabila's People's Party for Reconstruction and Democracy (PPRD) won 61 seats, down from the 111 seats it held prior to November 2011, while

Tshisekedi's Union for Democracy and Social Progress (UDPS) took 41. Kabila's AMP coalition won 260 of the 500 seats. Tshisekedi supporters protested the results, and numerous civil society groups called for new elections.

The president nominates a prime minister from the leading party or coalition in the 500-seat National Assembly, whose members are popularly elected to serve five-year terms. Provincial assemblies elect the 108-seat Senate, as well as provincial governors, for five-year terms. Presidential and national legislative elections are scheduled for 2016.

With Kabila's second term as president set to end in 2016, members of the AMP coalition explored possibilities for legally circumventing constitutional restrictions and allowing him to seek a third term. Throughout 2014, media reported of the possibility of a referendum to change the constitution—in particular, its provisions for presidential term limits. Critics characterized his announcement, made amid growing public discontent with his rule, as consistent with efforts to create conditions for a lifetime presidency.

In May, CENI released an electoral calendar for the country's first-ever municipal, urban, and local elections, scheduled for 2015. However, the calendar is incomplete and does not include a plan for provincial and national elections. Uncertainty about district boundaries and procedures for voter registration, as well as a lack of capacity to handle disputed results, indicate the weakness of regulatory processes necessary for transparent elections. CENI, which does not include members of civil society, is led by a political ally of Kabila's.

#### **B. Political Pluralism and Participation: 4 / 16**

People have the right to organize political parties. According to CENI, there are about 445 political parties in the DRC. Political parties are often divided along ethnic, communal, or regional lines, and usually lack national reach. The AMP requires members to have national representation, ensuring that the PPRD remains in the majority within the coalition. Other key parties include the UDPS, the Union for the Congolese Nation (UNC), and the Movement for the Liberation of Congo (MLC). Nearly 100 different parties and many independents are represented in the parliament.

Opposition members face intimidation and restrictions on their movement and mobilization. In February 2014, authorities in Kinshasa twice prevented Vital Kamerhe, president of the UNC, from travelling to Goma. Also in February, police used force to break up a UNC rally in Bukavu. In September, the general secretary of the UNC, Jean-Bertrand Ewanga, was sentenced to a year in prison following his participation in an August rally against term-limit revisions.

The majority of the DRC's indigenous population does not take part in the political process because of ethnic discrimination and lack of access to institutions in rural areas. The government does not effectively protect their political rights.

#### **C. Functioning of Government: 2 / 12**

Corruption is endemic, and impunity is a serious problem. Clandestine trade in minerals and other natural resources by rebels and elements of the FARDC helps finance violence and depletes government revenues. Massive corruption in the government, security forces, and mineral extraction industries paralyzes the proper functioning of the government and sustainable development efforts intended to raise the standard of living for its citizens.

Recruitment for government posts is often determined by nepotism, and political interference is rampant. The complicated system of taxation and regulation has made bribery a regular aspect of business dealings, and embezzlement is a pervasive occurrence.

The government has made some efforts to implement laws to reduce bureaucratic regulations and opportunities for graft. Beginning in 2012, civil servants and members

of the military were paid electronically, with the aim of curbing corruption and ensuring regular, accurate payments. A new system of customs declaration, implemented in 2014 at the Kasumbalesa post on the Zambian border, streamlines declarations into a single window that automatically transmits forms electronically to Kinshasa. However, the application of the system has faced technological challenges, and enforcement remains dependent on the discretion of local officials. In July, the DRC was recognized as a compliant member of the Extractive Industries Transparency Initiative (EITI) following a one-year suspension. Despite 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 information about government operations. The DRC was ranked 154 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 16 / 60 (+5)

**D. Freedom of Expression and Belief:** 8 / 16 (+1)

Although constitutionally guaranteed, freedoms of speech and the press are limited. Radio is the dominant medium in the country, and newspapers are found mainly in large cities. The content of private television and radio stations is occasionally restricted, but lively political debate is growing in urban areas. The government does not monitor online communications or restrict access to the internet, but penetration is limited by lack of infrastructure.

While Kabila and his government are often criticized in the media, political harassment of the media is common. In August 2014, the Information Ministry banned 61 newspapers for failure to legally register in the DRC. It declared an additional 75 newspapers defunct, alleging that they had not published for three years.

Freedom of the press is significantly restricted through criminal defamation and libel laws as well as threats, detentions, arbitrary arrests, and attacks against journalists. In August, Mike Mukebayi, the publisher of Kinshasa-based *Congo News*, was arrested after publishing an article critiquing ties between the government and the Catholic Church. He remained imprisoned at year's end. In July, police physically attacked three journalists who at the time were writing about government harassment of Kinshasa motorcycle taxi drivers; police arrested a cameraman covering protests about the same harassment issue.

Journalists based in the east face difficulties in covering the ongoing conflict. Officials attempted to restrict and intimidate media organizations reporting on Colonel Mamadou Ndala's assassination in Beni, North Kivu, in January. In February, Kennedy Germain Mumbere Muliwavyo, a reporter for Radio Télévision Muungano, was killed in an ambush in North Kivu while traveling to cover fighting in the province; the fatal attack has been linked to the Uganda-based Islamist Allied Democratic Forces (ADF).

Freedom of religion is guaranteed by the constitution and generally respected in practice. Although religious groups must register with the government in order to be recognized, unregistered groups operate unhindered. There are no formal restrictions on academic freedom; primary and secondary school curriculums are regulated but not strongly politicized. Private discussion of politically sensitive topics is relatively open among close friends or relations, yet sometimes limited by fear of potential reprisal.

**E. Associational and Organizational Rights:** 3 / 12

The constitution guarantees freedoms of assembly and association, though these are limited in practice. Groups holding public events must register with local authorities in advance, and security forces occasionally act against unregistered demonstrations and marches.



Authorities often target human rights activists and opposition political party members who are critical of the government. In September 2014, an opposition march in Kinshasa was canceled because it lacked the authorization of the provincial minister of the interior.

There are about 5,000 registered nongovernmental organizations (NGOs) in the DRC, though they often have narrow scopes devoted to ethnic and local concerns. NGOs are generally able to operate, though domestic human rights advocates are subject to harassment, arbitrary arrest, and detention. Professional organizations are permitted to organize and operate freely. In 2014, numerous civil society organizations and opposition figures protested against possible revisions to presidential term limits. In September, civil society organizations in Kinshasa voiced their objections to a term-limit extension and demanded public inclusion in debate regarding constitutional change.

Congolese who fulfill a residency requirement of 20 years can form and join trade unions, though government employees and members of state security forces are not permitted to unionize. It is against the law for employers to retaliate against strikers. Unions organize strikes regularly. Some labor leaders and activists face harassment.

#### **F. Rule of Law: 0 / 16**

Kabila appoints members of the judiciary, which remains subject to corruption and political manipulation. Courts are concentrated in urban areas, and the majority of the country relies on customary courts. Military courts are used often, even in civilian cases, and are subject to interference from high-ranking military personnel. The judiciary is susceptible to bias against opposition party members and civil society. In March 2014, former national deputy Eugène Diomi Ndongala, the president of the opposition Christian Democrats party and a Tshisekedi supporter, was charged with rape of minors and sentenced to ten years in prison. He had been arrested in 2012 and detained in prison while awaiting trial, in violation of several Supreme Court orders for placement under house arrest, as prescribed by law. The case has been widely criticized as politically motivated by both domestic and international observers. Prison conditions are life-threatening, and long periods of pretrial detention are common.

Civilian authorities do not maintain effective control of the security forces. The FARDC are largely undisciplined, and soldiers and police regularly commit serious human rights abuses, including rape and torture. Low pay and inadequate provisions commonly lead soldiers to seize goods from civilians. In November, four FARDC officers were convicted on charges connected with the January murder of Colonel Mamadou Ndala of the FARDC, a leader in the campaign against the M23 rebel movement who was planning an operation against the ADF when he was killed. Details regarding the murder suggest that the army may be host to internal criminal networks and external political influence.

Government and government-allied forces often enjoy impunity for even the most heinous crimes. In May, a military court tried 39 soldiers for participating in an attack that involved mass rape in 2012. Two soldiers were convicted and sentenced to life in prison, while 13 senior officers were among those acquitted. Over 20 soldiers, most of them low-ranking, were found guilty of minor crimes committed during the attack. According to an October 2014 report by the United Nations Joint Human Rights Office, the National Congolese Police carried out forced disappearances and extrajudicial killings of civilians as part of a November 2013–February 2014 offensive against criminal delinquency in Kinshasa.

A few cases did reflect the potential of existing judicial processes to deal with human rights violations. In December, a military court convicted Lieutenant Colonel Bedi Mobuli Engangela of the FARDC of crimes against humanity—including rape, murder, and sexual slavery—and sentenced him to life in prison, representing progress in the use of judicial

procedures to seek justice against human rights abuses and rape in particular. Similarly, a military court in November convicted General Jérôme Kakwavu of the FARDC for war crimes committed while he was the leader of a rebel group.

In March, the International Criminal Court (ICC) found former rebel leader Germain Katanga guilty of crimes against humanity and war crimes but acquitted him of rape and the use of child soldiers. Two other former warlords were on trial at the ICC at year's end for war crimes and crimes against humanity.

The National Assembly passed a controversial law in February granting amnesty for acts of war, acts of insurgency, and political crimes committed between February 2006 and December 2013. As of September, the number of former combatants receiving amnesty had reached approximately 900. UN officials described the law as a necessary move toward sustainable peace, while some local human rights groups criticized it for deepening an environment of impunity.

Restructuring within the FARDC in 2014 aimed to break collaboration between FARDC commanders and armed groups in North Kivu and South Kivu, but increased bureaucracy resulting from the restructuring may deepen internal competition. Positions of significant military power continue to be given to former rebels and figures with controversial pasts. Critics view the restructuring as an effort by Kabila to ensure military support before running for a third term, as a number of high-level appointments were awarded to his supporters.

Peace and the rule of law remain obstructed by the presence of several active rebel groups, primarily concentrated in North Kivu, South Kivu, Orientale, and Katanga. The population of those regions is subject to displacement and violence due to continued rebel activity and indiscipline among the armed forces. The United Nations estimated that 2.7 million people were internally displaced in Congo in 2014, most of them in eastern provinces. Continuing fragmentation and changing coalitions among armed groups and between armed groups and FARDC obstruct the de-escalation of conflict.

The impact of years of fighting on civilians has been catastrophic, with over five million conflict-related deaths since 1998. A new wave of alarmingly brutal massacres that began in October in the Beni territory of North Kivu and spread to Ituri in December is reported to have killed over 250 civilians. The massacres have been attributed to ADF rebels as a response to a joint operation against the group by the FARDC and the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). However, it was reportedly difficult to distinguish violence perpetrated by the ADF from violence perpetrated by local militias.

Ethnic discrimination, including against indigenous populations, remains a major problem. There are reports of indigenous people being kidnapped and forced into slavery. Rwandophone minorities in the Kivu provinces have been the victims of violence and hate speech for decades. The constitution prohibits discrimination against people with disabilities, but they often find it difficult to find employment, attend school, or access government services. No law specifically prohibits same-sex sexual relations, but legislators have made efforts to criminalize same-sex sexual activity, and individuals can still be prosecuted for such activity under public decency laws.

#### **G. Personal Autonomy and Individual Rights: 5 / 16 (+4)**

The freedom of movement is protected by law. Despite obstacles posed by security forces seeking bribes or travel permits, both domestic and international travel continue.

The country's economy, reliant on the extraction of natural resources, has grown an average of 6 percent over the past decade, though the vast majority of Congolese are not

employed in the formal economy. Some progress has been made in the internal management of natural resources, including in implementing tracking and validation mechanisms for “conflict-free” minerals. In May, the first container of tantalum from North Kivu meeting “conflict-free” verification procedures was prepared for export. However, such measures do not extend to many minerals extracted from some eastern regions.

Individuals have the right to own property and establish private businesses, and legal avenues for commercial activity exist. In conflict zones, various armed groups and soldiers have seized private property and destroyed homes. The majority of land in the DRC is held through customary tenure, and this lack of legal title to the land leads to regular confiscation of property.

Despite constitutional guarantees of women’s rights, women face discrimination in nearly every aspect of their lives, especially in rural areas. Equality for women is rarely realized in practice. Violence against women and girls, including sexual and gender-based violence, has soared since fighting began in 1994, though sex crimes often affect men and boys as well. Rebels and FARDC soldiers have been implicated in kidnappings, killings, and rape. Convictions for offenses such as mass rape remain rare. Abortion is prohibited, and women’s access to contraception is extremely low. Women are also greatly underrepresented in government, making up only 9 percent of the National Assembly and 6 percent of the Senate. Although Article 14 of the Constitution prohibits discrimination against women in any domain, the Family Code prescribes more restrictive roles.

Women must have their husband’s permission to seek employment, engage in legal transactions, and often for access to family-planning services. Wives are legally required to obey their husbands. Nevertheless, it has been increasingly common in recent years for young women to seek professional work outside the home or engage in commercial activities, particularly in towns and urban centers—a trend that extends to the conflict zones in the eastern part of the country.

The law prohibits all forced or compulsory labor, though this still occurs commonly around the country, including forced child labor in mining, street vending, and agriculture. Various rebel groups have reportedly forced civilians to work for them, at times imposing tolls on vehicles passing through territory held by the groups. The recruitment and use of child soldiers by rebel groups is also widespread. In February 2014, the government joined MONUSCO in launching a new campaign aimed at raising awareness of the recruitment of child soldiers.

The DRC is both a source and destination country for the trafficking of men, women, and children for the purposes of labor and sexual exploitation.

## Costa Rica

**Political Rights Rating:** 1

**Civil Liberties Rating:** 1

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 4,773,000

**Capital:** San José

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

## INTRODUCTION

Costa Rica's 2014 presidential election was held against a backdrop of growing public dissatisfaction with the state of the country's democracy. Persistent corruption and crime dogged the outgoing administration of Laura Chinchilla, and ultimately resulted in a resounding presidential victory for the opposition.

While the quality of life in Costa Rica is relatively high for the region, economic growth is hampered by the national debt, inflation, and cost-of-living increases. Despite record investment in recent years, poverty, inequality, and unemployment remain persistent problems. The country's fiscal deficit was 5.8 percent in 2014 and was expected to reach 6 percent in 2015, leading the Moody's rating agency to downgrade Costa Rica's credit rating to junk status in September 2014.

### **POLITICAL RIGHTS:** 37 / 40

#### **A. Electoral Process:** 12 / 12

The president of Costa Rica and members of the 57-seat, unicameral Legislative Assembly are elected for four-year terms and can seek a nonconsecutive second term. Presidential candidates must win 40 percent of the vote to avoid a run-off election. A special chamber of the Supreme Court chooses an independent national election commission. Ahead of the 2010 elections, Costa Rica approved reforms to its electoral law, including revised regulations on political party and campaign financing, and new quotas for women's participation in political parties. In the 2014 elections Costa Ricans residing abroad were allowed to vote for the first time, and a new quota requiring that 50 percent of party lists be women went into effect.

In legislative elections held in February 2014, the National Liberation Party (PLN) won 18 seats, followed by the Citizens' Action Party (PAC) with 13, the Broad Front (FA) with 9, and the Social Christian Unity Party (PUSC) with 8; five smaller parties won the remaining 9 seats. International observers highlighted Costa Rica's commitment to democracy in the elections. In May, the PAC's Luis Guillermo Solís was elected president following a second round of voting. Solís, who had been polling in the third and fourth position in a field of 13 candidates before the first round of voting, faced the PLN's Johnny Araya in the runoff. Araya ceased campaign activities during the runoff campaign, and Solís proceeded to win 78 percent of the vote.

#### **B. Political Pluralism and Participation:** 15 / 16

The main political parties are the PLN, the PAC, and the PUSC. Since 1949, power in Costa Rica has alternated between the PLN and the PUSC. Dissatisfaction with party politics and political scandals resulted in defections from the PLN in the early 2000s. The newly formed PAC has become a rising force in Costa Rican politics as the PUSC has withered under the weight of various political scandals. By the 2014 elections, it appeared that Costa Rica's traditional two-party system had collapsed, as nine parties gained power and coalition negotiations ensued.

In August 2014, the legislature passed a constitutional reform defining Costa Rica as "multiethnic and plurinational." However, indigenous rights have not traditionally been a government priority.

#### **C. Functioning of Government:** 10 / 12

Every president since 1990 has been accused of corruption after leaving office, with the exception of Óscar Arias, who served from 2006 to 2010. In 2012, an appeals court overturned the corruption conviction of former president Miguel Ángel Rodríguez, who

returned to court in 2013 to face embezzlement charges. Costa Rica was ranked 47 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

The Chinchilla administration was likewise plagued by corruption revelations. Scandals and routine cabinet changes reinforced the lack of confidence in her administration; 15 cabinet ministers resigned for various reasons during her first 24 months in office. The president herself was embroiled in a scandal in 2013 when a jet she used to travel to Peru and Venezuela was reportedly linked to drug traffickers. The scandal forced the resignation of three administration officials, including Presidency Vice Minister Mauricio Boraschi, who was also head of the Office of Intelligence and Security and the antidrug commissioner. The lack of confidence in the Chinchilla administration had a dramatic impact on citizen attitudes toward democracy, as support for the political system declined during her presidency.

President Solís pledged to tackle corruption during his presidential campaign. In a speech commemorating his first 100 days in office, Solís highlighted the country's corruption problem, providing a wide range of examples of endemic corruption. He claimed that corruption cost the country 7 percent of its GDP. While much of this was attributed to prior administrations, members of Solís's inner circle, including his publicist Ivan Barrantes, Minister of the Presidency Melvin Jiménez, and PAC attorney Jorge Sibaja, were also allegedly involved in various acts of corruption. The president of the PAC, Rodrigo Alberto Carazo Zeledón, resigned in September following revelations that he has authorized payments to Barrantes and Sibaja.

#### **CIVIL LIBERTIES:** 53 / 60

##### **D. Freedom of Expression and Belief:** 16 / 16

The Costa Rican media are generally free from state interference. Attacks against journalists are rare, and imprisonment was removed as a punishment for defamation in 2010. There are six privately owned dailies, and both public and commercial broadcast outlets are available, including at least four private television stations and more than 100 private radio stations. There have been reports of abuse of government advertising and direct pressure from senior officials to influence media content. Internet access is unrestricted. In 2013, lawmakers amended a controversial provision from a 2012 law that threatened prison terms for those who published secret political information. The revised law excludes prison sentences when the released information is in the public interest.

The government upholds freedom of religion in practice. Academic freedom is respected, and private discussion is generally free.

##### **E. Associational and Organizational Rights:** 11 / 12

The constitution provides for freedoms of assembly and association, and numerous non-governmental organizations (NGOs) are active. Although labor unions organize and mount frequent protests with minimal governmental interference, employers often ignore minimum wage and social security laws, and the resulting fines are insignificant. In February 2014, thousands of public employees protested peacefully in San José that the 0.43 percent wage increase approved by the government was a "starvation wage." In October, dock workers went on strike to stop the privatization of a port, fearing a monopoly. Students and workers from other unions supported the protest, which ended with 68 strikers arrested.

##### **F. Rule of Law:** 13 / 16

The judicial branch is independent, with members elected by the legislature. However, there are often substantial delays in the judicial process, resulting in lengthy pretrial deten-

tion. There have been complaints of police brutality, and organized criminal networks are suspected of having infiltrated law enforcement institutions. A 2011 investigation of prison conditions revealed corruption, overcrowding, guard shortages, and guard-initiated abuse. Deadly prison riots in 2012 underscored the severity of overcrowding in prisons.

A 10-year crime reduction plan, introduced in 2011, is currently under implementation with the aim of promoting interagency coordination to combat growing public insecurity, crime, and narcotics trafficking. The country's Pacific coast serves as a major drug transshipment route. Analysts have noted the presence of several Mexican drug cartels operating within the country. In 2013, it was reported that more than 80 percent of the arrests in the country were related to drug trafficking. The Ministry of Public Security has reported that most homicides in Costa Rica are related to organized crime. The number of homicides increased to 471 in 2014, 64 more than the previous year.

NGOs estimate that about 73 percent of the country's 70,000 indigenous people have little access to health and education services, electricity, or potable water. Discrimination and land rights issues persist. Costa Ricans of African descent have also faced racial and economic discrimination.

A 2014 government survey revealed persisting discriminatory attitudes and practices among law enforcement officials toward LGBT (lesbian, gay, bisexual, and transgender) people. In a departure from his predecessor, President Solís expressed his support for the rights of the LGBT community in May 2014, raising the rainbow diversity flag at the presidential palace in observance of the International Day Against Homophobia and Transphobia. In May 2014, the legislature passed a law extending medical benefits to same-sex couples. The law, which went into effect in November, also provides for the extension hospital visitation to same-sex couples.

#### **G. Personal Autonomy and Individual Rights: 13 / 16**

Women face discrimination in the economic realm. Female household workers are subject to exploitation and lack legal protections. Despite the existence of domestic violence legislation, violence against women and children remains a problem. Costa Rica is one of a number of countries that has criminalized femicide, but the penalties apply only when the murder is committed by an intimate partner. The number of reported femicides has declined in recent years.

Costa Rica remains a transit and destination country for trafficked persons. In 2014, Costa Rica was a Tier 2 country in the U.S. State Department's *Trafficking in Persons Report*. Sex trafficking, forced labor, and child sex tourism are serious problems. A 2013 law against human trafficking establishes penalties for human trafficking and organ trafficking as well as a fund for victims and prevention efforts. Nevertheless, the 2014 report found that victim assistance and data collection remained inadequate.

President Solís supports civil unions and patrimonial rights for same-sex couples, but has not expressed support for same-sex marriage.

## Côte d'Ivoire

**Political Rights Rating:** 5

**Population:** 20,805,000

**Civil Liberties Rating:** 4

**Capital:** Yamoussoukro (official), Abidjan (de facto)

**Freedom Rating:** 4.5

**Freedom Status:** Partly Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,6,NF	7,6,NF	7,5,NF	6,5,NF	6,5,NF	7,6,NF	6,6,NF	5,5,PF	5,4,PF	5,4,PF

### INTRODUCTION

In 2014, Côte d'Ivoire continued to grapple with the aftermath of a 2010–11 postelection civil crisis that left 3,000 dead and another one million displaced. The Rally of the Republicans (RDR)—the party of the 2010 election winner, President Alassane Ouattara—dominates both local and national politics. In March, former president Laurent Gbagbo's Ivorian Popular Front (FPI) led the formation of a new 12-party coalition, the Alliance des Forces Démocratiques de Côte d'Ivoire (AFDCI), in an attempt to consolidate a dominant position among opposition parties in advance of 2015 general elections. Direct talks between the government and the FPI resulted in the release of more than 100 Gbagbo associates and the unfreezing of assets in the first part of the year, but dialogue has since stalled.

The Dialogue, Truth and Reconciliation Commission, established in 2011, began hearing evidence in September 2014. Meanwhile, the International Criminal Court (ICC) moved forward with cases against Gbagbo and Charles Blé Goudé, a former youth minister and leader of a pro-Gbagbo militia. The Ivorian government disputed the ICC's jurisdiction over Simone Gbagbo, Laurent Gbagbo's wife, who faces four counts of crimes against humanity at the ICC even though she is on trial in Côte d'Ivoire for crimes related to the postelection crisis.

In June, the government passed the Law on the Promotion and Protection of Human Rights Defenders—the first of its kind on the continent. Meanwhile, attacks against LGBT (lesbian, gay, bisexual, and transgender) activists early in the year escalated into incidents of mob violence. The police were largely unresponsive to these crimes.

**POLITICAL RIGHTS:** 17 / 40

**A. Electoral Process:** 6 / 12

The constitution provides for the popular election of a president and a unicameral National Assembly comprised of 255 members for five-year terms. The last presidential election, held in two rounds in October and November 2010 after years of delays, triggered an internal conflict when Gbagbo, the incumbent, refused to concede the internationally recognized victory of Ouattara, who secured 54 percent of the vote in the November runoff. Gbagbo was ultimately arrested with the assistance of French and UN troops, and Ouattara assumed office in April 2011.

The first largely peaceful and fair parliamentary elections in more than a decade were held in December 2011. Ouattara's RDR party won 127 seats in the National Assembly, while the Democratic Party of Côte d'Ivoire–African Democratic Rally (PDCI-RDA) placed second with 77 seats. The FPI boycotted the vote, levying claims of bias against the electoral commission, protesting the jailing of its senior leadership, and accusing state security forces of intimidation.

The RDR won a majority of contests in the April 2013 local and regional elections, followed by the PDCI-RDA. Several opposition parties again boycotted the elections, demanding changes to the composition of the Independent Election Commission (CEI). In response and amid heated debate, parliament overwhelmingly voted in June to revamp the CEI, reducing the number of commissioners from 31 to 17 while retaining a majority of seats for ruling political coalition designees, including a representative of the head of state. Despite initial opposition and following extensive dialogue with the government, two members of the AFDCI agreed to be appointed as part of the new configuration of commissioners.

#### **B. Political Pluralism and Participation: 7 / 16**

The RDR and PDCI-RDA are the country's dominant coalition, holding a virtual lock on national political power. The FPI remains weak and disorganized, marked by deep divisions and infighting since Gbagbo's arrest. In March, it led the creation of the AFDCI in an effort to take the lead among the opposition in advance of the 2015 elections.

Throughout 2014, the FPI continued to press the government on a range of issues, including calling in March for a boycott of the national census, claiming that it misrepresented the country's demographic balance. However, there are modest signs of reconciliation between opposition parties and the Ouattara regime. Dialogue is becoming more common as the country moves toward the 2015 elections. In December 2013, representatives of the FPI and RDR held their first direct talks in more than a decade—resulting in the release of more than 100 Gbagbo associates from detention and the unfreezing of dozens of bank accounts in early 2014. More detainees were released in mid-2014, and Ouattara has honored his commitment not to prosecute individuals returning from self-imposed exile.

Former rebel commanders, to many of whom Ouattara remains indebted, continue to exert influence over policy decisions.

A new nationality law allowing both male and female foreigners who marry Ivorian nationals to acquire citizenship went into effect in April 2014. Citizenship has been a perennial source of conflict since Ivorian nationalists adopted former president Henri Bédié's concept of "Ivoirité" to exclude perceived foreigners (including Ouattara) from the political process. The effects of the new law remain to be seen, but it will likely factor into concerns expressed by opposition parties regarding the accuracy of the census and the compilation of the national voter roll in advance of the 2015 elections. Since the new law took effect, more than 50,000 individuals have applied for Ivorian nationality. The National Identification Office is engaged in a countrywide effort to verify nationalities of individuals over the age of 14 in order to issue national identification cards, but the process remains slow and may delay compilation of the final voter roll.

#### **C. Functioning of Government: 4 / 12**

Corruption remains endemic, and perpetrators seldom face prosecution or public exposure despite the government's official "zero tolerance" policy. In 2014, Ouattara's administration came under increased scrutiny for awarding sole-source contracts to third-party contractors. Some estimates suggest that 80 percent of all government procurement was awarded in no-bid deals in 2013, up from 40 percent in 2012. The government has contested these numbers and has defended sole-source contracts as necessary for rapid development. Nevertheless, under pressure from domestic and international observers, the government agreed to audit the deals in early 2014. The audit report found that while contracted deliverables were satisfactorily executed and costs were comparable to similar contracts obtained through open tender, in 95 percent of cases, sole-source bidding was not justified.



Some small steps have been taken to curb corruption in other arenas of the public sector. In April, the government launched a call center to allow citizens to report complaints of racketeering, especially by the police. Also in April, the administration finalized the legal and regulatory framework for the High Authority on Good Governance, and in May appointed the authority's members. However, there has been some criticism that this entity—which is ostensibly charged with fighting corruption—is too underfunded to prove effective. Côte d'Ivoire ranked 115 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

In December 2013, the National Assembly passed an access to information law. In March 2014, the government announced that it would launch a Commission on Access to Information to monitor the application of the law.

**CIVIL LIBERTIES:** 29 / 40 (+1)

**D. Freedom of Expression and Belief:** 10 / 16

Freedoms of speech and of the press are protected by the constitution and by the country's laws, though there are prohibitions on speech that incites violence, hatred, or rebellion. These prohibitions are enforced by the media regulatory body, the Conseil National de la Presse (CNP), which frequently fines or reprimands journalists and suspends outlets for allegedly spreading incendiary or false information. The CNP gave 12 such punishments in the first eight months of 2014 alone, prompting calls for restraint by free press advocates who fear that such measures will stifle or discourage independent or critical reporting, and provoking one newspaper, *L'Intelligent d'Abidjan*, to suspend its own circulation in protest. Nonetheless, conditions for the press have improved since the end of the 2010–11 conflict, and incidents of violence and intimidation against journalists are increasingly rare.

There were no reports that the government restricted access to the internet or monitored online communications; however, only about 3 percent of the population had access to the medium as of 2013.

Legal guarantees of religious freedom are typically upheld, though political and religious identity tend to overlap with ethnicity and geography. Religious and traditional organizations have been instrumental in leading the postconflict reconciliation process at the local level. An interactive radio programming partnership has also developed between Voice of America and Al-Bayane Radio that features religious scholars and others discussing religious issues in the news.

Academic freedom suffered severely during the 2010–11 conflict, as public universities throughout the country were closed, occupied by armed forces, and used as military bases and training grounds. They reopened to students in 2012, but have been slow to recover from the effects of the closure, and continue to face infrastructure and staff shortages.

**E. Associational and Organizational Rights:** 7 / 12

The constitution protects the right to free assembly, but it is often denied in practice and is subject to politicization. Peaceful protests tend to escalate into violence, as was the case with demonstrations by ex-combatants in the towns of Man and Bouaké in February and March 2014. In November, police in Abidjan used tear gas and batons to disperse protests led by water vendors opposing a government ban on plastic bags used to carry water. In November, thousands of pro-Ouattara Republican Forces of Côte d'Ivoire (FRCI) soldiers rioted across six cities, demanding back pay; the government conceded to their demands, and diffused the crisis.

Freedom of association is constitutionally protected. Although this right has often been denied in practice, especially around political rallies, both domestic and international

nongovernmental organizations (NGOs) generally operate freely. The right to organize and join labor unions is constitutionally guaranteed, and workers have the right to bargain collectively; however, unions suffered greatly during the 2011 crisis and remain disorganized and largely ineffectual.

**F. Rule of Law: 6 / 16 (+1)**

The judiciary is not independent, and judges are highly susceptible to external interference and bribes. All 40 of the country's courts (and all 34 of its prisons) became fully functional early in 2014 and court staffers have been deployed to all parts of the country. Yet the authorities continue to delay in bringing to trial more than 300 Gbagbo supporters accused of various crimes, many of whom were initially detained in 2012. This prompted detainee hunger strikes late in 2014, despite government pledges to expedite the judicial process.

Reports of extrajudicial killings, forced disappearances, illegal detentions, torture, and extortion at the hands of the FRCI remain commonplace. In one particularly high-profile case in February 2014, a group of 21 Ivorian nationals living in Liberia were arrested and extradited to Côte d'Ivoire without charge or due process. Six were eventually released for lack of evidence; the remaining 15 await trial on charges of disturbing the public order.

In February, Ouattara extended the mandate of the Dialogue, Truth and Reconciliation Commission to September. The commission collected some 64,000 written statements from April through August, followed by three weeks of public oral testimony in September featuring 80 victims. Media coverage of the testimonials was spotty, and they were not broadcast nationally given the sensitive nature of the information disclosed. This has further minimized the commission's impact and has led to claims that it has failed in achieving its broader goal of national healing.

In June, the ICC confirmed four charges of crimes against humanity against Gbagbo, whose trial is expected to begin in 2015. The government surrendered Blé Goudé—illegally detained for more than a year and repeatedly denied access to his lawyer and family—to the ICC in March. The ICC in December confirmed four charges of crimes against humanity against him. The government has contested the court's jurisdiction to hear the case of Simone Gbagbo, who is charged with genocide, and refuses to transfer her to the ICC. ICC judges ruled in December that the international court had authority to hear the case, and the ICC has reiterated its request to remand Simone Gbagbo to The Hague to face charges that are substantively different from those she faces in Côte d'Ivoire. Simone Gbagbo's domestic trial resumed in late December. She is being tried with 82 other Gbagbo supporters for crimes against the state, and could face up to 20 years in prison if found guilty.

The Special Investigation Cell, created in 2011 to investigate crimes committed during and after the postelection crisis, received additional staff in May 2014 after a long delay. However, the justice minister has on several occasions replaced or removed the cell's investigative judges, and prosecutors complain that the government has prevented them from initiating investigations against pro-Ouattara forces.

The security situation remained stable but subject to volatility in 2014. While incidents of violence against civilians by the FRCI and security forces appear to have decreased since 2013, numerous allegations continue to be made against the FRCI and other national security elements in connection with extrajudicial killings, arbitrary arrest and illegal detention, and torture and ill-treatment of civilians. The border with Liberia continued to be a hot spot for criminal activity. In February 2014, attacks against FRCI detachments in the border towns of Fété and Grabo killed four soldiers and one civilian—the region's first attacks of this scale since March 2013. Fété was the site of a second attack in May by unidentified perpetrators that sent 3,500 civilians fleeing and left 13 dead, including three FRCI soldiers.

The police and gendarmerie remain underequipped and are considered fully operational in only a handful of cities. In Abidjan, youths that fought in the 2010–11 conflict have regrouped into gangs known as “enfant microbes,” which have been implicated in a spate of armed robberies and assaults in the city. In July 2014, a clash with state security forces left four gang members dead in the Attécoubé District of Abidjan.

In June, the National Assembly passed the Law on the Promotion and Protection of Human Rights Defenders—the first of its kind in an African country. Among other protections, the law guarantees human rights advocates the right to form associations and NGOs, and the right to protection from reprisals.

Members of the LGBT community face societal prejudice as well as violence and harassment by state security forces. The beginning of 2014 saw a wave of homophobic attacks that human rights groups described as unprecedented. In January, a mob ransacked the office of Alternative Côte d’Ivoire; the police took four hours to respond. Members of the organization were subsequently harassed and attacked.

### **G. Personal Autonomy and Individual Rights: 6 / 16**

Freedom of movement has improved with the security situation, although illegal roadblocks and acts of extortion by state security forces continue. In August, the country closed its land borders in response to the worsening Ebola epidemic in neighboring Guinea and Liberia, and temporarily suspended all flights to and from countries afflicted by the virus.

Property rights are weak and poorly regulated, especially in the west of the country, and remain an ongoing source of conflict between migrants and “natives” who claim customary rights to land use and inheritance. Citizens have the right to own and establish private businesses, but obstacles abound. While starting a business has become easier in recent years, registering property, obtaining construction permits and navigating the tax code remain challenges. Côte d’Ivoire was ranked 147 out of 189 countries in the World Bank’s 2015 *Doing Business* survey.

Despite constitutional protections, women suffer significant legal and economic discrimination, and sexual and gender-based violence are endemic. Rape was common during the 2011 crisis and remains widespread. The law does not specifically penalize spousal rape and mandates onerously high standards of evidence to prosecute domestic violence cases. Rape is routinely reclassified as indecent assault, and perpetrators have often been released when victims failed to provide costly medical certificates. In September 2014, the government launched a national strategy for combating gender-based and conflict-related sexual violence.

## **Croatia**

**Political Rights Rating:** 1

**Population:** 4,238,000

**Civil Liberties Rating:** 2

**Capital:** Zagreb

**Freedom Rating:** 1.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F

**INTRODUCTION**

Despite bans imposed in December 2013 on same-sex marriage and the use of Serbian Cyrillic on official signs, a law approving same-sex partnerships was passed in June 2014, and the Constitutional Court ruled against restrictions on the use of Cyrillic in August.

Croatia held a presidential election at the end of December 2014. Incumbent president Ivo Josipović was poised to combat Kolinda Grabar-Kitarović in a runoff in January 2015.

In March 2014, a Croatian court sentenced former prime minister Ivo Sanader to nine years in prison for embezzling millions of dollars from state coffers; his party, the Croatian Democratic Union (HDZ), was also found guilty in the case.

Croatia is still plagued by a stagnant economy, including a rise in unemployment to around 20 percent.

**POLITICAL RIGHTS: 36 / 40****A. Electoral Process: 12 / 12**

The president, who serves as head of state, is elected by popular vote for a maximum of two five-year terms. Members of the 151-member unicameral parliament (Sabor) are elected to four-year terms. The prime minister is appointed by the president and requires parliamentary approval.

In 2011 parliamentary elections, the center-left opposition Kukuriku coalition, comprising the Social Democratic Party (SDP) and three other parties, placed first with 80 seats. The Croatian Democratic Union (HDZ) and its coalition partners, the Croatian Civic Party and the Democratic Centre, followed with 47 seats. The SDP's Zoran Milanović became prime minister.

A presidential election was held on December 28, 2014. Incumbent president Ivo Josipović of the SDP and Kolinda Grabar-Kitarović of the Croatian Democratic Union HDZ led the race against two other candidates. As neither won a majority, a runoff was scheduled in January.

Croatia joined the European Union in 2013.

**B. Political Pluralism and Participation: 15 / 16**

Following Croatia's first multiparty elections in 1990, the center-right HDZ ruled until 1999. Power has since alternated between the HDZ and the center-left SDP, including at the presidential level. Several smaller parties have also won representation in parliament.

In the parliament, eight seats are set aside for ethnic minorities, including three for ethnic Serbs. Another three seats are reserved for representatives of Croatians living abroad. Roma are generally underrepresented in government.

**C. Functioning of Government: 9 / 12**

A new Criminal Code, in effect since 2013, enforces stiffer penalties for various forms of corruption. In recent years, international bodies including the European Commission have noted that sentences in corruption cases are relatively weak, and more effort is needed to clean up corruption within public procurement processes. In March 2014, in what was seen as a pivotal case for anticorruption progress, a court sentenced former prime minister Sanader to nine years in prison for siphoning millions of dollars from the state. The HDZ itself along with the party's former treasurer, accountant, and spokesperson were also found guilty of related charges. Along with prison time, Sanader was ordered to pay back €2.8 million (\$3 million), and the HDZ was required to pay back €3.79 million (\$4.1 million). This was the second conviction in two years for Sanader; he was convicted in 2012 of taking bribes from a Hungarian energy company.

**CIVIL LIBERTIES:** 50 / 60**D. Freedom of Expression and Belief:** 14 / 16

The constitution guarantees freedoms of expression and the press, and these rights are generally respected in practice. However, journalists face political pressure, intimidation, and occasional attack. In February 2014, an unknown assailant threw a bucket of feces at reporter Ante Tomić while he was sitting at a coffee shop in the town of Split; the perpetrator reportedly yelled, “Now you can write about me again.” In the town of Omiš, during Carnival, a group of people burned an effigy of investigative journalist Vinko Vuković, who had reported on corruption in the town.

The legacy of the 1991–95 war in Croatia remains a sensitive issue. In 2013, veterans protested a government plan to introduce bilingual public signs—in Croatian (in the Latin alphabet) and in Serbian (in Cyrillic script)—to serve the Serb minority, which comprises 4.4 percent of the population nationwide but more than 30 percent in some municipalities. The government continued implementing the project in 2014, and in August the Constitutional Court ruled against a proposed referendum on restricting the use of Cyrillic.

The constitution guarantees freedom of religion. A group needs at least 500 members and five years of registered operation to be recognized as a religious organization. Members of the Serbian Orthodox Church continue to report cases of intimidation and vandalism, though such incidents are less common than in the past.

Academic freedom is guaranteed by law, though subjects such as sexual health remain taboo in the socially conservative country. In 2013, the Croatian Catholic Church launched a public relations campaign against a government health education program in primary and secondary schools that included information on sexual health and same-sex relationships. The Constitutional Court suspended the program, arguing that the government failed to consult with parents on the curriculum.

**E. Associational and Organizational Rights:** 12 / 12

The constitution provides for freedoms of association and assembly. A variety of non-governmental organizations operate in Croatia without interference or harassment. The constitution allows workers to form and join trade unions, though unlawful dismissals of union members have been reported. In February 2014, unions organized a protest and two-hour strike against a proposed labor reform on the grounds that it will give too much flexibility to employers for hiring and firing. Public transportation in the capital stopped for five minutes as a sign of solidarity, and local trains in the country did not run.

**F. Rule of Law:** 11 / 16

Judicial independence is generally respected. Under a new judicial appointments system that came into effect in 2013 to increase professionalism, all judicial candidates must complete the State School for Judicial Officials. Despite some progress on improving efficiency as well as a high number of judges per capita, the case backlog in courts remains above the EU average.

Prison conditions do not meet international standards due to overcrowding and poor medical care.

The proceedings of the International Criminal Tribunal for the former Yugoslavia (ICTY) for war crimes committed during the 1991–95 conflict were ongoing in 2014. In March, Croatia testified that the devastation of the city of Vukovar by Serbian troops in 1991 should be classified as genocide.

Respect for minority rights in Croatia has improved over the past decade. Croatia has both an antidiscrimination act and hate-crime legislation. In January 2014, Croatia adopted

the Free Legal Aid Act, which aims to improve access to the legal system for vulnerable populations, as well as to reduce discrimination. However, Roma face widespread discrimination, including poor access to primary and secondary education. In June 2014, Zagreb held its largest-ever gay pride parade.

#### **G. Personal Autonomy and Individual Rights: 13 / 16**

The constitution prohibits gender discrimination, but women have a higher unemployment rate and earn less than men for comparable work. Women hold 24 percent of the seats in parliament, well below the 40 percent target under law. Domestic violence against women is believed to be widespread and underreported. Women are arrested in 43 percent of domestic violence cases, even though men represent 95 percent of perpetrators.

After a December 2013 referendum that banned gay marriages, in July 2014 the Croatian parliament passed a law allowing same-sex civil unions. The law affords same-sex couples equal rights in inheritance, social benefits, and taxation. Same-sex couples remain barred from adopting children.

## Cuba

**Political Rights Rating:** 7

**Population:** 11,150,000

**Civil Liberties Rating:** 6

**Capital:** Havana

**Freedom Rating:** 6.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	7,7,NF	7,7,NF	7,7,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF

#### **INTRODUCTION**

On December 17, 2014, Cuba and the United States declared the reestablishment of diplomatic relations after more than 50 years. Following the announcement, the Cuban government pledged to release 53 political prisoners. USAID contractor Alan Gross, who had served one-third of the 15-year sentence he received for the illegal importation and distribution of internet equipment, was also released to the United States on humanitarian grounds. In a simultaneous deal, the United States agreed to release the remaining three of five Cuban agents sentenced to long prison terms for espionage, while Cuba released an imprisoned spy to the United States. While the moves mark a significant change in policy, opinions concerning the normalization of relations between the two nations have been divided, among other things, over the fact that the accord does not require that the Cuban government respect fundamental freedoms.

In 2014, the Cuban government increased its systematic use of short-term “preventive” detentions—along with harassment, beatings, and “acts of repudiation”—to intimidate the political opposition, isolate dissidents from the rest of the population, and maintain political control of all public spaces. A record number of politically motivated detentions were recorded in 2014, and crackdowns on activists continued. For example, an attempted performance that addressed social and political issues, orchestrated by artist Tania Bruguera, was met with harsh repression in December. In contrast, during the same

month, the often-targeted dissident group Ladies in White was permitted to march without state interference or harassment.

Economic reforms continued, extending to increased opportunities for self-employment, streamlining of parts of the large public sector, further development of nonagricultural cooperatives, and a new foreign investment law. In September, the government clamped down on the island's clandestine "mule" import networks, which posed a threat to the state monopoly on imports and domestic retail sales. The 2013 migration reform continued to have an impact on international relations, fueling record legal and clandestine emigration to the United States in 2014. At the end of the year, U.S. president Barack Obama announced the issuance of new regulations allowing U.S. companies to do business in Cuba to support the emerging private enterprise sector and to allow for greater telecommunications access by Cuban citizens.

Recent growth in independent media has also been noteworthy, with bloggers and citizen journalists finding new ways to disseminate news and opinions. Two notable examples are the digital magazine *On Cuba*, started in 2012, and the digital newspaper *14ymedio*, launched in May 2014.

**POLITICAL RIGHTS: 1 / 40**

**A. Electoral Process: 0 / 12**

The Castro brothers have long dominated Cuba's one-party political system, in which the Communist Party of Cuba (PCC) controls all government offices and most civil institutions.

The 1976 constitution provides for a National Assembly, which designates the Council of State. This body in turn appoints the Council of Ministers in consultation with its president, who serves as chief of state and head of government. Raúl Castro replaced his brother Fidel as president of the Council of Ministers and the Council of State in 2008. In April 2011, the PCC elected Raúl as head of the party. Delegates also appointed a greater number of high-level military officials to the PCC Politburo and Central Committee. In the February 2013 National Assembly elections, voters were asked to either support or reject a single PCC-approved candidate for each of the 612 seats. All candidates were elected, two-thirds of which entered the legislature for the first time. The new National Assembly reelected Raúl for a second five-year term as president. This will be his last, as in January 2012 a PCC national conference imposed a limit of two five-year terms on elected officials, including the president.

In recent years, the "revolutionary generation" has begun to gradually pass power to a younger "successor generation." This includes 54-year-old Miguel Díaz-Canel Bermúdez, who was appointed first vice president of the Council of State after the 2013 elections.

**B. Political Pluralism and Participation: 0 / 16**

All political organizing outside the PCC is illegal. Political dissent, whether spoken or written, is a punishable offense, and dissidents are systematically harassed, detained, physically assaulted, and frequently sentenced to years of imprisonment for seemingly minor infractions. The regime has called on its neighborhood-watch groups, known as Committees for the Defense of the Revolution, to strengthen vigilance against "antisocial behavior," a euphemism for opposition activity. This has led to the use of "acts of repudiation," or supposedly spontaneous mob attacks, to intimidate and silence political dissidents. In recent years, dissident leaders have reported an increase in intimidation and harassment by state-sponsored groups as well as short-term detentions by state security forces. According to the Cuban Commission for Human Rights and National Reconciliation (CCDHRN), a

record number of politically motivated short-term detentions were recorded in 2014, with figures totaling 8,899 as opposed to the 6,424 cases documented in 2013.

The Cuban government relies heavily on the military as well as on members of the Castro family for control of both business and politics. President Castro's son Alejandro—a former member of the army—plays a vital role in the administration, serving as both chief of intelligence and as a liaison with China. The president's son-in-law, Luis Alberto Rodríguez López-Callejas, is CEO of Gaesa, the sector of the military that controls all business operations. President Castro's daughter Mariela is the head of the National Center for Sexual Education (CENESEX) and has served as de facto first lady since her mother's death in 2007.

The 2013 elections were notable for the large number of women, young people, and Cubans of African descent elected to office. For example, Esteban Lazo Hernández replaced long-time national politician Ricardo Alarcón as president of Cuba's National Assembly, and Ana María Mari Machado and Miriam Brito Saroca were elected vice president and secretary, respectively.

### **C. Functioning of Government:** 1 / 12

Corruption remains a serious problem, with widespread illegality permeating the mixture of limited private enterprise within a vast state-controlled economy. Raúl Castro's regime has made the fight against corruption a central priority, imposing long sentences on both high-placed Cuban nationals and foreign businessmen who are convicted of economic crimes. In September 2014, a Cuban court sentenced Canadian transportation executive Cy Tokmakjian to 15 years in prison for bribery, fraud, and tax evasion. The Cuban government also seized \$100 million worth of company assets and sentenced two of Tokmakjian's aides to serve prison terms of 12 and 8 years, respectively. The steady influx of new cases of high-level corruption indicates that the problem is chronic, however, and suggests that individual prosecutions will not easily resolve the situation. Cuba was ranked 63 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

### **CIVIL LIBERTIES:** 13 / 60 (+2)

#### **D. Freedom of Expression and Belief:** 4 / 16 (+1)

The Cuban news media are owned and controlled by the state. The independent press is considered illegal and its publications are classified as "enemy propaganda." Government agents routinely infiltrate the ranks of independent journalists, often accusing them of being mercenaries working at the behest of foreign powers. Independent journalists, particularly those associated with the island's dozen small independent news agencies or human rights groups, are subject to harassment. Nevertheless, some state media have begun to cover previously taboo topics, such as corruption in the health and education sectors. The national newspaper *Granma* has begun to publish letters to the editor from the public on economic issues, and state television, while generally a mouthpiece of the PCC, recently inaugurated a new program, *Cuba Dice* (Cuba Says), that features "man-on-the-street" interviews. A number of publications, especially those associated with the Catholic Church, have emerged as key players in debates over the country's future, including *Espacio Laical*, *Cuba Posible*, *Palabra Nueva*, and *Convivencia*. Low-circulation academic journals such as *Temas* are similarly able to adopt a relative level of openness and critical posture.

Despite a continued state monopoly on the mass media and one of the Western Hemisphere's lowest internet penetration rates—only 5 percent of the population—in recent years Cuba has seen a number of developments in information and communication technology (ICT) capabilities, access to uncensored news, and the availability of new digital data dissemination channels. These developments include the growth of citizen journalism and an



increase in the number of independent bloggers, the opening of more than 150 internet cafés in 2013 and 2014, and the possibility of accessing e-mail via cell phone for the first time in 2014. The appearance of a small number of independent, island-based news outlets—including the sites *Havana Times*, *On Cuba*, and *14ymedio* (launched by pioneering blogger Yoani Sánchez in May 2014)—also marks a significant advance, as do the appearance of a number of unauthorized “mesh” networks that use private wi-fi networks to share information, and the emergence of an underground digital data distribution system known as “paquete semanal” (weekly packet). Despite these improvements, however, the government restricts access to ICTs by making connections prohibitively expensive and controlling content.

While it remains illegal to print and distribute independent media, journalists have used innovative methods to share their stories both online and via data packets that circulate on the black market. A recent example of important online discussion and criticism was the revelation by blogger Carlos Alberto Pérez (“La Chiringa de Cuba”) of a major cheating scandal at the University of Havana involving both professors and students. The exposure forced the government to publicly acknowledge the misconduct and to arrest those involved.

After a June 2014 visit to the island by Google executives to promote internet freedom, the company announced that it would extend access to its Chrome browser and other applications to Cuba. Increased media freedoms may also be accelerated by a U.S. policy announced in December 2014 that allows American ICT providers to sell equipment and services in Cuba. However, this will only be the case if the Cuban government is willing to allow diversification and competition in its centralized, monopolistic system. While the government has recognized ICT limitations and has made commitments to remedy them, there is no clear timeline or procedure by which to hold state telecom provider Etecsa accountable.

The Roman Catholic Church has played an important role in civil society, enabling discussion of topics of public concern and offering material assistance to the population. The Vatican not only urged Presidents Barack Obama and Raúl Castro to discuss normalizing relations but also mediated negotiations throughout 2013 and 2014. Nevertheless, official obstacles hamper religious freedom in Cuba. Churches may not conduct ordinary educational activities, and many church-based publications are plagued by state as well as self-censorship. Progress was evident in 2014, however, when the government granted the Catholic Church permission to build a new religious center for the first time in more than 50 years.

Academic freedom is restricted in Cuba. Teaching materials commonly contain ideological content, and affiliation with PCC structures is generally needed to gain access and advancement in educational institutions. On numerous occasions, university students have been expelled for dissident behavior, a harsh punishment that effectively prevents them from pursuing higher education.

Despite the elimination of exit permits in 2013, university faculty, especially those in the social sciences, must still obtain permission from their superiors to travel to academic conferences abroad. In 2014, activist Manuel Cuesta Morúa was prevented from traveling to the United States to present at the Latin American Studies Association conference due to his political activities. Two prominent Cuban-born U.S. academics, economist Carmelo Mesa-Lago and sociologist Jorge Duany, were denied visas to attend a conference in Cuba in 2014.

#### **E. Associational and Organizational Rights: 0 / 12**

According to the Cuban constitution, citizens’ limited rights of assembly and association may not be “exercised against the existence and objectives of the Socialist State.”

Nearly all politically motivated short-term detentions in recent years have targeted members of independent associations, human rights groups, political parties, or trade unions.

As in past years, on International Human Rights Day on December 10, the state cracked down on human rights activists, arbitrarily detaining them for short periods of time. Surprisingly, the government allowed Ladies in White—an activist group that has long faced repression from the regime—to march uninhibited later that month, following the December 17 agreement between the United States and Cuba.

In late December, a group of artists and activists led by Tania Bruguera attempted to hold a performance in the Plaza of the Revolution to air grievances and propose solutions to national problems. Although some observers expected the Cuban government to relax internal repression in light of the sea-change in U.S. policy, the government responded as it has in the past, arresting and detaining artists, activists, and independent journalists on grounds of “political provocation” in order to prevent the event from taking place. Bruguera herself was detained on three separate occasions on December 30 and 31, her passport was seized, and she was forced to remain on the island to face charges of public disorder.

Autonomous racial advocacy or civil rights organizations are illegal. The year 2014 saw a rise in crackdowns on members of the Patriotic Union of Cuba, a human rights nongovernmental organization (NGO). Its leader, José Daniel Ferrer, was repeatedly detained between 2012 and 2014 after being released from a long prison term in 2011. Human rights activists and independent journalists and lawyers with the organizations CubaLex (a public interest legal consultancy), Hablemos Press, the Ladies in White, and CCDHRN have been subject to similar harassment inhibiting their work.

Cuban workers do not have the right to strike or bargain collectively, and independent labor unions are illegal.

#### **F. Rule of Law: 3 / 16 (+1)**

The Council of State has complete control over the courts and the judiciary. Cuban government representatives signed two UN human rights treaties in 2008, but neither has been ratified or implemented. Cuba does not grant international humanitarian organizations access to its prisons, though it did allow a group of foreign correspondents access to some prisons in April 2013, just weeks before the UN Human Rights Council’s regular comprehensive review of practices on the island. This was the first such visit allowed since 2004.

In 2014, the CCDHRN estimated that Cuba had more than 100 political prisoners. In December, imprisoned USAID contractor Alan Gross was released along with U.S. intelligence officer Rolando Sarraff Trujillo as part of the deal with the U.S. government. Cuba committed to releasing 53 additional political prisoners about which the United States had expressed concern based on reports from CCDHRN. Despite this progress, human rights groups on the island have indicated that many of those released have limited freedom of movement and are at risk of rearrest.

While racial discrimination has long been outlawed as state policy, Cubans of African descent have reported widespread discrimination and profiling by law enforcement officials (many of them of African descent themselves). Many of these Cubans have only limited access to the dollar-earning sectors of the economy.

Cuba has made important strides in redressing discrimination against the LGBT (lesbian, gay, bisexual, and transgender) community, thanks in part to the advocacy work of Mariela Castro Espín, director of CENESEX. Despite Mariela’s support, however, a bill proposing the legalization of same-sex marriage has been stalled in the National Assembly since 2008. The efforts of grassroots LGBT groups are largely ignored by the authorities but have, at times, been attacked by CENESEX.

**G. Personal Autonomy and Individual Rights: 6 / 16**

Freedom of movement and the right to choose one's residence and place of employment are restricted. In violation of International Labour Organization statutes, Cubans working abroad, in the export processing zone at the Port of Mariel, or for foreign companies on the island are not paid directly, but rather through the Cuban state in Cuban, or nonconvertible, pesos.

A January 2013 migration law rescinded the exit visa and letter of invitation that were previously required to travel abroad. During 2014, this new law was generally respected, with record numbers of Cubans either traveling abroad temporarily or emigrating permanently. Despite legal language that leaves much arbitrary discretion in state hands, the law's relatively broad implementation represents a dramatic step forward in restoring travel rights. Still, a number of the political prisoners released in 2014 are under "conditional" freedom that prevents them from traveling abroad. This is also the case for outspoken political activist Antonio Rodiles, whose passport the government refuses to renew despite his never having been convicted of a crime.

Only state enterprises can enter into economic agreements with foreigners as minority partners; ordinary citizens cannot participate. The number of self-employment licenses has rapidly expanded, from 157,000 in October 2010 to 483,000 by the end of 2014. The number of legal occupations for self-employment also grew from 178 to 201 over the same period. In addition, 498 new nonagricultural cooperatives were approved during 2013 and 2014, 329 of which are actively doing business. The state has also begun to transfer the management of most of its restaurants and other minor retail services to the private and cooperative sectors, targeting nearly 13,000 state enterprises for the overhaul.

Despite this quantitative increase, the extent of private employment opportunities remains limited, with almost no professional jobs included in the expanded list of legal self-employment occupations. In addition, many workers in Cuba's new agricultural cooperatives were forced into their positions as the only alternative to being laid off. Private credit and wholesale access to merchandise for the nonstate sector remain largely nonexistent, which also limits the expansion of private activity. This situation could improve in coming years should the Cuban government allow U.S. companies to sell inputs to and buy products directly from Cuban entrepreneurs under the new regulations announced by the Obama administration in December 2014.

The Cuban constitution establishes full equality of women, and women hold nearly 49 percent of National Assembly seats. However, they make up only 7 percent of the PCC's politburo, 14 percent of the party secretariat, and 22 percent of the Council of Ministers. Only one woman has achieved the rank of vice president. Additionally, women make up only 38 percent of Cuba's work force, even as they are well represented in most professions due to equal access to higher education. Cuban women average less than half of what men earn, mostly because men have access to higher-paying jobs; the gender gap is exacerbated by uneven opportunities opened up by recent market-oriented reforms.

# Cyprus

**Political Rights Rating:** 1

**Population:** 1,157,000

**Civil Liberties Rating:** 1

**Capital:** Nicosia

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

*Note:* The numerical ratings and status listed here do not reflect conditions in Northern Cyprus, which is examined in a separate report.

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

## INTRODUCTION

Cyprus has seen an influx of refugees and asylum seekers since the beginning of the Syrian civil war. Human rights organizations accuse the government of being unresponsive to these refugees, holding them for long periods of time in detention centers and refusing to allow them to apply for asylum and citizenship.

Cyprus's recession continued in 2014. The country was required to implement austerity measures, including tax increases, pension reductions, and a cut in welfare benefits, as a condition of the €10 billion (\$13 billion) bailout loan that it received from the European Union (EU) in 2013. These measures have increased unemployment and household indebtedness and raised fears of rising nationalism.

A new round of negotiations to reunify the island began in February 2014. The talks collapsed in September after Turkey began energy explorations in Cypriot waters. In May, the European Court of Human Rights (ECHR) had ordered Turkey to pay Cyprus €90 million (\$100 million) in compensation to victims of the 1974 invasion that split the island in two. Turkey has refused to recognize the legitimacy of this ruling.

**POLITICAL RIGHTS:** 37 / 40

**A. Electoral Process:** 11 / 12

Cyprus's president is elected by popular vote to a five-year term. 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 not been occupied since Turkish Cypriot representatives withdrew from the chamber in 1964.

In legislative elections held in May 2011, the Democratic Rally Party (DISY) took 20 seats, the Progressive Party of the Working People (AKEL) won 19 seats, and the Democratic Party (DIKO) took 9 seats; and 3 small parties captured the remaining 8 seats. AKEL and DIKO originally formed a coalition government, but DIKO withdrew in August 2011 following an explosion on a naval base that killed 13 and called into question the competence of AKEL leadership.

Presidential elections were held in 2013. Anastasiades of the conservative DISY party emerged as the victor, winning 57.5 percent of the vote in the run-off phase. Running on a platform of efficient negotiations with the EU and the International Monetary Fund (IMF) over the bailout agreement, Anastasiades defeated AKEL's Stavros Malas, whose platform opposed austerity.

In May 2014, Turkish Cypriots from Northern Cyprus attempting to vote in European Parliament elections in the Republic of Cyprus were turned away from the polls. Republic of Cyprus officials claimed that the Northern Cypriots did not have valid addresses on their registration forms, and estimated the number turned away was only 150. Because the EU does not recognize Northern Cyprus, Turkish Cypriots are required to vote in the south to participate in EU elections.

**B. Political Pluralism and Participation:** 16 / 16

Elections feature a diversity of parties, and the system is open to their rise and fall. Minority groups participate fully in the political process. Following a 2004 ECHR ruling against Cyprus, a law was passed allowing Turkish Cypriots living in the south to vote and run for office in Republic of Cyprus elections. Turkish Cypriots cannot run for president, as the constitution states that a Greek Cypriot should hold that post and a Turkish Cypriot should be vice president (the vice presidency remains vacant). The Maronites (Levantine Catholics), Armenians, and Latins (Roman Catholics) elect special nonvoting representatives.

Cyprus's economic crisis has bolstered the fortunes of far-right, anti-immigration elements in the nation's politics, including the National Popular Front (ELAM) party. ELAM remains politically weak, winning just 2.69 percent of the vote in 2014 European Parliament elections. In March 2014, members of ELAM attacked an event in Limassol at which Mehmet Ali Talat, former president of Northern Cyprus, was speaking.

**C. Functioning of Government:** 10 / 12

Cyprus's banking and sovereign debt crisis has limited the ability of the government to determine the country's policies. The influence of the EU and IMF over democratic decision making was particularly evident in the 2013 negotiations surrounding the €10-billion (\$11-million) loan package. The EU and IMF were able to use the loan to insist that depositors bear the major brunt of the bank bailout and to force the government to pass austerity measures. In December 2014, the IMF withheld about €88 million (\$98 million) in bailout funds from Cyprus due to the country's failure to establish new rules that would streamline its foreclosure process.

Corruption is not a major problem in Cyprus, but there is evidence that its banking system has served as a tax haven and has permitted the laundering of illegally obtained money from Russia and other countries. Cyprus was ranked 31 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. Cyprus is one of only two countries in the EU without a freedom of information law.

**CIVIL LIBERTIES:** 56 / 60 (+1)**D. Freedom of Expression and Belief:** 15 / 16

Freedom of speech is constitutionally guaranteed and generally respected. A vibrant independent press frequently criticizes the authorities, and several private television and radio stations compete effectively with public stations. Although Turkish Cypriot journalists can enter the south, Turkish journalists based in the north have reported difficulties crossing the border. Access to the internet is unrestricted.

Freedom of religion is guaranteed by the constitution and protected in practice. Nearly all inhabitants of the south are Orthodox Christians, and some discrimination against members of other religions has been alleged. State schools use textbooks containing negative language about Turkish Cypriots and Turkey.

**E. Associational and Organizational Rights:** 12 / 12 (+1)

Freedoms of association and assembly are generally respected. Cyprus's frequent austerity protests have typically been peaceful. An exception was in February 2014, when hundreds of demonstrators marched in Nicosia against the planned privatization of Cyprus's state-owned electric utility, as required under the 2013 rescue plan. Two protesters were injured in clashes with police. Nongovernmental organizations generally operate without government interference. However, in May 2014, Doros Polycarpou, director of the local human rights group KISA, was arrested for an unpaid parking ticket while attempting to visit unaccompanied immigrant minors at the Mennogeia Detention Center; KISA interpreted the arrest as an attempt to intimidate and silence the organization.

Workers have the right to strike and to form trade unions without employer authorization.

**F. Rule of Law:** 15 / 16

Cyprus's independent judiciary operates according to the British tradition, upholding due process rights. The Council of Europe and other groups have noted cases of police brutality, including targeted beatings of minorities. Prison overcrowding has decreased but remains a problem.

The problem of indefinite detentions of asylum seekers has improved somewhat since the country's ombudsperson filed complaints on the matter in 2008, but long-term detention of migrants continues. In October 2014, refugees at a detention center in Menoyia went on a hunger strike to pressure the government to conduct residency hearings; some of the detainees claimed to have been held at the facility for more than a year.

A 1975 agreement between the two sides of the island governs treatment of minorities. Asylum seekers and internally displaced people face regular discrimination, especially in employment, and KISA has warned of racially motivated attacks. The LGBT (lesbian, gay, bisexual, and transgender) community in Cyprus is protected by a variety of antidiscrimination measures.

**G. Personal Autonomy and Individual Rights:** 14 / 16

Since 2004, all citizens have been able to move freely throughout the island using a growing number of border crossings. All Cypriots are required to show identification when crossing the so-called Green Line, the demilitarized zone separating the two parts of the island.

The status of property abandoned by those moving across the Green Line after the 1974 invasion is a point of contention in reunification talks. A 1991 law states that property left by Turkish Cypriots belongs to the state. Under the law in the north, Greek Cypriots can appeal to the Immovable Property Commission (IMP), which in 2010 was recognized by the ECHR as an adequate local authority for the resolution of property disputes. As of the end of 2014, a total of 6,079 applications had been lodged with the commission and 619 had been settled; approximately \$289 million had been dispersed. In June 2014, however, the Turkish government informed Cyprus that it would no longer fund the IMP.

Gender discrimination in the workplace, sexual harassment, and violence against women are problems in Cyprus. Same sex couples do not have the right to enter into either marriages or civil unions, and transgender individuals are not allowed to officially change their sex. Women are underrepresented in government, with only one woman in the cabinet and seven in the legislature. While the government has made genuine progress in preventing human trafficking and launched a new antitrafficking plan in 2010, Cyprus remains a transit and destination country, and prosecution is weak.

# Czech Republic

**Political Rights Rating:** 1

**Population:** 10,500,000

**Civil Liberties Rating:** 1

**Capital:** Prague

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

## INTRODUCTION

President Miloš Zeman appointed a new government led by Bohuslav Sobotka in January 2014 following the snap elections of October 2013. The ruling coalition of the Czech Social Democratic Party (ČSSD), Movement of Dissatisfied Citizens (ANO), and the Christian Democratic Union–Czech People’s Party (KDU–ČSL) embarked on a more pro–European Union course than its predecessor.

**POLITICAL RIGHTS:** 38 / 40 (+1)

**A. Electoral Process:** 12 / 12

The 200 members of the Chamber of Deputies, the lower house of Parliament, are elected to four-year terms by proportional representation. The Senate has 81 members elected for six-year terms, with one-third up for election every two years.

Then prime minister Petr Nečas’s resignation in 2013 led to snap elections in October of that year. The ČSSD finished first, capturing 50 seats, followed closely by ANO with 47 seats. The Communist Party of Bohemia and Moravia (KSČM) placed third with 33 seats. The Civic Democratic Party (ODS) won just 16 seats, down from 53 seats in 2010. Tradition Responsibility Prosperity 09 (TOP 09), the populist Úsvit (Dawn of Direct Democracy) Party, and the Christian Democratic Union–Czech People’s party (KDU–ČSL) won the remaining seats.

Senate and local elections took place in October 2014, bringing victories for the ruling coalition parties of the ANO, ČSSD, and the KDU–ČSL.

The president is directly elected under a 2012 constitutional amendment. The president can veto legislation and appoints judges, Central Bank officials, the prime minister, and other cabinet members, but the post holds few other formal powers. Although some analysts feared that Zeman was orchestrating a power grab to convert the system to a semipresidential one, the president did not interfere with the work of the new government in 2014.

**B. Political Pluralism and Participation:** 15 / 16

Historically, the two main political parties were the center-left ČSSD and the center-right ODS. However, the ODS lost significantly in the 2013 elections. The opposition TOP 09 has rebuilt its voter base after losing many of its voters due to the fall of the Nečas government. KSČM has been excluded from all national governments so far, but the party has formed regional governing coalitions with ČSSD in 10 of the country’s 13 regions.

The Romany minority lacks meaningful political representation. None of the parties representing the estimated 250,000 Roma living in the country have reached the 5 percent parliamentary threshold.

**C. Functioning of Government:** 11 / 12 (+1)

The Czech Republic has a history of unstable governments; the country had 12 cabinets in the first 20 years of its independence. However, despite initial internal disputes and a disagreement over taxation and social policy, the coalition government remained intact throughout 2014.

Corruption—especially high-level graft—is widespread and the level of trust in state institutions is low. A 2013 police raid on government offices, which implicated several high-ranking politicians and civil servants in graft and abuse of office, had not resulted in convictions by the end of 2014. Jana Nagyova, former prime minister Nečas's aide, was found guilty of abuse of office in June; she has appealed the ruling. Nagyova has also been accused of tax fraud in connection with luxury gifts worth 10 million Czech crowns (\$435,000) and, along with Nečas, faces a related corruption investigation. Two intelligence officers involved in the scandal were acquitted in July, and the Supreme Court ruled in September that three legislators who had allegedly resigned in exchange for bribes were protected by parliamentary immunity.

The Czech Republic has no specific law regulating lobbying activities, and powerful Czech lobbyists, also known as “godfathers,” have managed to avoid prosecution in several instances. In May, lobbyist Michal Smrz and former defense minister Martin Barták were acquitted in a high-profile case linked to the purchase of Tatra vehicles.

Chronic corruption has tainted public procurement practices and the management of EU funds, and the situation has been exacerbated by a lack of civil service regulation since 2002. In October 2014, a bill aiming to depoliticize the civil service was adopted in the Senate.

The Czech Republic was ranked 53 of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 57 / 60**D. Freedom of Expression and Belief:** 16 / 16

Freedom of expression is respected, though the constitution-based Charter of Fundamental Rights and Freedoms limits this right in cases of threats against individual rights, state and public security, public health, and morality.

The media operate relatively freely. However, the acquisition of several outlets by wealthy businessmen in recent years has raised concerns about media independence and the concentration of ownership. In 2013 and 2014, several journalists left major media outlets that were acquired by Babiš of the ANO.

During the campaign for 2014 European Parliament elections, Czech Television banned a provocative No to Brussels–National Democracy Party advertisement that featured a representation of the Czech Republic slaying a snake slithering in front of Jewish, Muslim, and LGBT (lesbian, gay, bisexual, and transgender) symbols. The government does not restrict internet access.

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 1948–89 communist regime, which will take place over the next 30 years.

Promoting denial of the Holocaust or of past communist crimes is illegal, as is inciting religious hatred. In April 2014, police raided the headquarters of Prague's Islamic Foundation and a mosque on allegations that a book had been published by the Czech Muslim community inciting anti-Semitism. Hate crimes were filed against the publisher and 20 people were detained. In May, President Zeman made critical remarks about Islam, citing



violent verses in the Koran when he was condemning the gun attack at the Jewish Museum in Brussels.

Academic freedom is respected. Ceremonial presidential approval is required for academic positions.

#### **E. Associational and Organizational Rights: 12 / 12**

Czechs may assemble peacefully, form associations, and petition the government. The Prague Pride Parade—the annual event of the LGBT community—took place without any major incidents in 2014.

Approximately 85,000 registered nongovernmental organizations (NGOs) operate in the country. Most NGOs struggle with weak funding, and only 10 percent of NGOs were fully active in 2012. The new Civil Code, which came into force in January 2014, overhauled legislation related to the nonprofit sector, including amendments to NGOs' legal status and tax exemptions. Anticorruption NGOs have played a significant role in the past two years; an initiative called the Reconstruction of the State was lobbying for the passage of nine anti-graft bills in 2014.

Trade unions and professional associations function freely but are weak in practice. The largest trade union, the Czech-Moravian Confederation of Trade Unions (ČMKOS), incorporates 29 member unions and has over 300,000 members. 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**

The judiciary is largely independent, though its complexity and multilayered composition have led to slow delivery of judgments. A 2010 report produced by the country's counterintelligence agency found that corruption within the Czech Republic's judicial system was "very sophisticated," making detection difficult.

The rule of law generally prevails in civil and criminal matters. While corruption and political pressure remain within law enforcement agencies, the Office of the Public Prosecutor has become more independent in recent years. The arrest of ČSSD's David Ráth in 2012 on corruption charges and the 2013 raid on government offices were praised by many as evidence of strengthening rule of law. However, the aftermath of the raid has been marred by disputes over the accuracy of accusations and a lack of convictions.

Prisons in the Czech Republic suffer from overcrowding and poor sanitation. Following former president Václav Klaus's controversial prisoner amnesty in 2013, the police reported an increased crime rate in January 2014.

The 2009 Antidiscrimination Act provides for equal treatment regardless of sex, race, age, disability, belief, or sexual orientation. However, members of the Roma community face discrimination in the job market and significantly poorer housing conditions, as well as occasional threats and violence from right-wing groups. In September 2014, the European Commission initiated proceedings against the Czech Republic over discrimination against Romany children, who face segregation in the education system.

Asylum seekers are routinely detained, and conditions in detention centers are generally poor.

#### **G. Personal Autonomy and Individual Rights: 15 / 16**

Gender discrimination is legally prohibited. However, sexual harassment in the workplace appears to be fairly common, and women are underrepresented at the highest levels of government and business—their parliamentary presence decreased from 44 to 39 seats in

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2013 in the Chamber of Deputies. According to data from the European Commission, the gender pay gap is one of the largest in the European Union. Trafficking of women and girls for the purpose of prostitution remains a problem.

LGBT persons are not allowed to marry but they do not face significant discrimination. In July, Czech Ombudsman Anna Šabatová stated that the country's laws preventing same-sex couples from adopting children are unconstitutional.

The Czech Republic's lustration law aims to keep those with close ties to the Communist regime out of high-level political, judicial, and military positions. A February proposal to abolish the law was defeated in Parliament.

## Denmark

**Political Rights Rating:** 1

**Population:** 5,639,000

**Civil Liberties Rating:** 1

**Capital:** Copenhagen

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

The Socialist People's Party, a member of the governing coalition, left the government in January in protest over the sale of 19 percent of the stock in the state-owned company DONG Energy to the investment banking firm Goldman Sachs. Prime Minister Helle Thorning-Schmidt's minority government remained in power through 2014 despite the loss of the Socialist People's Party's 12 seats.

Unprecedented numbers of asylum seekers, mostly from Syria, further strained the resources and capacity of Denmark, which has some of the toughest immigration laws in the European Union (EU). The Euroskeptic and anti-immigration Danish People's Party made the biggest gains in the European Parliament elections in May, with nearly 27 percent of the Danish vote.

**POLITICAL RIGHTS:** 40 / 40

**A. Electoral Process:** 12 / 12

The current constitution, adopted in 1953, established a single-chamber parliament (the Folketing) and retained a monarch, currently Queen Margrethe II, with mostly ceremonial duties. The parliament's 179 representatives are elected at least once every four years through a system of modified proportional representation. The monarch chooses the prime minister, usually the leader of the majority party or government coalition.

Parliamentary elections in 2011 led to a change of government, with Thorning-Schmidt leading the Social Democratic Party to power after forming a coalition with the Social Liberal Party, the Socialist People's Party, and the Red-Green Party. Although Thorning-Schmidt's coalition was able to narrowly defeat Rasmussen's center-right coalition, the Social Democratic Party itself suffered its worst electoral result since 1903 and won fewer seats in Parliament than Rasmussen's Liberal Party. As a result of the election, Thorning-Schmidt

became Denmark's first female prime minister. The departure of the Socialist People's Party in January 2014 left the center-left government coalition weaker.

**B. Political Pluralism and Participation:** 16 / 16

Numerous political parties compete in Denmark. Danish governments most often control a minority of seats in the 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.

Although postwar Danish politics were dominated by the Social Democratic Party, a right-wing coalition led by the Liberal Party won control of the legislature in 2011 by pledging to reduce immigration and lower taxes. The Social Democrats, historically anchored in the working class, have lost their once-dominant position in Danish politics. Many of their core positions on social services and an expansive public sector have been adopted by parties across the spectrum. The Liberal Party has experienced a similar dynamic, with their positions on the importance of economic competitiveness spreading to the Social Democrats and other parties. The differences between the two major parties are thus variations of degree and emphasis, rather than deeply held ideological distinctions.

The Danish People's Party gained a major victory by supporting Fogh Rasmussen's Liberal-Conservative minority government from 2001 to 2011.

The territories of Greenland and the Faroe Islands each have two representatives in the Folketing. They also have their own elected institutions, which have power over almost all areas of governance, except foreign and financial policy. In 2009, Greenland passed the Self-Government Act, which gave it greater control over government functions, including its security apparatus and judicial system. Snap legislative elections were called in Greenland for November 2014, after the Social Democratic government lost its majority due to an embezzlement scandal involving Greenland's prime minister, Aleqa Hammond. Despite the scandal, Hammond's Siumut party retained enough seats in the elections to lead the government, forming a center-left coalition.

**C. Functioning of Government:** 12 / 12

Levels of corruption are generally very low in Denmark, which was ranked 1 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. A final report on the so-called Taxgate scandal was released in October 2014. The case involved leaked information regarding a 2010 tax audit of Thorning-Schmidt, who was an opposition leader at the time. The leak had occurred just one week before the 2011 general election and had allegedly been carried out by Thorning-Schmidt's political opponents. Thorning-Schmidt was found not to have violated any tax laws, but the final report was criticized for not reaching any clear conclusion about the origin of the leak.

**CIVIL LIBERTIES:** 58 / 60**D. Freedom of Expression and Belief:** 16 / 16

The constitution guarantees freedom of expression. The media reflect a wide variety of political opinions and are frequently critical of the government. The state finances radio and television broadcasting, but state-owned television companies have independent editorial boards. Independent radio stations are permitted but tightly regulated. Access to the internet is not restricted, and Denmark's internet penetration rate is among the highest in the world.

Since the 2005 publication of controversial cartoons by the Danish newspaper *Jyllands-Posten* depicting the prophet Muhammad, Denmark has experienced a series of

attempted terrorist attacks. In 2013, controversial public intellectual and journalist Lars Hedegaard—an outspoken supporter of the publication of the cartoons and a critic of Muslim immigration and integration—survived an assassination attempt in his home. The presumed assailant was arrested in Turkey in April 2014 but released by Turkish authorities in October as part of an alleged prisoner swap with the militant group Islamic State (IS), eliciting criticism from Danish authorities.

In 2010, following complaints from the Turkish ambassador to Denmark, the Danish attorney general charged the Danish-based, Kurdish-language satellite television station Roj TV with promoting the Kurdistan Workers' Party, which the EU and the United States consider a terrorist organization. The station declared bankruptcy in 2013. The Supreme Court upheld the ruling against Roj TV in February 2014, although the station's former director announced plans to submit a challenge at the European Court of Human Rights. The station was the first outlet in Denmark to face prosecution for promoting terrorism.

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. Denmark denies religious worker visas, thereby restricting access to missionaries entering the country from abroad. There are no official updated numbers for registered anti-Semitic hate crimes due to the Danish registration procedure; however, the country's Jewish community reported an increase in anti-Semitic harassment and attacks in 2014.

#### **E. Associational and Organizational Rights:** 12 / 12

The constitution provides for freedoms of assembly and association. Demonstrations in 2014 were peaceful. Civil society is vibrant, and workers are free to organize. The labor market is mainly regulated by agreements between employers' and employees' organizations. There were no major strikes in 2014.

#### **F. Rule of Law:** 15 / 16

The judiciary is independent, and citizens enjoy full due-process rights. The court system consists of 100 local courts, two high courts, and the 15-member Supreme Court, with judges appointed by the monarch on the government's recommendation. Prisons generally meet international standards.

Immigration and asylum remained divisive issues in 2014. Denmark continues to have some of the harshest immigration laws in Europe, although less restrictive laws regarding family reunification and permanent residency came into effect in 2012. More than 14,000 asylum seekers reached Denmark in 2014, four times the number in 2009. The increase has acutely strained the capacity of the Danish Immigration Service and created housing shortages. In September, the government announced changes to its immigration policy, proposing a temporary residence permit for asylum seekers who are fleeing violent conflict but are not personally persecuted; the permits would be valid for one year, with a possibility of renewal. Holders of such permits would not be entitled to family reunification in the first year of residence. Criticism from the Office of the UN High Commissioner for Refugees (UNHCR) led Danish authorities to amend the proposal to allow reunification of asylum seekers with their children. The proposal was pending at year's end.

Discrimination, including based on gender identity or sexual orientation, is prohibited by law. A new gender recognition law came into effect in September, eliminating previous legislation that had required transgender persons to undergo psychiatric evaluation and sterilization—either by hormone therapy or surgery—when obtaining legal documents re-

flecting their new gender. While progressive, the law mandates a six-month waiting period, after which applicants must reconfirm their decision. Citizens must be over the age of 18 to apply for a legal change in gender identity.

#### **G. Personal Autonomy and Individual Rights: 15 / 16**

Freedom of movement is protected by law and generally respected by the government, and citizens are free to choose their own residence, employment, and institution of higher education. Private business activity is free from undue influence by government officials or nonstate actors.

Women enjoy equal rights in Denmark and represent half of the workforce. However, disparities have been reported in the Faroe Islands and Greenland.

In 1989, Denmark became the first country in the world to adopt same-sex civil unions, and in 2012, the 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 must find a colleague who will.

Denmark is a destination and transit point for women and children trafficked for the purpose of sexual exploitation. Following the 2003 adoption of legislation that defined and criminalized such trafficking, the government began working regularly with nongovernmental organizations in their trafficking-prevention campaigns.

## Djibouti

**Political Rights Rating:** 6

**Population:** 886,000

**Civil Liberties Rating:** 5

**Capital:** Djibouti

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,5,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF

#### **INTRODUCTION**

The administration of President Ismail Omar Guelleh continued to repress and harass rights activists, journalists, and opposition leaders throughout 2014. In retaliation for the disputed 2013 legislative elections, during which more than 500 opponents were arrested, opposition leaders created a shadow parliament and refused to take up their parliamentary seats while talks were under way with the government. On December 31, the Djiboutian foreign ministry released a statement that representatives of the Union for National Salvation (USN) opposition coalition had agreed to take up their legislative seats in exchange for a series of democratic reforms. The government confirmed that the settlement represents a preliminary framework; an opposition commission would be established to develop a final agreement. The agreement represents the first time the opposition will have a formal presence in the Djiboutian parliament since the introduction of the multiparty system in 1992.

**POLITICAL RIGHTS:** 9 / 40**A. Electoral Process:** 3 / 12

Djibouti's ruling Union for a Presidential Majority (UMP) coalition party has effectively usurped the state. A constitutional amendment passed by the National Assembly in 2010 removed the two-term limit for the president, reduced presidential terms from six years to five, and specified that candidates must be between the ages of 40 and 75. The changes allowed Guelleh to stand for a third term in 2011. The decision sparked a series of antigovernment protests in which at least two were killed and hundreds arrested, including the leaders of three opposition parties. The 2011 presidential campaign was marred by the harassment of opposition leaders and a clampdown on public gatherings. Guelleh ultimately faced only one challenger and won with 81 percent of the vote.

The 65 members of the unicameral legislature, the National Assembly, are directly elected for five-year terms. The 2010 constitutional changes provided for the formation of a bicameral parliament comprising the existing National Assembly and a newly created Senate, though steps to establish one have yet to be taken.

In February 2013, Djibouti held its first legislative polls contested by the opposition in a decade. In the weeks prior to the election, the USN accused the government of censorship after its websites could not be accessed domestically. Although international observers declared the elections free and fair, the opposition alleged foul play and refuted the official total of 55 seats to the UMP to 10 for the USN. The USN refused to take their seats, but an agreement was reached on December 31, 2014, that would allow them to do so.

**B. Political Pluralism and Participation:** 3 / 16

Though the Djiboutian constitution provides full political rights, these rights are often ignored in practice. While Djibouti technically has a multiparty political system, the ruling UMP party has seized all state power. Political parties are required to register with the government.

Six political parties joined to form the USN coalition in the run-up to the 2013 legislative elections. Top USN officials have been repeatedly arrested since the elections. In May 2014, USN spokesman Daher Ahmed Farah was arrested for the 16th time since returning to the country from exile in January 2013. He was imprisoned in five of these instances.

Opposition parties have traditionally been disadvantaged by Djibouti's first-past-the-post electoral system, as well as the government's abuse of the administrative apparatus. Amendments to the electoral law in 2012 awarded 20 percent of seats proportionally, instead of the party that received the majority in a district winning the entirety of that district's seats. In 2013, the 10 seats won by the opposition represented the first time the ruling party had conceded any seats in the National Assembly. Following 18 months of negotiations, the Djiboutian government announced on December 31, and a USN official confirmed, that the USN had agreed to take up their legislative seats in exchange for a series of democratic reforms.

Representatives from minority groups, including the Afar, Yemeni Arabs, and non-Issa Somalis, are represented in all major Djiboutian governance institutions (cabinet, legislature, lower-level bureaucracy, etc.). However, the majority Issa hold more prominent positions in both government and the private sector.

**C. Functioning of Government:** 3 / 12

The UMP has assumed full control of the state and policy formation.

Government corruption is a serious problem, and efforts to curb corruption have met with little success. Djibouti ranked 107 out of 175 countries and territories surveyed in

Transparency International's 2014 Corruption Perceptions Index, and 35 out of 52 countries ranked in the 2014 Ibrahim Index of African Governance. Though no laws grant citizens access to government information, the government has made legislation publically available and created mechanisms for citizens to request information.

**CIVIL LIBERTIES:** 19 / 40 (-1)

**D. Freedom of Expression and Belief:** 6 / 16 (-1)

Despite constitutional protections, freedom of speech is not upheld in practice. No privately owned or independent media operate domestically, though political parties are allowed to publish a journal or newspaper. The government owns the principal newspaper, *La Nation*, as well as Radio-Television Djibouti, which operates the national radio and television stations. Strict libel laws lead journalists to practice self-censorship.

Approximately 10 percent of the population has access to the internet. While the government typically places few restrictions on internet access, opposition internet radio station *La Voix de Djibouti*, run by exiles in Europe, was regularly blocked during the 2013 legislative elections and its journalists are routinely targeted for arrest. The website's editor and USN communications officer, Maydaneh Abdallah Okieh, was briefly detained in January 2014 while covering the release of Zakaria Abdillahi, a prominent rights activist and president of the Djiboutian League of Human Rights (LDDH), from prison. Okieh was also arrested in March for covering a USN meeting.

Another *La Voix* journalist, Mohamed Ibrahim Waïss, was arrested, beaten in custody, and charged with incitement and publishing false news in August after covering a pro-democracy opposition demonstration. He was held for two weeks. Waïss has been a regular target of the Djiboutian government.

Islam is the state religion, and 99 percent of the population is Sunni Muslim. Religious matters are overseen by the Ministry of Islamic Affairs. Legislation enacted in 2013 provides the ministry oversight authority over mosques. The government claimed the new law would be used to counter foreign influence in the country, though it has also been used to monitor the opposition. Security services have questioned imams who gave sermons on political or social justice themes; at least three imams have been imprisoned for giving sermons on political topics.

Academic freedom is generally upheld without restriction. According to the Djiboutian Observatory for the Promotion of Democracy and Human Rights (ODDH), 62 teachers and educational staff have been arrested, allegedly for their affiliation with opposition groups and trade unions. At least 83 educators have had their salaries suspended since October 2013, supposedly for similar associations.

**E. Associational and Organizational Rights:** 3 / 12

Freedoms of assembly and association are nominally protected under the constitution, but are often not respected in practice. More than 500 opposition figures were arrested for participating in protests following the 2013 legislative elections. Members of the *Mouvement des jeunes de l'opposition* (MJO) opposition youth organization held demonstrations in Djibouti City in early November 2014. Though the protest proceeded without interference, MJO president and spokesperson Mouhayadine Yacin Mohamed and Said Charmake Darar were arrested in early December and charged with "illegal demonstration," "disturbing public order," and "violence and degradation." *La Voix de Djibouti* reported that the men were held for nearly two weeks. While in custody, both men were reportedly beaten and denied access to medical care.

Local human rights groups who cover politically sensitive matters do not operate freely and are often the target of government harassment and intimidation. In August 2014, the president of the ODDH, Farah Abdillahi Miguil, was prevented from boarding a plane to the United States and had his passport confiscated. This followed his release from prison, where he was detained without access to a lawyer, medical care, or contact with his family for more than a year.

Women's rights groups are the exception to government restrictions; the government generally supports their educational efforts and trainings.

Though workers may legally join unions and strike, the government has been known to intimidate union leadership and obstruct union activities. The government has been accused of meddling in their internal elections and harassing union representatives. It has also frozen union bank accounts and kept unions from receiving external funds from the diaspora and international union rights organizations.

#### **F. Rule of Law: 4 / 16**

The judicial system is based on the French civil code, though Sharia (Islamic law) prevails in family matters. The courts are not independent of the government. A lack of resources often delays legal proceedings. Security forces frequently make arrests without a proper decree from a judicial magistrate, in violation of constitutional requirements. Constitutional amendments made in 2010 abolished the death penalty. Prison conditions are harsh, but have improved in recent years.

Allegations of politically motivated prosecutions are common. In 2010, Djiboutian businessman Abdourahman Boreh was convicted in absentia on charges of terrorism. Boreh, an opposition leader who planned to stand against Guelleh in the 2011 presidential elections, received a 15-year prison sentence. The Djiboutian government later froze Boreh's assets on the grounds that he abused his position as chairman of the Djibouti Port and Free Zone Authority for private gain. Boreh is scheduled to appeal one of the cases against him in a London commercial court in 2015. In July 2014, the Djiboutian government confirmed that it has brought a case against DP World, a major port operator, to the London Court of International Arbitration and has rescinded the company's multidecade port concession on the grounds that it "paid bribes and gave other financial incentives to Mr. Boreh" during negotiations for a concession agreement.

Homosexual conduct is criminal under Djiboutian law and there are no laws in place to prevent discrimination against lesbian, gay, bisexual, and transgender (LGBT) persons. Generally, matters of sexual preference or orientation are not discussed publicly.

#### **G. Personal Autonomy and Individual Rights: 6 / 16**

There are few employment prospects in the formal sector. Minority ethnic groups and clans suffer discrimination and social and economic marginalization. Higher educational opportunities are also generally limited.

Though the law provides equal treatment for all Djiboutian citizens, women have fewer employment opportunities and are paid less than men for the same work. Women face discrimination under customary practices related to inheritance and other property matters, divorce, and the right to travel. The law prohibits female genital mutilation, but approximately 78 percent of women are believed to have undergone the procedure. An estimated 50 percent of girls now receive primary education following efforts to increase female enrollment. While the law requires at least 20 percent of upper-level public service positions to be held by women, women still hold less than 13 percent of legislative seats and only three of 23 cabinet-level posts.



## Dominica

**Political Rights Rating:** 1

**Population:** 70,625

**Civil Liberties Rating:** 1

**Capital:** Roseau

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

The Dominica Labour Party (DLP) maintained its parliamentary majority following general elections in December 2014, with Prime Minister Roosevelt Skerrit winning his third consecutive election at the helm of the party. The opposition United Workers' Party (UWP) contested the results, and the party's leader, Lennox Linton, indicated his intentions to challenge the results in court. Throughout the year, Linton and prominent DLP officials engaged in accusations of plagiarism, defamation, and violations of the Integrity in Public Office Act.

**POLITICAL RIGHTS:** 38 / 40

**A. Electoral Process:** 12 / 12

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. The president, who is the ceremonial head of state, is elected by the House of Assembly for a five-year term, and the prime minister is appointed by the president.

In 2013, the government elected former minister of security Charles Savarin as president. The UWP contested Savarin's nomination and boycotted the election.

General elections were held in December 2014. The DLP won 15 seats, while the UWP captured six. The electoral observation mission of the Organization of American States (OAS) deemed the elections to be generally free and fair. However, UWP leader Linton challenged the outcome, citing violations of electoral law and announcing his intentions to pursue these claims in court.

The issuance of multipurpose identification cards to be used in voting commenced in October 2013 and continued in 2014, though the cards were not used in the December elections. In the run up to election, the Electoral Commission began to actively remove the names of deceased individuals from voter lists.

**B. Political Pluralism and Participation:** 16 / 16

The dominant political parties are the ruling social-democratic DLP and the opposition centrist UWP. The right-wing Dominica Freedom Party has not been represented in the parliament since 2005. Political parties are relatively free to organize and operate.

**C. Functioning of Government:** 10 / 12

The government generally implements anticorruption laws effectively. As an offshore financial center, Dominica passed a series of laws in 2011 to combat money laundering and the financing of terrorism.

In February 2013, the Integrity in Public Office Commission (IPO) was scheduled hold a preliminary hearing concerning a complaint against Prime Minister Skerrit. Linton, a radio journalist at the time, accused Skerrit of using his influence as chairman of the cabinet to secure concessions for luxury villas for which he allegedly holds ownership claims. A high court judge granted Skerrit's legal team leave to apply for judicial review of the IPO's decision to hold the hearing. The IPO has since postponed the hearing indefinitely, though the case remained open in 2014. The IPO has been the center of both scrutiny and criticism in recent years, as detractors suggest that nominees to the commission are too politically connected to constitute an impartial accountability mechanism. Dominica was ranked 39 out of 175 countries and territories in the 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 57 / 60

**D. Freedom of Expression and Belief:** 15 / 16

Freedom of expression is constitutionally guaranteed, and the press is generally free in practice. Four private weekly newspapers are published without interference, and there are both public and private radio stations. Citizens have unimpeded access to cable television and the internet. However, the country lacks access to information legislation, and defamation remains a criminal offense punishable by imprisonment or fines. Defamation lawsuits and threats are commonly used by the Skerrit government against members of the media, leading to an environment of self-censorship.

In March 2013, the Eastern Caribbean Supreme Court (ECSC) overruled a lower court decision against Linton for defamation. The original plaintiff's team subsequently sought appeal at the Privy Council in London, and the case remained pending in 2014. In June 2014, after Linton accused the government of harboring criminals on the radio, eight ministers launched a defamation suit against him, seeking \$1 million in damages. Linton filed a defense in July, and the case was ongoing at year's end.

Freedom of religion is protected under the constitution and other laws. While the majority of the population is Roman Catholic, Protestants and others practice freely. Academic freedom is respected.

**E. Associational and Organizational Rights:** 12 / 12

The authorities uphold freedoms of assembly and association, and advocacy groups operate without interference. Workers have the right to organize, strike, and bargain collectively, and laws prohibit anti-union discrimination by employers. However, agricultural workers in major industries face burdensome restrictions on their ability to strike. Less than 30 percent of the private sector is unionized.

**F. Rule of Law:** 15 / 16

The judiciary is independent, and the rule of law is enhanced by the courts' subordination to the inter-island ECSC. Although the judicial system generally operates efficiently, staffing shortfalls remain a problem. In 2013, the government announced plans to establish the Caribbean Court of Justice (CCJ) as its final court of appeal, replacing the Privy Council in London. After receiving agreement from the British government in January 2014, the parliament approved the measure in July.

The Dominica police force, which assumed responsibility for security after the military was disbanded in 1981, operates professionally, and there have been few complaints of violations of human rights in recent years. In August 2014, five police officers were charged in connection with the death of a detainee in a holding cell. The matter was stayed later in

August to allow the high court to review of justiciability. In November, a high court judge ruled that the case could proceed, though no trial had been scheduled at year's end.

Members of Dominica's small indigenous population, the Carib-Kalingo, face a variety of challenges, including high poverty levels, encroachment on their territory by farmers, and difficulties in obtaining loans from banks. Rastafarians have reported discrimination and profiling by police.

Same-sex sexual relations are illegal, though the government has stated that the nation's Sexual Offences Act—which criminalizes “buggery”—has never been enforced. Nonetheless, the act contravenes Dominica's commitment to the International Covenant on Civil and Political Rights, which the country ratified in 1993.

#### **G. Personal Autonomy and Individual Rights:** 15 / 16

Women are underrepresented in government and hold just seven seats in the House of Assembly. No laws mandate equal pay for equal work in the private sector, or there are no protections against domestic abuse, which is a significant problem.

## Dominican Republic

**Political Rights Rating:** 2

**Civil Liberties Rating:** 3

**Freedom Rating:** 2.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 10,378,000

**Capital:** Santo Domingo

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,3,F	2,3,F

#### **INTRODUCTION**

The Dominican Republic enacted new legislation in May 2014 to open pathways to citizenship for residents of Haitian descent. The move was a step toward resolving international and domestic political fallout following a 2013 Constitutional Court ruling in favor of revoking citizenship for tens of thousands of Dominicans of Haitian descent, many of whom were born to illegal migrant workers. Nevertheless, the outlook for those affected remains uncertain, as the requirements for naturalization for many—including legal documents, identification, and registration processes—are daunting.

**POLITICAL RIGHTS:** 30 / 40

**A. Electoral Process:** 10 / 12

The Dominican Republic's bicameral National Congress consists of the 32-member Senate and the 183-member Chamber of Deputies, with members of both chambers elected to four-year terms.

The Dominican Liberation Party (PLD) captured 31 of 32 seats in the 2010 Senate elections; the Social Christian Reformist Party (PRSC) took the remaining seat. In the Chamber of Deputies, the PLD secured 105 seats, the Dominican Revolutionary Party (PRD) won 75, and the PRSC took 3. The opposition subsequently presented allegations of electoral fraud to the Organization of American States (OAS), and international observ-

ers noted that campaigning resources were not equally distributed between government and opposition candidates. The OAS also noted irregularities, including vote buying, though it certified the results.

The PLD's Danilo Medina was victorious in the 2012 presidential election, winning 51 percent of the vote and defeating PRD candidate Hipólito Mejía. Former president Leonel Fernández of the PLD, who served two terms from 1996 to 2000 and 2004 to 2012, was barred by the constitution from seeking a consecutive term. Medina won on a platform to reduce poverty, improve the country's educational system, fight corruption, and expand infrastructure projects.

The country's 38th constitution, promulgated in 2010, removed restrictions on nonconsecutive presidential reelection. There is some disagreement about the interpretation of the constitution, as some argue that it bans reelection. However, Fernández continued throughout 2014 to gather support for a third presidential bid in 2016. Meanwhile, others in the PLD moved to reform the constitution in order to allow for consecutive presidential reelection, which would allow the popular Medina to run again in 2016.

#### **B. Political Pluralism and Participation:** 11 / 16

There are many active political parties and they are able to freely participate in debate and discussions, but Dominican politics have been defined by competition between the PLD, the opposition PRD, and the smaller PRSC since the mid-1990s.

Haitians do not have full political rights. Recent legislative debacles, especially the 2013 revocation of and subsequent flawed processes for reinstating citizenship for Dominicans of Haitian descent born in the country, are indicative of the extent of discrimination.

#### **C. Functioning of Government:** 9 / 12

Corruption remains a serious, systemic problem for the country at all levels of the government, judiciary, security forces, and the private sector. As an accepted part of governance, it is institutionalized. Despite active anticorruption campaigns, largely led by non-governmental organizations (NGOs) and the media, corrupt officials largely continue their practices with impunity. Graft is linked to the country's sharp increase in drug trafficking. In 2014 alone, drug cartels paid out \$140,000 per month to local police officers, allowing drug traffickers to use the country as a production and transit hub. Corruption also extends to diplomatic postings: as of May 2014, the Dominican Republic listed 77 people as working with the United Nations in well-paid diplomatic posts, while the official United Nations count for the Dominican Republic stood at 37.

#### **CIVIL LIBERTIES:** 43 / 60

#### **D. Freedom of Expression and Belief:** 15 / 16

The law guarantees freedoms of speech and press for all, but journalists face intimidation and violence when investigating certain issues such as drug trafficking and corruption. A reporter for *El Nacional* newspaper investigating the drug trade narrowly escaped a shooting attempt in July; his house was also hit with tear gas grenades days earlier. Three journalists were injured in September while covering clashes between police and demonstrators over the shooting death of a man of Haitian origin.

Five national daily newspapers and a large number of local publications work alongside state-owned Radio Televisión Dominicana (RTVD). There are more than 300 privately owned radio stations and more than 40 television stations. Internet access is unrestricted and roughly 48 percent of the population is online, though telecommunications infrastructure is still lacking in rural areas.

Constitutional guarantees regarding religious and academic freedom are generally observed. Private discussion is unrestricted.

**E. Associational and Organizational Rights: 10 / 12**

Freedom of assembly is usually respected, but authorities were heavy handed in 2014. Police fired tear gas to quell a fierce demonstration demanding road repairs in San Cristóbal in September, and weeks later a protest over a police shooting led to clashes between demonstrators and police. Freedom of association is constitutionally guaranteed, but is limited for public servants. The government upholds the right to form civic groups.

Labor unions are well organized. Major labor protests in 2014 included ongoing domestic and international protests against the Dominican Republic's citizenship ruling by a coalition of the National Council of United Trade Unions (CNUS), the Domestic Workers Association (ATH), the International Trade Union Confederation (ITUC), and other Haitian and Dominican unions. Unions representing sugar cane cutters also organized several protests aimed at the Haitian government, demanding it provide identification documents to its workers free of charge so they could regularize their immigration status in the Dominican Republic.

**F. Rule of Law: 8 / 16**

The judiciary is politicized and plagued by corruption. The legal system offers little justice to those without the resources to offer bribes.

The country ranked the fifth most dangerous out of 21 Latin American and Caribbean countries, according to the 2014 Gallup Citizen Safety Index, which takes into account incidents of robbery, trust in the local police, and public perceptions. However, 2014 saw a sharp decline in the murder rate to its lowest point in 10 years, from 18.6 cases per 100,000 to 16.2 per 100,000.

Extrajudicial killings by police remain a serious problem; at least 87 were recorded in the first half of 2014. According to a 2012 Amnesty International report, police are involved in 15 percent of all killings in the country.

Prisons have been undergoing reform for the past decade to correct serious problems of overcrowding, poor sanitation, and violence. In a move away from corrections, the focus has shifted to inmate rehabilitation, education, and reintegration into society. Classes from primary to university level are being offered to prisoners at 18 of the country's 35 prisons in order to empower inmates to succeed outside prison walls. While costs of running the country's 18 rehabilitation-focused facilities are double those of traditional models, the new system boasts a 5 percent recidivism rate, compared to 50 percent for traditional prisons.

Haitians face persistent systematic discrimination, including obstacles to attending school and university, obtaining legal employment, and securing legal documents such as identification, birth certificates, and marriage licenses.

While same-sex sexual activity is legal in the Dominican Republic, the LGBT (lesbian, gay, bisexual, and transgender) community still faces discrimination and even violence. Members of the LGBT community are often blamed for high levels of HIV/AIDS in certain areas of the country. Same-sex relationships, as well as other gender identities, are still considered taboo in the country. In December 2014, the country's first same-sex marriage occurred under the Vienna Convention at the Dominican Republic's British Embassy between a Dominican man and a British man. LGBT individuals are barred from certain public sector jobs such as in the police force and armed forces.

**G. Personal Autonomy and Individual Rights: 10 / 16**

The mistreatment of Haitian immigrants and Dominicans of Haitian descent continues to mar the Dominican Republic's international reputation in the wake of its 2013 Constitutional Court ruling that a 2010 law limiting Dominican citizenship to children born to legal immigrants could be retroactively applied. The decision threatened to strip four generations of Dominicans of Haitian descent—an estimated 210,000 Dominicans—of their citizenship. Under international and domestic pressure from human rights critics, the country enacted new legislation in May 2014 that opened pathways to citizenship for residents of Haitian descent. However, the outlook for the affected Dominicans remains uncertain pending a February 2015 cutoff date and requirements for naturalization for many, including legal documents, identification, and registration processes. Meanwhile, authorities continue to police the Haiti-Dominican Republic border in order to stop the influx of refugees seeking to enter the Dominican Republic. The country's bid to join the Caribbean Community (CARICOM) was suspended in 2013 on the grounds that the citizenship ruling was in violation of the American Convention on Human Rights.

The Dominican Republic is making an effort to make women more visible in public and private spheres. The country still maintains an absolute ban on abortion, even in cases of rape, risky pregnancies, pregnancies where the mother is at risk, and in cases of an unviable fetus. A legislative effort in 2014 aimed to decriminalize abortion if the mother's health is at risk.

Trafficking in women and girls, child prostitution, and child abuse are major concerns. The government, in association with the United States, is making serious strides to combat trafficking. In August 2014, for example, the takedown of a prostitution ring saved 25 children and resulted in eight arrests.

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## East Timor

**Political Rights Rating:** 3**Population:** 1,212,000**Civil Liberties Rating:** 3**Capital:** Dili**Freedom Rating:** 3.0**Freedom Status:** Partly Free**Electoral Democracy:** Yes

**Ratings change:** East Timor's civil liberties rating improved from 4 to 3 due to a decrease in restrictions on peaceful assembly and an overall improvement in the internal security situation over the past several years.

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	3,3,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,3,PF

**INTRODUCTION**

East Timor's internal security situation continued to improve in 2014, but government actions raised concerns at home and abroad regarding the commitment to democratic principles of the administration of Prime Minister Kay Rala Xanana Gusmão. Reconciliation between Gusmão and the opposition leader as well as the neutralization of armed, revolutionary ex-guerrilla groups helped reinforce political stability, but several high-level corruption scandals plagued the cabinet during the year.

In October, Parliament adopted a controversial media law, and the government revoked the work authorization of five foreign judges and three other international staff members working for judicial and anticorruption bodies. These two developments severely undermined the independence and capacity of the country's legal system and media.

Economic growth was a primary concern of the government in 2014. East Timor remains one of the poorest countries in southeast Asia.

**POLITICAL RIGHTS:** 29 / 40

**A. Electoral Process:** 11 / 12

The leader of the majority party or coalition in the 65-seat, unicameral Parliament becomes prime minister. 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 and members of Parliament serve five-year terms, with the president eligible for a maximum of two terms.

In presidential and parliamentary elections in 2012, observers deemed the voting largely free and fair. José Maria Vasconcelos, better known as Taur Matan Ruak, won the presidential election as an independent in a run-off against former parliamentary speaker Francisco Guterres of the Revolutionary Front for an Independent East Timor (Fretilin). Due to the 3-percent threshold required to enter Parliament, only 4 out of 21 competing parties garnered seats in the legislative elections. The National Congress for Timorese Reconstruction (CNRT) secured 30 seats. It formed a coalition with the Democratic Party, which won 8 seats, and the new National Reconstruction Front of East Timor–Change (Frenti-Mudança), which had broken from Fretilin in 2011 and took 2 seats in the elections. Gusmão secured a second term as prime minister. Fretilin secured 25 seats and remained in opposition.

**B. Political Pluralism and Participation:** 12 / 16

The main players in Timorese politics are the governing coalition controlled by the CNRT, and the opposition Fretilin, which led East Timor's first elected government from 2001 to 2007. Independence heroes and their rivalries dating back to the anti-Indonesian resistance movement continue to dominate national politics, at times causing governmental paralysis and even violence. Parties have made little effort to prepare a new generation of political leaders.

There is a significant opposition vote, but Parliament has shown little initiative in its government oversight functions or the development of draft legislation. Draft bills introduced by the government are rarely debated. Fretilin has been more conciliatory toward government proposals in Gusmão's second term as compared to his first.

Cultural, ethnic, and religious minorities have full political rights and electoral opportunities. Amendments to the election laws made in 2011 require one-third of candidates on party lists for parliamentary elections to be female.

**C. Functioning of Government:** 6 / 12

Despite a relatively large cabinet of 55 members, power is concentrated in the 15-member Council of Ministers and the person of Gusmão, who also serves as minister of defense and security.

Voter frustration with corruption and nepotism has plagued both Fretilin- and CNRT-led governments. In one high-profile case, President Ruak granted an official pardon in August 2014 to former justice minister Lucia Lobato, who had been found guilty of corruption related to a government procurement project and sentenced to five years in prison in 2012. The pardon overrode the Supreme Court's 2013 rejection of her appeal. In August 2014, Finance

Minister Emilia Pires, a close associate of Gusmão, was indicted over a contract for hospital beds awarded to a firm owned by her husband.

An anticorruption commission was created in 2009 with a broad mandate, except for powers of prosecution. A foreign police officer working with the commission was among the international citizens who lost their visas in November, following resistance by Gusmão to commission attempts to question government officials.

East Timor was ranked 133 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 36 / 60

**D. Freedom of Expression and Belief:** 12 / 16

Media freedom is protected in the Timor constitution. In practice, however, the free flow of information remains hampered, primarily by poor infrastructure and scarce resources. Domestic media outlets are vulnerable to political pressure due to their reliance on government financial support in a media market with small audiences, low literacy rates, and limited nongovernmental sources of paid advertising. Radio is the medium with the greatest reach; printing costs and illiteracy rates generally prevent the expansion of print media. The country has four major daily newspapers, some of which are loosely aligned with the ruling or opposition parties. Only about 1 percent of the population has access to the internet.

Journalists are often treated with suspicion, particularly by government officials, and in many cases practice self-censorship. Authorities regularly deny access to government information. The 2009 penal code decriminalized defamation but retained provisions against "slandorous denunciation," and defamation remains part of the civil code.

In October 2014, Parliament unanimously passed a controversial media law. The final law did not include several earlier provisions that had been struck down by the Court of Appeals, but it restricted foreign investment in Timorese media to 30 percent. The final version also included other elements that press advocates criticized as undermining media freedom, such as the creation of a government-sponsored Press Council with the power to fine journalists for "undesirable" reports, a requirement that all reporters be accredited by the state, and a prerequisite that journalists have minimum academic qualifications and professional experience—a high bar in a poor, developing country. The law also opened the possibility that restrictive provisions could be applied to bloggers, book authors, publishers, and social media users. The law came into effect in December, though the constitutionality of the foreign investment provision remained contested.

Freedom of religion is protected in the constitution, and East Timor is a secular state, though approximately 97 percent of the population is Roman Catholic. Protestant groups have reported some cases of discrimination and harassment. While religious education is included in the school curriculum, parents may remove their children from the classes. Academic freedom is generally respected.

**E. Associational and Organizational Rights:** 8 / 12 (+1)

Freedoms of association and assembly are constitutionally guaranteed and generally respected in practice. A 2004 law regulates political gatherings and prohibits demonstrations aimed at "questioning constitutional order" or disparaging the reputations of the head of state and other government officials. The law requires that demonstrations and public protests be authorized in advance and restricts how close these activities can be to government buildings and critical infrastructure. However, these restrictions have almost never been enforced in recent years. Nongovernmental organizations (NGOs) can generally operate



without interference, although the state has more actively monitored and regulated their work since independence. Few NGOs operate outside of the capital.

Workers, other than police and military personnel, are permitted to form and join labor unions, bargain collectively, and strike; in practice, however, labor organizations are slow to form. Unionization rates are also low due to high levels of unemployment and informal economic activity. A 2011 law requires written notification five days in advance of a strike.

#### **F. Rule of Law: 7 / 16 (+1)**

East Timor suffers from weak rule of law and a prevailing culture of impunity, which were exacerbated by several shake-ups in the composition of the judiciary in 2014. In February, Claudio de Jesus Ximenes, president of the Court of Appeal—the country’s highest judicial body—resigned amid accusations of mishandling the case against former minister of justice Lobato. In October, the Gusmão administration pushed through two parliamentary resolutions that terminated the contracts of all foreigners working in judicial, prosecutorial, and anticorruption institutions. Although the resolutions linked the action to their technical capacity after court decisions against the government in cases involving taxation of oil revenue, many observers suspected government concerns over ongoing and potential future corruption cases involving high-level Timorese officials. Moreover, at least one of the judges had handled Lobato’s case on the Court of Appeals, causing some observers to speculate the expulsion was a form of reprisal. A week after the resolutions, the government revoked the work visas and permits of eight foreign judicial and anticorruption officials and gave them 48 hours to leave the country. The group included five of the country’s 29 judges. Several other international judicial staff subsequently left the country or had their work suspended. As a result of the *de facto* expulsions, legal proceedings in some courts were delayed or faced retrial. The government’s actions drew widespread international condemnation.

A considerable backlog in the courts is ongoing, despite the introduction of mobile courts in 2008. Due process rights are often restricted or denied, owing largely to a dearth of resources and personnel. The use of the Portuguese language for court administration poses an obstacle in district courts due to the limited number of Portuguese speakers and the challenge of translating legal terms into local languages. Absence of Portuguese interpreters often forces the adjournment of trials.

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. A 2013 Asia Foundation report found that those who have knowledge of the formal court system have confidence in it, but most Timorese have greater confidence in local justice mechanisms.

East Timor began operating without direct international support in 2013 for the first time since independence. Internal security continued to improve in 2014 after authorities neutralized two groups of ex-guerillas who had threatened to forcibly dissolve Parliament and cancel the 2002 constitution. In March 2014, leaders of the two groups surrendered to the police after Parliament approved action against them. They were awaiting trial at year’s end.

The military and national police are constitutionally subject to oversight by a civilian secretary of state, a post currently held by Prime Minister Gusmão. According to a July 2014 report by the Institute for Policy Analysis of Conflict (IPAC), the national police force suffers from lack of leadership legitimacy, which constrains reform and professionalization. Police officers and soldiers are regularly accused of excessive force and abuse of power, though the courts have had some success in prosecuting them.

The law bans discrimination based on sexual orientation, and hate crimes based on sexual orientation are considered an aggravating circumstance in the penal code. Issues like sexual orientation and gender identity reportedly receive little public attention, but a small number of LGBT (lesbian, gay, bisexual, and transgender) advocacy organizations have been established.

#### **G. Personal Autonomy and Individual Rights: 9 / 16**

Citizens enjoy freedom of unrestricted travel, though travel by land to the enclave of Oecusse is hampered by visa requirements and Indonesian and Timorese checkpoints. The country's citizens also enjoy free choice of residence and employment, but unemployment rates are high, and an estimated 80 percent of the population still works in subsistence farming.

The status and reintegration of the thousands of Timorese refugees living in the Indonesian province of West Timor—having fled a 1999 Indonesian crackdown in East Timor following that year's referendum on independence—remained unresolved in 2014. The Timorese government has long encouraged the return of the refugees, but concerns over access to property and other rights, as well as the status of former militia members, continue to hinder their return.

While Timorese have the right to establish businesses, property rights are complicated by the legacies of the Portuguese and Indonesian administrations. Community property comprises approximately 90 percent of the land in East Timor. In 2012, then president José Ramos-Horta vetoed three land laws passed by Parliament to create a legal category for communal land and establish a mechanism for resolving land disputes outside of the court system. A new draft land law was amended and presented to Parliament in 2013 but was still pending at the end of 2014.

Equal rights for women are constitutionally guaranteed, but discrimination and gender inequality persist in practice and in customary law. Women hold 25 of the 65 seats in Parliament. Despite a 2010 law against domestic violence, gender-based and domestic violence remain widespread. A 2014 report by UNICEF found that 30 percent of adolescent girls had been victims of violence, most often by female family members. Civil society groups have criticized the courts' use of prison sentences for only the most severe and injurious domestic violence cases. Many victims are reluctant to seek justice. East Timor is a source and destination country for human trafficking into forced labor and prostitution.

## ↓ Ecuador

**Political Rights Rating:** 3

**Population:** 16,027,000

**Civil Liberties Rating:** 3

**Capital:** Quito

**Freedom Rating:** 3.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Trend Arrow:** Ecuador received a downward trend arrow due to increased limits on freedom of expression, including the monitoring of online content and harassment of bloggers and social-media users.

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF

**INTRODUCTION**

After losing key localities in the February 2014 local elections, the ruling Alianza PAIS sought to consolidate its power through other means. In June, the government introduced a constitutional reform initiative that included the removal of presidential term limits and would allow the armed forces to participate in police operations. Discussions of the proposed changes began in December 2014; the final vote by the legislature—which could pave the way for President Rafael Correa to run for a third term in office—was set for December 2015.

The government has increasingly cracked down on social media and other internet activity, leading some online outlets to disable sections for public comment out of fear of reprisal. The government has also hired private firms to monitor online content, and public officials have sued individuals for remarks made on social media.

**POLITICAL RIGHTS: 24 / 40****A. Electoral Process: 7 / 12**

The 2008 constitution provides for a directly elected president who may serve up to two four-year terms. The unicameral, 137-seat National Assembly is elected for four-year terms, with 116 members elected in 24 provinces (each province elects at least 2 representatives and then one additional representative for every 200,000 inhabitants), 15 elected through nationwide proportional representation, and 6 in multimember constituencies representing Ecuadorians living abroad. The president has the authority to dissolve the legislature once in his term, which triggers new elections for both the assembly and the presidency. The assembly can likewise dismiss the president, though under more stringent rules. The president can veto individual line items in legislation.

In the February 2013 presidential election, Correa won a second term with more than 57 percent of the vote in the first round, followed by Guillermo Lasso Mendoza of the Creating Opportunities Movement (CREO) with 22 percent. In concurrent legislative elections, Correa's Alianza PAIS won an overwhelming 100 of the 137 seats. CREO took only 11 seats; the Social Christian Party won 6; Patriotic Society, Avanza, and the Pachakutik Plurinational Unity Movement won 5 each; and five smaller factions took 1 seat each.

International observers said the elections were generally free and fair. According to the Organization of American States (OAS), the environment for political competition among candidates was more equal than in previous elections. This was due to new electoral legislation that banned public institutions from advertising during the campaign period, established predetermined spaces for the candidates to campaign, and prohibited private individuals from contracting or disseminating electoral propaganda. However, the OAS also observed that because those rules were only in effect during the official six-week campaign period, competition between candidates in the precampaign period was unregulated, giving an advantage to the incumbent. Prior to the elections, the Correa administration promoted changes to the parliament's seat-allocation formula that favored larger parties, which critics warned would benefit PAIS.

In February 2014 local elections, which were conducted without major incident, the ruling Alianza PAIS was the overall winner, though it lost key localities to other parties.

Following a request from the president of the National Assembly, in October 2014 the Constitutional Court announced that it would permit a legislative vote—as opposed to a referendum—on the government's proposed constitutional reforms, including the removal of presidential term limits. Despite opposition calls to submit the proposals to a popular vote, the package would only require two separate legislative discussions separated by 12 months. The first debate was completed in December 2014; the second, including the decisive vote, was scheduled for December 2015.

**B. Political Pluralism and Participation:** 11 / 16

For decades, Ecuador's political parties have been largely personality based, clientelist, and fragile. Correa's PAIS alliance remains by far the largest in the legislature. Other parties include CREO, the Social Christian Party, and the Patriotic Society Party. The Pachakutik movement is loosely affiliated with the Confederation of Indigenous Nationalities (CONAIE), the leading national organization representing indigenous groups.

The 2008 constitution mandated that political organizations register as a requirement for eligibility in the 2013 general elections. The registration process drew controversy, however, with reports that voters were signed up to support parties without their knowledge, among other irregularities. In preparation for the 2014 local elections, the registry of local organizations expanded. As of the end of 2014, a total of 137 political organizations were legally recognized—10 at the national level and 127 at the provincial level.

The election law requires that women account for 50 percent of party lists in national legislative elections. 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:** 6 / 12

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. Investigations into alleged corruption fall under the jurisdiction of the government's office of Transparency and Social Control (FTCS), created under the 2008 constitution. By the end of 2013, the FTCS was investigating 84 cases of corruption, ranging from irregularities in public contracting to disputes concerning fees at educational institutions. That year, the agency launched a national anticorruption plan aimed at eradicating corruption by 2017.

A March 2014 OAS report on corruption in Ecuador recommended that the Prosecutor's Office adopt measures to ensure the timely processing of corruption cases and to remove obstacles to pursuing alleged embezzlement and illicit enrichment. Ecuador was ranked 110 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 35 / 60 (-1)**D. Freedom of Expression and Belief:** 12 / 16 (-1)

Ecuador remained a hostile environment for freedom of expression in 2014. The press watchdog Fundamedios reported 253 cases of verbal, physical, or legal harassment against journalists during the year. President Correa continued to use national broadcasts to castigate opposition leaders. The government also made use of its unlimited access to public service airtime to interrupt news programming on privately owned stations for the purpose of discrediting journalists.

After suing Correa for his response to a 2010 police revolt, opposition assembly member Cléver Jiménez and journalist Fernando Villavicencio were convicted of defamation in April 2013. As of December 2014, Jiménez and Villavicencio—both of whom were sentenced to 18 months in prison and forced to pay fines and issue public apologies to the president—remained in hiding. Calls from the Inter-American Court of Human Rights for a suspended sentence were denied, though in August 2014 the sentences were reduced to 12 months.

Ecuador's controversial Organic Law on Communications, approved by the National Assembly in June 2013, has faced strong criticism from international press freedom groups and human rights commissions for overly broad restrictions on the media. Among other

provisions, the legislation created powerful regulatory bodies with little independence from the executive, placed excessive controls on journalistic content, and imposed onerous obligations on journalists and media outlets, such as barring reporters from working unless they hold degrees from accredited institutions. The law also employs vague language that could be used to censor critical reporting, prohibiting “media lynching” and “character assassination.” The former extends to investigative reporting, while the latter covers the dissemination of any information that could undermine the prestige of an individual or institution. In September 2014, the Constitutional Court upheld the law, rejecting a challenge by opposition politicians and civil society groups.

In a high-profile case in January 2014, the Superintendency of Information and Communication (SUPERCOM) applied the communications law to order cartoonist Xavier Bonilla (known as Bonil) to alter an image he published in the newspaper *El Universo* in December 2013. The drawing criticized a police raid on the home of Fernando Villavicencio in which officials seized computers that allegedly held evidence of official corruption. SUPERCOM also fined *El Universo* for failing to verify the text printed in the cartoon. The Inter American Press Association and the National Union of Journalists both criticized the ruling.

A new criminal code approved in December 2013 contains potential restrictions on freedom of expression, including provisions penalizing the propagation of information that could erode equality, the unauthorized dissemination of personal information, the publication of false news that could affect the economy, and the defense of someone sentenced for a crime. The new code also retained existing libel and terrorism clauses. The constitutional reform package under discussion in 2014 included a provision to make communications a “public service,” which would give the government broad regulatory powers over the media.

Critical content published online has been subject to increasing pressure from the government in recent years. The government has employed private firm Ares Rights to force the removal of YouTube videos and Twitter messages that are critical of the government on grounds of copyright infringement. In July 2014, Twitter suspended the accounts of four government critics for 24 hours with providing justification.

Freedom of religion is constitutionally guaranteed and is generally respected in practice. Academic freedom is likewise unrestricted.

#### **E. Associational and Organizational Rights: 7 / 12**

Numerous protests occur throughout the country without incident. However, national security legislation that predates the Correa administration provides a broad definition of sabotage and terrorism, extending to acts against persons and property by unarmed individuals. The use of such charges against protesters has increased under Correa.

In June 2013, Mery Zamora, a former leader of the teachers’ union, received an eight-year prison sentence for sabotage due to her role in encouraging students to protest against the government during a 2010 police revolt. In a surprising decision, the National Court of Justice overturned Zamora’s conviction in May 2014. In September, police suppressed a Quito-area protest organized by workers and students, leaving dozens injured, and arrested more than 100 participants for causing disturbances and assaulting police.

While the right to organize civic groups and unions is provided for by law, domestic and international nongovernmental organizations (NGOs) have come under increasing government scrutiny and regulation. A 2013 presidential decree introduced onerous requirements for forming an NGO, granted officials broad authority to dissolve organizations, and obliged NGOs to register all members. Critics contended that the regulations violated international standards, and activists challenged the constitutionality of the decree in Ecuadorian courts. NGO representatives also testified on the matter before the Inter-American Commission on

Human Rights. Nevertheless, in January 2014, SUPERCOM invoked the decree when it assumed administrative control of Fundamedios, which is known for its open criticism of the government. The government also made use of the decree to shut down indigenous rights NGO Pachamama in 2013. NGOs were granted 18 months to comply with the new rules. As of December 2014, the government automatically registered all 46,330 social and civil organizations, prompting at least 15 NGOs to complain that they had opted not to register in protest.

A July 2011 presidential decree used broad language to limit the scope of foreign-sponsored NGOs, forbidding activities “incompatible with public security and peace,” among other things. In September 2013, the U.S. Agency for International Development (USAID) left Ecuador after the government denied it permission to renew existing programs or begin new activities.

Private-sector labor unions have the right to strike, though the labor code limits public-sector strikes. There are more labor unions in the public than in the private sector. It is estimated that only a small portion of the general workforce is unionized, partly because many people work in the informal sector. Under the December 2013 criminal code, public servants who “impede, suspend, or obstruct the execution of a law or regulation” may face sentences of one to three years in prison.

#### **F. Rule of Law: 6 / 16**

As established under a 2011 reform, Ecuador’s highest-ranking judicial bodies are the 21-member National Court of Justice and the nine-member Constitutional Court, whose judges were appointed in 2012. Opposition members and foreign experts expressed concern about the pronounced lack of transparency in the appointment process for the National Court of Justice. The Constitutional Court has likewise faced criticism on the grounds that members of the selection committee are closely aligned with the government. The system used by the Council of Popular Participation to vet candidates for the attorney general appointed in April 2011 was similarly criticized for its lack of transparency.

Judicial processes remain slow, with many inmates reaching the time limit for pretrial detention while their cases are still under investigation. Overcrowding plagues the prison system, and torture and ill-treatment of detainees and prisoners are widespread. The December 2013 criminal code introduced more restrictive rules on pretrial detention, penalties for specific crimes such as hired killings, and tougher sentences for existing offenses.

Indigenous people continue to suffer discrimination at many levels of society. In the Amazon region, indigenous groups have attempted to win a share of oil revenues and a voice in decisions on natural resources and development. The government, however, has steadfastly refused the claims of indigenous inhabitants, maintaining that development of protected land is a matter of national interest. Those who continue to campaign against the government often face harassment or violence. In December 2014, the body of indigenous leader and vocal mining opponent José Isidro Tendetza Antún was discovered; he had last been seen en route to a local mining protest.

Ecuador is the largest recipient of refugees in Latin America. A 2012 presidential decree introduced restrictive admissibility rules, including the possibility of reversing the status of a previously recognized refugee. In 2014, the Constitutional Court declared these provisions unconstitutional.

The government has shown some responsiveness in upholding the rights of LGBT (lesbian, gay, bisexual, and transgender) people. The constitution includes the right to decide one’s sexual orientation, and discrimination based on sexual orientation is prohibited by law. Nevertheless, LGBT individuals continue to face discriminatory treatment, and there have been instances of efforts to change people’s sexual orientation at specialized

clinics. Some LGBT students, especially transgender students, have been discouraged from attending university classes.

#### **G. Personal Autonomy and Individual Rights: 10 / 16**

Ecuador removed an exit permit requirement in 2008, and freedom of movement outside and inside the country is now largely unrestricted. Individuals can determine their place and type of employment. There has been some controversy over entrance to public higher education institutions, however, since the government introduced a nationwide examination and reorganized admission procedures.

Citizens have the right to own property and establish private businesses without undue influence by nonstate actors. While there may be delays due to red tape, Ecuador's business environment is better than the regional average, according to the World Bank's 2015 *Doing Business* report. A 2011 referendum, followed by an antimonopoly law, prevents asset holders in private financial institutions or private companies in the communications sector from simultaneously holding stakes outside each of these sectors.

Following a 2008 constitutional mandate calling for a significant female presence in public office, women won 53 of 137 assembly seats in the 2013 elections. Employment discrimination is common. The government has taken steps to protect women's rights through public campaigns and legal measures. The 2013 criminal code included femicide as a crime carrying penalties of up to 26 years in prison, and sexual harassment is punished with up to two years in prison. Nevertheless, according to the National Institute for Statistics and Censuses 2011 Survey on Gender Violence, 6 in every 10 women have suffered from some form of gender violence; one in four of those suffering violence has been subjected to sexual violence, though the most prevalent form of gender violence is psychological. Human trafficking, especially of women and children, remains a problem.

The constitution does not provide for same-sex marriage, but civil unions are recognized.

## ↓ Egypt

**Political Rights Rating:** 6

**Population:** 87,900,000

**Civil Liberties Rating:** 5

**Capital:** Cairo

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Trend Arrow:** Egypt received a downward trend arrow due to the complete marginalization of the opposition, state surveillance of electronic communications, public exhortations to report critics of the government to the authorities, and the mass trials and unjustified imprisonment of members of the Muslim Brotherhood.

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	5,5,PF	6,5,NF	6,5,NF

#### **INTRODUCTION**

The military effectively controlled Egypt at the beginning of 2014, with no elected president or legislature in place following the June 2013 coup against then president Mohamed Morsi. In January, the interim government heavily promoted a new constitution to replace

one adopted under Morsi. Authorities prevented organized campaigning against the new charter, which passed a referendum that month amid low voter turnout.

A presidential election was held May 26 to 28 following a brief and tightly managed campaign period. Former army field marshal and defense minister Abdel Fattah al-Sisi won a lopsided victory, credited with more than 95 percent of the vote. Observers noted major flaws in the process, however, and the sole opposition candidate, leftist politician Hamdeen Sabbahi, publicly questioned the official results.

The government harshly restricted dissent and assembly by activists from across the political spectrum during the year. The media were also targeted, with authorities harassing and sometimes jailing journalists who reported on political opposition of any kind.

An armed insurgency in the Sinai Peninsula continued to grow. In October, authorities began demolishing hundreds of homes along the border with the Gaza Strip in an effort to halt the flow of weapons and militants through the area.

**POLITICAL RIGHTS:** 8 / 40 (-1)

**A. Electoral Process:** 2 / 12 (+1)

In July 2013, following massive protests calling for the resignation of elected president Mohamed Morsi of the Muslim Brotherhood's Freedom and Justice Party (FJP), the armed forces overthrew Morsi, suspended the constitution, and dissolved the upper house of Parliament. The military installed a nominally civilian interim government, but remained heavily involved in the political system. The courts had already dissolved the FJP-dominated lower house in 2012.

A new constitution was passed in a referendum on January 14 and 15, 2014, after a campaign period in which authorities effectively banned all expression of opposition to the charter. According to official results, the constitution received 98.1 percent of the vote, amid 38.6 percent turnout. The referendum was held in a tense atmosphere, with more than 350,000 security personnel deployed throughout the country, sporadically clashing with Islamists and other government opponents. Most Islamist groups boycotted the vote, arguing that the process was an illegitimate product of the 2013 coup.

The new constitution nominally improved protections for women's rights, freedom of expression, and other civil liberties. However, these rights were not enforced in practice, and the charter suffered from significant flaws, including an expansion of police and military autonomy and a provision allowing military trials of civilians.

A presidential election was held in May after an uneventful 20-day campaign period. Sisi and Sabbahi were the only two candidates; a third dropped out just before the registration deadline, claiming he had received a divine signal that Sisi would win. Very low turnout on the first two days of voting prompted authorities to extend the process to a third day. Reports of other electoral irregularities included the use of state resources to support Sisi's candidacy, voter intimidation by government workers and Sisi supporters, and arrests or assaults of poll monitors. The Sabbahi campaign withdrew its monitors in response to such violations. Sisi officially received more than 95 percent of the vote amid nearly 48 percent turnout, though Sabbahi and others questioned those figures, and no independent verification of the results was available. Sisi was sworn in on June 8. Under the new constitution, he could serve up to two four-year terms.

The constitution called for the election of a unicameral Parliament, but no such elections were held during 2014. With no legislature in place, the executive branch ruled by decree throughout the year. A June decree on parliamentary elections, coupled with a December measure on electoral districts, assigned 420 of the 567 seats to nonpartisan independent candidates, 120 to party lists, and 27 to presidential appointees. The arrangement



was widely believed to disadvantage opposition parties and favor local power brokers with ties to the government.

**B. Political Pluralism and Participation:** 4 / 16 (-2)

Since the 2013 coup, the military has dominated the political system, and all opposition forces have been thoroughly marginalized. Large numbers of Muslim Brotherhood members and supporters, including nearly all of the organization's senior leadership and Morsi himself, were arrested at the time of the coup or in the subsequent months, and an estimated 16,000 people were behind bars for political reasons as of mid-2014. Authorities declared the Brotherhood a terrorist organization in December 2013, which allowed them to charge anyone participating in a pro-Morsi demonstration with terrorism and laid a foundation for the complete political isolation of the Islamist opposition. The new constitution banned parties based on religion.

The government has also pursued non-Islamist critics, including prominent political scientists Emad Shahin, who was accused of espionage, and Amr Hamzawy, who was charged with insulting the judiciary, both in early 2014. Alaa Abdel Fattah, perhaps Egypt's best-known secular activist, was in detention at year's end, awaiting retrial and a possible sentence of 15 years in prison for violating a highly restrictive law on public protests. In another severe blow to liberal political activism, a court in April banned the April 6 movement, one of the prodemocracy groups that catalyzed the January 2011 uprising against longtime authoritarian president Hosni Mubarak.

The military leadership publicly endorsed Sisi's presidential candidacy, calling it a "mandate and an obligation" to the masses. The interim president—whose own authority rested on a military decree—promoted Sisi to the rank of field marshal in January. Sisi resigned from the army when he formally announced his election bid, but he reportedly used military resources to fund his campaign and maintained a close relationship with the armed forces after taking office. The new constitution increased the military's independence from civilian oversight, including through the selection of the defense minister, who must be a military officer.

**C. Functioning of Government:** 2 / 12

Corruption is pervasive at all levels of government. Egypt was ranked 94 out of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index. Official mechanisms for investigating and punishing corrupt behavior remain very weak, and the major revelations and prosecutions that emerged after Mubarak's ouster in 2011 have faltered since the 2013 coup. Mubarak himself was sentenced to three years in prison for embezzlement in May 2014, and his two sons received four years each. However, appeals were pending at year's end, and a number of other charges against the men were dropped in November.

As with its predecessors, the Sisi administration offered very little transparency regarding government operations and budget making. The military is notoriously opaque with respect to its own extensive business interests across several sectors of the Egyptian economy.

There was a civil society consultation process for the new constitution, though civic and opposition groups did not have a significant impact on the final document, and the drafting committee itself was not representative of the general population.

**CIVIL LIBERTIES:** 18 / 60 (-4)

**D. Freedom of Expression and Belief:** 5 / 16 (-1)

Military authorities shut down virtually all Islamist and opposition media outlets following the 2013 coup and pressured others if they carried any critical coverage of the

new government. As a result, state media and most surviving private outlets are openly pro-military and pro-Sisi.

Official censorship and self-censorship remained widespread in 2014. In October, the government seized an entire press run of Egypt's largest private newspaper, *Al-Masry al-Youm*, because it included a sensitive interview with a former intelligence officer. Security forces later detained the paper's editor in chief and a reporter to question them about their investigation of fraud in the 2012 presidential election. Separately, political comedian Bassem Youssef suspended his satirical television show in June, citing extensive pressure to refrain from criticizing the government; the show had already moved to a Dubai-based broadcaster after an Egyptian station pulled it in late 2013.

The government has conducted an ongoing offensive against Qatar's Al-Jazeera television network, which is considered sympathetic to the Muslim Brotherhood. In late June 2014, a court sentenced three Al-Jazeera journalists to at least seven years in prison each on charges of conspiring with the Brotherhood to publish false news. The convictions followed a farcical trial in which prosecutors presented no credible evidence of the alleged crimes. An appeal was pending at year's end. Arrests of other journalists on dubious charges continued during 2014, and media workers had increasing difficulty accessing or reporting on the Sinai.

Islam is the state religion, and most Egyptians are Sunni Muslims. Coptic Christians form a substantial minority, and there are very small numbers of Jews, Shi'ite Muslims, and Baha'is. The 2014 constitution made the right to freedom of religion "absolute" and was well received by religious minorities, though little has changed in practice since the document's adoption. Some Morsi supporters considered the Coptic community to be partly responsible for his overthrow and attacked Copts and their property in retaliation. Only an estimated 10 percent of the dozens of churches and businesses damaged in such attacks in 2013 had been rebuilt by late 2014.

Anyone whose appearance or dress suggests adherence to a conservative form of Islam continues to be at risk of arrest or harassment. An atmosphere of insecurity and repression prevailed throughout 2014, with the government dictating weekly sermon themes at mosques and closely monitoring political speech at religious institutions. Authorities also stepped up pressure on perceived atheists, enforcing laws against blasphemy and raiding supposed gathering places for atheists in November and December.

Academic freedom has suffered since the 2013 coup. Despite a ban on political activity, universities have been a center of antigovernment demonstrations and the target of a government crackdown. Sisi appoints university presidents and has empowered university officials to expel and further marginalize antigovernment students. Hundreds of students were arrested for demonstrating against the government over the course of 2014.

Private discussion has become more guarded in the face of vigilantism and increased monitoring of social media for opposition-oriented content. Media personalities have called on the public to inform on anyone they suspect of undermining the state, and some arrests have been reported stemming from overheard conversations in public places.

#### **E. Associational and Organizational Rights: 4 / 12**

Freedoms of assembly and association are tightly restricted. A November 2013 decree gave police great leeway to ban and forcibly disperse gatherings of 10 or more people. The law also prohibits all protests at places of worship and requires protest organizers to inform police at least three days in advance. Protests against the government continued throughout 2014, but they often ended in violent clashes with police and local residents, and police repeatedly used excessive force. On the third anniversary of the 2011 uprising in January,

authorities responded to secularist and Islamist demonstrations with tear gas and live ammunition, resulting in at least 49 deaths and more than 1,000 arrests.

The 2002 Law on Associations grants the government sweeping powers over nongovernmental organizations (NGOs), including the ability to shut down the groups, confiscate their funding, and block nominations to their governing boards. Individuals working with unregistered groups face prison terms for engaging in “unauthorized activities.” The government has in the past permitted NGOs to operate without registration, enforcing the law when it becomes politically expedient. Under a decree issued in September 2014, members of NGOs that use foreign funding to commit acts that “harm the national interest” face life imprisonment and fines of nearly \$70,000. If an offender is a public servant or committed the violation for the purposes of terrorism, he or she could face the death penalty.

Strikes played a significant role in the 2011 uprising, and workers subsequently formed an independent union federation, ending the long-standing monopoly of the state-allied federation. The labor movement was dampened somewhat after Morsi’s ouster, as authorities clamped down on strikes and accused those involved of sympathizing with the Muslim Brotherhood. Strikes began to increase again in early 2014, particularly around demands for the nationwide expansion of a new minimum wage that had been granted to some public-sector workers. Authorities responded with raids, arrests, and intimidation.

#### **F. Rule of Law: 2 / 16 (-2)**

The Supreme Judicial Council, a supervisory body of senior judges, nominates most members of the judiciary. However, the Justice Ministry plays a key role in assignments and transfers, giving it undue influence over the courts. The judiciary was at the center of the political process following the 2013 coup. Supreme Constitutional Court chairman Adli Mansour served as interim president, and judges played a leading role in the drafting of the constitution. The new charter significantly enhances the judiciary’s autonomy, including by allowing each major judicial entity to receive its budget as a single line item and permitting the Supreme Constitutional Court to appoint its own chairman.

A number of criminal cases in 2014 featured severe violations of due process and demonstrated a high degree of politicization in the court system, which typically resulted in harsh punishments for perceived enemies of the government. Three deeply flawed mass trials in March, April, and December led to death sentences for 1,400 suspected Islamists, though most were later reduced to life in prison.

The new constitution allows for trials of civilians by military courts, which have traditionally been used to target government critics. Charges brought in military courts are often vague or fabricated, defendants are denied due process, and basic evidentiary standards are routinely disregarded.

Police brutality and impunity for abuses by security forces were catalysts for the 2011 uprising, but there has been no security-sector reform in the subsequent four years. Prison conditions are very poor; inmates are subject to torture, overcrowding, and a lack of sanitation and medical care. In December 2014 a local human rights group accused the police of holding hundreds of minors in harsh conditions after they were arrested for protesting and related offenses.

Egypt was under a state of emergency from 1981 until May 2012, and for three months following the 2013 coup. The Emergency Law grants the government extensive powers of surveillance and detention. In October 2014, after coordinated attacks by militants killed more than 30 soldiers, authorities declared a three-month state of emergency in large areas of the Sinai and instituted a nightly curfew. In November, the region’s most prominent militant faction, Ansar Beit al-Maqdis, declared its loyalty to the Islamic State, the extremist group based in Syria and Iraq.

The authorities in 2014 appeared to step up enforcement of laws against “debauchery,” particularly targeting men perceived as gay. In an increasingly common occurrence, six men were sentenced to two years in prison in September after they were arrested in a raid on an apartment that the authorities claimed was a central location for same-sex sexual activity. Eight men arrested under the same charge that month, in connection with a video of a supposed same-sex wedding, received reduced sentences of one year in jail after being subjected to forced medical examinations to determine if they had engaged in sex with other men. A televised raid on a bathhouse in December resulted in debauchery charges against 26 men.

**G. Personal Autonomy and Individual Rights: 7 / 16 (-1)**

Freedom of movement and property rights were both severely affected by the government’s counterinsurgency efforts in the Sinai in 2014. In addition to the curfew and other travel restrictions, beginning in October the military summarily demolished hundreds of homes in the town of Rafah to create a secure buffer zone along the border with the Gaza Strip, displacing more than 1,000 families. Also during the year, a number of foreign scholars and activists were barred entry to the country.

Unlike Egypt’s past constitutions, which have limited women’s rights to those compatible with Islamic law, the 2014 constitution clearly affirms the equality of the sexes. However, this has not resulted in practical improvements for women. Some laws and traditional practices discriminate against women, job discrimination is common, and Muslim women are disadvantaged by personal status laws. Domestic violence is widespread. Spousal rape is not illegal, and the penal code allows for leniency in so-called honor killings. Other problems include forced marriages, human trafficking, and high rates of female genital mutilation or cutting.

Violence against women has surfaced in new ways since 2011, particularly as women have participated in demonstrations and faced increased levels of sexual violence in public. This includes sexual harassment on the street, and severe cases of group sexual assaults at public gatherings. A June 2014 decree criminalized sexual harassment, with prison terms of up to five years and fines of up to \$7,000, but critics argued that the law was inadequate, citing a lack of protection for witnesses among its weak points. In July, seven men were sentenced to life in prison for attempted murder and other offenses in a series of group sexual assaults committed in Cairo’s Tahrir Square. After a video circulated of one such assault, in which a crowd stripped and beat a woman on the night of Sisi’s inauguration, the government had vowed a stronger response to the attacks.

## El Salvador

**Political Rights Rating:** 2

**Civil Liberties Rating:** 3

**Freedom Rating:** 2.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 6,384,000

**Capital:** San Salvador

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,PF

**INTRODUCTION**

After an intense campaign, Salvador Sánchez Cerén of the Farabundo Martí National Liberation Front (FMLN) won the presidency in March 2014 and began his five-year term in June. The Salvadoran government continued to support a variety of initiatives to confront economic and security problems but has distanced itself from dialogue with gangs, despite the fact that dialogue had led to lower homicide rates in 2012 and 2013.

Violence increased dramatically in 2014 as a result of conflict between the Mara Salvatrucha (MS-13) and the 18th Street gangs. Attacks on security forces also rose significantly, with 38 police deaths in 2014.

**POLITICAL RIGHTS: 35 / 40****A. Electoral Process: 12 / 12**

El Salvador's president is elected for a five-year term. The 84-member, unicameral Legislative Assembly is elected for three years.

El Salvador held presidential elections in February 2014, one month after conducting its first presidential debate. Three candidates contended for the office: former guerilla Sánchez Cerén of the incumbent FMLN, Norman Quijano of the Nationalist Republican Alliance (ARENA), and former president Antonio Saca of the Unity coalition. A surprise surge in support for Quijano resulted in a very close second round in March, in which Sánchez Cerén won 50.1 percent to Quijano's 49.9 percent. Turnout was 60 percent. Both Sánchez Cerén and Quijano initially declared themselves the winner, despite instructions from the Supreme Electoral Tribunal (TSE) to refrain from making such announcements. Although Quijano accused the TSE of fraud, domestic and international observers considered the elections free and fair, and Sánchez Cerén was declared the winner. Salvadorans living in the United States were able to vote in the 2014 elections.

In 2012 legislative elections, ARENA captured 33 seats and the FMLN secured 31; they were followed by the Grand Alliance for National Unity (GANU) with 11, the National Conciliation with 7, and the Party of Hope (PES) and the Democratic Change Party with 1 seat each.

**B. Political Pluralism and Participation: 14 / 16**

From 1979 to 1992, a civil war pitted El Salvador's Christian Democratic Party government, with support from the right-wing oligarchy, the military, and the United States, against the leftist FMLN. ARENA held the presidency for two decades, until the FMLN emerged victorious in 2009. The FMLN and ARENA remain the country's two largest political parties, though there is significant support for GANA.

In October 2014, the Constitutional Chamber (CC) of the Supreme Court ruled that *transfuguismo*—the practice whereby deputies abandon the parties with which they are elected—was unconstitutional. In November, the CC ruled that voters could cast ballots for candidates from different political parties; previously, if a voter selected a candidate from one party, the remainder of his or her votes had to go to the same party.

Some Salvadorans have expressed concern that foreign governments and multinational corporations exert excessive influence over decisions made by local and national government officials. In order for El Salvador to qualify for \$277 million in foreign aid, for example, the U.S. Congress required the country to demonstrate greater progress in fighting corruption and in increasing the independence of its judiciary. Venezuela has also been accused of unduly influencing domestic policy in El Salvador. Venezuela holds \$800 million worth of assets in the country through a joint initiative with FMLN mayors known as Alba Petróleos.

**C. Functioning of Government:** 9 / 12

El Salvador was ranked 80 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. Corruption continues to be a serious problem, and few high-level public officials have been charged or convicted. In June 2013, then president Funes announced the creation of a new anti-extortion unit. After four months in hiding, former president Francisco Flores was subsequently arrested on charges of disobedience, the embezzlement of \$5.3 million, and the mismanagement of an additional \$10 million. The funds stolen in the scandal—which allegedly involved several other former officials as well—originated in donations from the Taiwanese government following two 2001 earthquakes. Flores is serving his sentence under house arrest.

Funes announced in September 2013 that his government would establish a Financial Crimes Division of the National Police in order to tackle money laundering by drug-trafficking organizations. The same month, the office of the attorney general served arrest warrants to former officials of the Saca administration (2004–09) alleging fraud, embezzlement, the falsification of documents, and corruption in the Public Works Ministry. In August 2014, the Legislative Assembly passed another law to fight money laundering.

In 2014, Salvadoran authorities continued to pursue government officials with alleged ties to organized crime and other criminal elements. In August, three antimafia judges from the department of San Miguel were arrested following accusations that they had accepted bribes in exchange for favoring certain criminal defendants. They were released until the charges are resolved. An alternate Legislative Assembly representative, Wilver Alexander Rivera Monge, was arrested in September on charges of laundering \$10 million for the drug trafficking network of a man known as “El Repollo,” who himself was sentenced in November to 77 years in prison on drug-related charges. Nine other members of his cocaine network received prison sentences. In December, a military official was sentenced to seven years in prison for arms trafficking. Despite these cases, the majority of crimes still go unpunished.

In June 2014, the attorney general announced that Defense Minister David Munguía Payés was under investigation for involvement in arms trafficking, potentially to supply gangs. In 2013, Payés had been accused of obstructing antigang operations. In September 2014, Father Antonio Rodríguez—an occasional participant in gang truce negotiations—pled guilty to criminal association. Rodríguez, who was accused of smuggling mobile phones into prison and assisting gang leaders with various requests, claims to have acted with the full support of the government. A government-brokered truce between the MS-13 and 18th Street gangs in March 2012 was never popular due to its opaqueness, the continued criminal activity of the gangs, and the legitimacy the truce bestowed upon criminal actors.

**CIVIL LIBERTIES:** 40 / 60 (–2)**D. Freedom of Expression and Belief:** 15 / 16

The constitution provides for freedom of the press, and while this right is generally respected in practice, coverage of corruption and gang violence has occasionally made reporters the target of harassment. For example, following an investigation into corruption in the Anti-Narcotics Division of the police force, online newspaper *El Faro*'s Oscar Martínez was subject to police harassment in July 2014.

In July 2013, the Legislative Assembly passed a law requiring media outlets to print letters written by anyone who is offended by the outlet's reporting. Failure to comply carries the threat of fines or prison sentences.

Salvadoran media are privately owned, but ownership is confined to a small group of powerful businesspeople that manipulate reporting in order to protect their political

and/or economic interests. ARENA-aligned Telecorporación Salvadoreña dominates the market with three of the five private television networks. Online sites such as *El Faro* and *Contrapunto* provide alternative views and investigative reporting. Access to the internet is unrestricted. In recent years, the government and numerous other organizations have started programs to extend internet access to the poor.

The government does not encroach on religious freedom, and academic freedom is respected. There have been no recent reports of extralegal surveillance or government interference in private discussions or communications.

#### **E. Associational and Organizational Rights: 8 / 12**

Freedoms of assembly and association are generally upheld, and public protests during recent constitutional conflicts have been permitted without obstruction. A 2010 law criminalized gang membership. There was hope that the Salvadoran government might repeal the law as part of its new approach to public security, yet there has been no movement to do so. El Salvador's nongovernmental organizations (NGOs) generally operate freely, though some have reported difficulties with registration. Labor unions have long faced obstacles in a legal environment that has traditionally favored business interests.

#### **F. Rule of Law: 8 / 16 (-1)**

El Salvador's judicial system remains weak and is plagued by corruption and obstructionism. The CC of the Supreme Court continues to demonstrate its independence, however. In June, the CC ruled that Eugenio Chicas's election as TSE president was unconstitutional because of his previous political ties to the FMLN. The court ruled that the Legislative Assembly cannot elect partisans to the TSE or any other national court. In August, the CC declared the Law of Political Parties unconstitutional because it did not include provisions requiring transparency in political party financing and because it failed to call for representative democracy in internal party elections.

Justice system officials have frequently been accused of brutality, corruption, arbitrary arrest, and lengthy pretrial detention. The Supreme Court of Justice has utilized technology and training to reduce judicial delays. In September 2014, authorities arrested 140 suspected gang members, including three police agents, on charges of murder, extortion, robbery, and rape.

In 2014, 39 police officers were killed, presumably by gang members. Active and retired gang members comprise 40 percent of the country's prison population, which continues to exceed capacity by 300 percent. Nearly 30 percent of inmates have not been convicted of a crime. The previous administration took steps to reform the country's prison system, such as removing corrupt prison officials and professionalizing remaining officers. The new administration is moving officials who have been accused of corruption to less sensitive public security positions and is working to restructure the National Civil Police under a community policing model.

The U.S. Treasury Department classified the MS-13 gang as a transnational criminal organization in 2012 and imposed sanctions on six Salvadoran leaders in 2013, adding them to its list of Specially Designated Nationals. The homicide rate increased by more than 50 percent in 2014, and El Salvador remained one of the most violent countries in the hemisphere. El Salvador has been on the U.S. list of "major" drug producing and transit countries since 2011, and the country has been criticized for not attacking organized crime, gangs, and drug trafficking networks more aggressively.

Salvadoran law and a 1993 general amnesty bar prosecution of crimes and human rights violations committed during the civil war; the authorities have faced criticism from NGOs

and the Inter-American Court of Human Rights for failing to adequately investigate such crimes. In February 2014, the Supreme Court ruled that authorities must investigate the Tecoluca massacre that took place in 1981.

In June 2014, the Legislative Assembly ratified Article 63 of the constitution, which recognizes indigenous peoples. Included in the amendment was a pledge to adopt policies supporting maintenance of indigenous and cultural identity, values, and spirituality. Along with poverty, unemployment, and labor discrimination, indigenous people also face challenges with regard to land rights and access to credit.

Discrimination on the basis of sexual orientation is widespread in El Salvador despite being prohibited by law. LGBT (lesbian, gay, bisexual, and transgender) people have been killed due to their sexual identity.

#### **G. Personal Autonomy and Individual Rights: 9 / 16 (-1)**

Freedom of travel within El Salvador has been complicated by the government's inability to control mounting gang violence. The MS-13 and 18th Street gangs each control certain neighborhoods, making it extremely dangerous for citizens to travel freely throughout the country. Businesses and private citizens are subject to extortion by organized criminal groups on a regular basis.

Canadian gold mining firm Pacific Rim is suing El Salvador for \$315 million for failing to issue permits for gold extraction. Advocates are concerned that the mining could jeopardize the country's water supply.

Women are granted equal rights under the constitution, but they are often subject to discrimination in employment and other areas. Abortion is punishable by imprisonment even when the life of the mother is at risk. The CC affirmed this law in 2013, stating that the "rights of the mother cannot be privileged over the fetus." There are 17 women currently serving jail time for pregnancy-related crimes. Violence against women, including domestic violence, is a serious problem. Homicide rates for women increased from 7.4 to 19.1 per 100,000 women between 2003 and 2014, one of the highest rates in the world. Despite government efforts, El Salvador remains a source, transit, and destination country for the trafficking of women and children for the purposes of prostitution and forced labor.

## Equatorial Guinea

**Political Rights Rating:** 7

**Population:** 778,000

**Civil Liberties Rating:** 7

**Capital:** Malabo

**Freedom Rating:** 7.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,6,NF	7,6,NF	7,6,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF

#### **INTRODUCTION**

In September 2014, President Teodoro Obiang Nguema Mbasogo offered amnesty to political opposition members, including exiled expatriates, in the lead up to his "national dialogue" with opposition parties. After opposition groups initially walked out of the



November talks following Obiang's denial that the government was holding political prisoners, discussions resumed. Participants, including 20 legal and nonlegal opposition parties and a handful of independent activists, agreed that month to several changes related to elections and political pluralism.

In an attempt to attract more diversified investment, Equatorial Guinea held an international conference in February 2014 and established a \$1 billion investment fund to spur growth beyond the energy sector.

**POLITICAL RIGHTS:** 1 / 40

**A. Electoral Process:** 0 / 12

President Obiang, Africa's longest serving head of state and the leader of Equatorial Guinea since 1979, maintains an absolute grip on the country's political and economic levers of power. Obiang is expected to run in the next presidential election, in November 2016.

Under constitutional reforms approved in a 2011 referendum, Equatorial Guinea replaced its unicameral system with a bicameral parliament consisting of a 70-seat Senate alongside a 100-seat Chamber of Deputies. Parliamentary and municipal elections were first held in 2013. Obiang's Democratic Party of Equatorial Guinea (PDGE) won 54 of the 55 contested Senate seats (Obiang appointed the remaining 15 members); it also won 99 of the 100 seats in the lower house, the Chamber of Deputies. The Convergence for Social Democracy (CPDS), one of two opposition parties that independently contested the elections, took the two remaining parliamentary seats and the five local councilor slots that did not go to the ruling party in municipal elections.

Voting was held amid widespread reports of irregularities and intimidation of opposition members, and independent monitoring was very limited. Equatorial Guinea does not have an independent electoral body; the National Election Commission is led by the country's interior minister, a prominent PDGE figure.

**B. Political Pluralism and Participation:** 1 / 16

Political opposition is limited and the regime keeps it under strict control. The CPDS, the primary opposition party, is routinely denied access to the media. Ten other officially recognized parties are aligned with the PDGE. Campaign funds mandated by the constitution are regularly delayed. The regime's control of the media, judiciary, police, and military make it difficult for new opposition groups to take hold within the country. Opposition figures are often detained for indefinite periods without arrest warrants.

Opposition groups were cautiously optimistic following November 2014 national dialogue talks with Obiang. The government agreed to facilitate multiparty politics by relaxing existing rules for creating parties and monitoring regulations, including the elimination of the requirement that new political parties pay a deposit of 30 million francs (\$50,000). The final agreement for pluralism reform was signed by 12 legally recognized political parties, 8 nonlegal opposition parties, and a handful of independent activists. It is not yet known if substantive reform will result from the talks.

**C. Functioning of Government:** 0 / 12

Despite Obiang's public professions of democracy and good governance, movement toward these goals has been almost nonexistent, and graft is rampant. The government is marked by nepotism. Obiang's son Gabriel Mbega Obiang Lima is the country's oil minister. Obiang's eldest son, Teodoro "Teodorín" Nguema Obiang Mangué, was appointed second vice president in 2012 and is second in line for the presidency. Teodorín was the focus of a formal investigation into money-laundering allegations launched by France

in March 2014. In October, the U.S. Justice Department announced a settlement with Teodorin that requires him to hand over assets worth approximately \$30 million gained through “bribes and kickbacks.”

The budget process is opaque, and even the most basic information is difficult to find. The government signed an agreement with the World Bank in 2013 to help it establish a reliable statistical database. The government has spent lavishly on selected infrastructure projects over the past five years, including the controversial construction of a new national capital, Oyala; the new capital is located just west of Mongomo, the home city of Obiang and most of the rest of the political elite.

Equatorial Guinea is the third-largest oil producer in Sub-Saharan Africa and has the continent’s highest per capita income, though three-quarters of the population lives below the poverty line. Oil revenues are in decline; Equatorial Guinea is the only African country out of 45 surveyed by the International Monetary Fund (IMF) with a negative growth forecast in 2014 and 2015. The government generally negotiates directly with companies for oil concessions rather than awarding them on a competitive basis. Overtures toward a more open government are seen by many as part of Equatorial Guinea’s efforts to attract international investment. Equatorial Guinea was delisted from the Extractive Industries Transparency Initiative in 2010, and has not reapplied.

#### **CIVIL LIBERTIES: 7 / 60**

##### **D. Freedom of Expression and Belief: 4 / 16**

Press freedom is severely limited, despite constitutional protections. Journalists consistently exercise self-censorship, and those who do criticize the president, his family, or the security forces face reprisals. Opposition party and exile group websites, along with Facebook, were blocked, presumably by the government, in the lead up to the 2013 elections. Libel remains a criminal offense. The handful of private newspapers and magazines face intense financial and political pressure and are unable to publish regularly. The government on occasion imposes news blackouts about subjects such as the Arab Spring uprisings and the 2014 resignation of long-time Burkina Faso president Blaise Compaoré. Online versions of Spanish newspapers are regularly blocked, especially *El País*. Less than a fifth of the population has access to the internet.

In January 2014, two reporters for the UK-based *Financial Times* with government-issued press credentials were arrested and held for three hours. Their recording equipment and laptops were confiscated and not returned.

The constitution protects religious freedom, though in practice it is sometimes affected by the country’s broader political repression. Academic freedom is politically constrained, and self-censorship among faculty is common. There have been reports of university professors and teachers losing their positions due to their political affiliations. The government reportedly uses informants and electronic surveillance to monitor members of the opposition, nongovernmental organizations, and journalists, including the few members of the foreign press in the country.

##### **E. Associational and Organizational Rights: 0 / 12**

Freedom of association and assembly are severely restricted, making it difficult for civil society groups and trade unions to operate. No independent human rights groups are legally represented in the country. Associations and political parties are required to register with the government through an onerous process.

The constitution provides for the right to organize unions, but many legal barriers exist to collective bargaining. While it has ratified key International Labour Organization

conventions, the government has refused to register a number of trade unions. The country's only legal labor union is the Unionized Organization of Small Farmers.

#### **F. Rule of Law: 0 / 16**

The judiciary is not independent, and judges in sensitive cases often consult with the office of the president before issuing a ruling. Under Article 85 of the constitution, the president is the nation's first magistrate. He also is in charge of the body that appoints judges.

The government continued its policy of arbitrary arrests and detentions without trial in 2014, often holding prisoners incommunicado and in secret. Torture and excessive force by the police occur routinely, and graft is endemic in the security forces. Military justice still operates under a system dating back to General Francisco Franco's rule in Spain (Equatorial Guinea's colonial ruler until 1968), and civilians may face trial in military courts for certain offenses. Prisons, several of which are located on military bases, are overcrowded and conditions are harsh. According to Human Rights Watch, Equatorial Guinea made "no progress" in carrying out human rights recommendations made under the UN Universal Periodic Review between 2009 and 2014.

Agustín Esono Nsogo, a teacher and relative of a cofounder of the opposition Popular Union of Equatorial Guinea party, was arrested in 2012 for alleged involvement in a coup plot and held until February 2014. During his imprisonment he suffered beatings that led to the loss of hearing in one ear. Cipriano Nguema Mba, a former military officer, was abducted during a personal visit to Nigeria in December 2013 and flown back to Equatorial Guinea on a government jet. In September 2014, he was sentenced to 27 years in prison for attempting a coup and trying to destabilize the government.

Amnesty International reported that at least four prisoners on death row were executed by firing squad in late January 2014, the first executions since 2010. Less than a month later, the government declared a moratorium on executions, a condition of joining the Community of Portuguese Language Countries.

In September 2014, Obiang announced a general amnesty for political prisoners in the lead up to November political talks. Opposition figures said no prisoners were released, but the government claimed that those still in prison were criminals, not political prisoners.

The principal ethnic minority is the Bubi, who are indigenous to Bioko Island, where the capital is located. Bubi suffer persistent societal discrimination.

While discrimination and stigma against LGBT (lesbian, gay, bisexual, and transgender) individuals exists, homosexuality is not illegal.

#### **G. Personal Autonomy and Individual Rights: 3 / 16**

Freedom of movement is protected by law but restricted in practice by measures such as police checkpoints, which often require paying of bribes. Authorities have also denied opposition members reentry to the country from abroad.

Equatorial Guinea has one of the most difficult business environments in the world. According to the World Bank's 2015 *Doing Business* report, the country required 18 steps and 135 days to start a business, ranking it 186 among 189 countries.

Constitutional and legal guarantees of equality for women are largely ignored, although women won 22 percent of the seats in the Chamber of Deputies in the 2013 elections. Violence against women is reportedly widespread.

The U.S. State Department's 2014 *Trafficking in Persons Report* found Equatorial Guinea to be a source and destination country for women and children trafficked for the purposes of forced labor and prostitution, particularly in Malabo and in Bata.

# Eritrea

**Political Rights Rating:** 7  
**Civil Liberties Rating:** 7  
**Freedom Rating:** 7.0  
**Freedom Status:** Not Free  
**Electoral Democracy:** No

**Population:** 6,536,000  
**Capital:** Asmara

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF

## INTRODUCTION

Eritrea remained one of the most repressive countries in the world in 2014 following a failed attempt by disgruntled soldiers the previous year to topple the regime of President Isaias Afwerki. In June, four Eritrean Catholic bishops risked the government's wrath by issuing a 38-page letter denouncing conditions in the country, which they described as "desolate." The letter called for the rule of law to be respected and the country's prisoners to be treated humanely. Later that month, the UN Human Rights Council launched a year-long investigation into allegations of human rights violations identified by UN Special Rapporteur Sheila Keetharuth, including Eritrea's system of indefinite national military service and its harsh penalties for citizens attempting to avoid that service.

Waves of people risked their lives to escape Eritrea in 2014, often in unsafe, overcrowded boats to Europe operated by human traffickers.

## POLITICAL RIGHTS: 1 / 40

### A. Electoral Process: 0 / 12

Following Eritrea's formal independence from Ethiopia in 1993, a Transitional National Assembly chose Afwerki to serve as president until elections could be held. He has remained in charge ever since. His rule has become harshly authoritarian, particularly since the end of a bloody border war with Ethiopia in 2000.

A new constitution, ratified in 1997, called for "conditional" political pluralism and an elected 150-seat National Assembly, which would choose the president from among its members by a majority vote. This system has never been implemented, and national elections planned for 2001 have been postponed indefinitely. In December 2014, President Afwerki announced the drafting of a new constitution that would reduce economic inequality, stating that the document would serve Eritreans rather than "external desires." He gave few other details.

The Transitional National Assembly is comprised of 75 members of the ruling party—the People's Front for Democracy and Justice (PFDJ)—and 75 elected members. In 2004, regional assembly elections were conducted, but they were carefully orchestrated by the PFDJ and offered no real choice to voters.

### B. Political Pluralism and Participation: 0 / 16

Created in 1994, the PFDJ is the only legal political party. The PFDJ and the military are in practice the only institutions of political significance in Eritrea, and both entities are strictly subordinate to the president.

**C. Functioning of Government:** 1 / 12

Corruption is a major problem. 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. According to the International Crisis Group, senior military officials have profited from smuggling Eritreans out of the country, allegedly colluding with Sudanese paramilitary groups to capture escaped Eritreans and hold them hostage until their families pay ransom.

The government operates without public scrutiny, and few outside a small clique around the president have any insight into how policy and budget decisions are made or implemented.

**CIVIL LIBERTIES:** 2 / 60**D. Freedom of Expression and Belief:** 0 / 16

The law does not allow independent media to operate, and the government controls all broadcasting outlets. However, in 2013, a dissident group began circulating an underground newspaper, *Echoes of Forto*, in Asmara, written by a team based inside and outside the country. Circulation continued in 2014. The government controls the internet infrastructure and is thought to monitor online communications. Foreign media are available to those few who can afford a satellite dish. According to the Committee to Protect Journalists, 23 journalists were in prison in Eritrea in 2014.

The government places strict limits on the exercise of religion. Since 2002 it has officially recognized only four faiths: Islam, Orthodox Christianity, Roman Catholicism, and Lutheranism as practiced by the Evangelical Church of Eritrea. Members of evangelical and Pentecostal churches face persecution. Jehovah's Witnesses are barred from government jobs and refused business permits and identity cards. According to Amnesty International, members of other churches have been jailed and tortured or otherwise ill-treated to make them abandon their faiths. As many as 3,000 people from unregistered religious groups are currently in prison because of their beliefs. Abune Antonios, patriarch of the Eritrean Orthodox Church, has been under house arrest since speaking out against state interference in religion in 2006. Practicing religion during national military service is banned, including for religious leaders.

Academic freedom is constrained. Students in their last year of secondary school are subject to obligatory military service at Sawa Military Training Center, where conditions are harsh. Academics practice self-censorship and the government interferes with their course content and limits their ability to conduct research abroad. Eritrea's university system is effectively closed, replaced by regional colleges whose main purposes are military training and political indoctrination.

Freedom of expression in private discussions is limited. People are guarded in voicing their opinions for fear of being overheard by government informants.

**E. Associational and Organizational Rights:** 0 / 12

Freedoms of assembly and association are not recognized. The government maintains a hostile attitude toward civil society, and independent nongovernmental organizations (NGOs) are not tolerated. A 2005 law requires NGOs to pay taxes on imported materials, submit project reports every three months, renew their licenses annually, and meet government-established target levels of financial resources. No international NGOs have worked in Eritrea since the last were forced to leave in 2011. The government placed strict controls on UN operations in the country, preventing staff from leaving the capital.

The government controls all union activity. The National Confederation of Eritrean Workers is the country's main union body and has affiliated unions for women, teachers, young people, and general workers.

**F. Rule of Law: 0 / 16**

The judiciary, which was formed by decree in 1993, is understaffed, unprofessional, and does not issue rulings at odds with government positions. Most criminal cases are heard by the Special Court, composed of PFDJ loyalists chosen by the president. The International Crisis Group has described Eritrea as a "prison state" for its flagrant disregard of the rule of law and its willingness to detain anyone suspected of opposing the regime, usually without charge, for indefinite periods. In 2013, the UN High Commissioner for Human Rights reported that there were between 5,000 and 10,000 political prisoners in Eritrea. They include surviving members of a group from the ruling party who publicly criticized Afwerki in 2001. Approximately 50 people were arrested following the January 2013 coup attempt, and no information has been released about them.

Torture, arbitrary detentions, and political arrests are common. Prison conditions are harsh, and outside monitors such as the International Committee of the Red Cross are denied access to detainees. Juvenile prisoners are often incarcerated alongside adults. In some facilities, inmates are held in metal shipping containers or underground cells in extreme temperatures. Prisoners are often denied medical treatment and many suffer poor physical health due to the overcrowded and unsanitary conditions in which they are held. The government maintains a network of secret detention facilities.

The Kunama people, one of Eritrea's nine ethnic groups, face severe discrimination. Same-sex sexual relations are criminalized and LGBT (lesbian, gay, bisexual, and transgender) individuals face legal and social discrimination.

**G. Personal Autonomy and Individual Rights: 2 / 16**

Freedom of movement, both inside and outside the country, is tightly controlled. Eritreans under the age of 50 are rarely given permission to go abroad, and those who try to travel without the correct documents face imprisonment. The authorities adopt a shoot-on-sight policy toward people found in locations deemed off-limits, such as mining facilities and areas close to the border. Eritrean refugees and asylum seekers who are repatriated from other countries are detained. Despite these risks, approximately 2,000 people flee the country every month, making Eritrea the tenth largest source of refugees in the world. When the government's information minister failed to return to Eritrea following an overseas trip in 2013, his elderly father, daughter, and brother were detained; they are believed to still be in custody.

Government policy is formally supportive of free enterprise, and citizens are in theory able to choose their employment, establish private businesses, and operate them without harassment. In reality, a conscription system ties most able-bodied men and women—even those under age 18—to obligatory military service and can also entail compulsory labor for enterprises controlled by the political elite. The official 18-month service period is open-ended in practice, and conscientious-objector status is not recognized. The police frequently conduct round-ups of people thought to be evading national service; those who resist can be executed on the spot. The government imposes collective punishment on the families of deserters, forcing them to pay heavy fines (approximately \$3,350) and putting them in prison if they cannot pay. The enforced contraction of the labor pool, combined with a lack of investment and rigid state control of private enterprise, has crippled the national economy. The government levies a compulsory 2-percent tax on income earned by citizens living overseas, and those who do not pay place their relatives in Eritrea at risk of arrest.

Women hold some senior government positions, including four ministerial posts. The government has made attempts to promote women's rights, with laws mandating equal educational opportunity, equal pay for equal work, and penalties for domestic violence. However, traditional societal discrimination against women persists in the countryside. The government banned female genital mutilation in 2007, though the practice remains widespread in rural areas. Sexual abuse of women during military service is a serious problem.

The U.S. State Department's 2014 *Trafficking in Persons Report* ranks Eritrea at Tier 3, describing it as a source country for individuals subjected to forced labor and sexual exploitation.

## Estonia

**Political Rights Rating:** 1

**Population:** 1,308,000

**Civil Liberties Rating:** 1

**Capital:** Tallinn

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

Prime Minister Andrus Ansip of the Reform Party stepped down in March to allow for the rise of a new Reform Party leader ahead of 2015 parliamentary elections. A new coalition government headed by Reform's Taavi Rõivas was quickly approved. Prime Minister Rõivas abandoned Reform's previous coalition partner, the Union of Pro Patria and Res Publica (IRL), to form an alliance with the Social Democrats.

In October, Estonia's parliament narrowly approved a measure that legalized civil unions for same-sex partners.

The Russian annexation of Crimea and ongoing crisis in Ukraine raised tensions in Estonia about the potential for Russian expansionism. Russian president Vladimir Putin's assertion that Russia was entitled to act to protect Russian speakers in Ukraine caused particular alarm in Estonia, which has a significant minority population of ethnic Russians who speak Russian as their primary language. Tensions between Estonia and Russia spiked in September, days after U.S. president Barack Obama announced that the North Atlantic Treaty Organization (NATO) would step up its presence in the Balkan region. Estonian officials claimed that Russian forces had abducted an Estonian security officer within Estonian borders, while Russian officials asserted that the security officer was detained after crossing the border into Russia. The Estonian officer, Eston Kohver, was charged by Russia with spying and faces as much as 20 years in prison.

**POLITICAL RIGHTS:** 39 / 40

**A. Electoral Process:** 12 / 12

The 1992 constitution established a 101-seat, unicameral Riigikogu, whose members are elected for four-year terms. A prime minister, chosen by the president and confirmed by the parliament, serves as head of government. The president is elected by parliamentary

ballot to a five-year term, filling the largely ceremonial role of head of state. Independent observers have deemed recent elections free and fair.

In parliamentary elections held in March 2011, the Reform Party won 33 seats, with its coalition partner, the IRL, capturing 23 seats. The opposition Center Party took 26 seats, and the Social Democratic Party (SDE) won 19 seats. In August 2011, the parliament reelected President Toomas Hendrik Ilves to a second five-year term. The Reform Party performed poorly in the 2013 municipal elections, while the Center Party, which draws much of its support from Estonia's Russian-speaking population, posted strong results.

Prime Minister Ansip stepped down in March 2014 in order to allow a new head of the Reform Party to establish themselves ahead of 2015 parliamentary elections. A new government coalition headed by Reform's Taavi Rõivas was approved shortly afterward. Prime Minister Rõivas moved to abandon Reform's previous coalition partner, the IRL, in favor of forming an alliance with the Social Democrats.

#### **B. Political Pluralism and Participation:** 15 / 16

Estonia's political parties organize and operate freely, though only citizens may be members. The conservative, pro-business Reform Party has dominated the government since 2007. However, support for the Reform Party declined markedly in recent years in the wake of corruption scandals, and due to Prime Minister Ansip's continued support for EU bailout packages for heavily indebted EU member nations. The left-leaning Center Party draws much of its support from Estonia's Russian-speakers. A new right-wing anticorruption party, the Estonian Free Party, formed in 2014. Its members have expressed support for a tax-free minimum salary, and a lower voting threshold for parties to sit in the parliament.

Only citizens may participate in national elections. As a result, ethnic Russian residents of Estonia whose citizenship remains undetermined—constituting about 6.5 percent of the population—cannot vote in national polls. Resident noncitizens are permitted to vote in local elections, but may not run as candidates.

#### **C. Functioning of Government:** 12 / 12

There are occasional problems with government corruption in Estonia. Recent years have seen heavily publicized allegations of money laundering within both the Reform Party and the Center Party, but no criminal convictions have followed. A European Commission (EC) report issued in February said Estonia should improve transparency for party financing and state procurement processes. Top members of the Reform Party, including Environment Minister Keit Pentus-Rosimannus, were implicated in 2013 in the so-called Autorollo case, a corruption case involving a defunct trucking company that had been owned by Pentus-Rosimannus's father. A court in June 2014 acquitted Pentus-Rosimannus, but ruled that her husband and her lawyer would have to pay some of the €580,000 (\$774,000) damage claim the Autorollo bankruptcy committee had levied against them. In May the prosecutor's office opened a criminal investigation into whether the Center Party had improperly used public funds to finance its campaign in 2013 local elections; the case remains open. In June, the office declined to launch an investigation into similar claims against the Reform Party and the IRL.

Recent statistics show that Estonian residents perceive widespread corruption within the country. However, it continues to score highly on Transparency International's Corruption Perceptions Index, ranking 26 of 175 countries and territories surveyed in the 2014 report. The government involves nongovernmental organizations and ordinary citizens in the drafting of legislation.



**CIVIL LIBERTIES:** 56 / 60**D. Freedom of Expression and Belief:** 16 / 16

The government generally respects freedom of the press. Public and private television and radio stations operate in Estonia, and there are a number of independent newspapers, including at least one in Russian. The government is planning to launch a new Russian-language television channel. The IRL indicated that it would try to shutter the Russian-language website and newspaper *Stolitsa* after its editor expressed support for the Russian annexation of Crimea, but its efforts were unsuccessful. A 2010 law authorized fines for outlets that disseminate news deemed libelous, as well as for journalists who refuse to reveal sources under certain circumstances. It remains illegal to insult court officials or police officers in connection with their official responsibilities.

Russian media reported in July 2014 that two Russian journalists had been briefly detained at the Tallinn airport before being sent home; the journalists had attempted to cover a Waffen SS veterans' gathering. According to Russia's RIA Novosti news agency, Estonian officials had indicated that the journalists were denied entry to Estonia because they had tried to enter the country on tourist visas, when they were there to perform work. In December, the pro-Russian journalist Giulietto Chiesa, an Italian citizen, was arrested ahead of a conference at which he was to speak about European-Russian relations, reportedly because he had violated an entry ban. He was soon released.

In 2013, the European Commission referred Estonia to the European Court of Justice on the grounds that the Ministry of Economic Affairs, which regulates Estonia's telecommunication sector, could not also own the largest television and radio broadcast network operator, Levira. In 2014 the government undertook efforts to sell off its shares in Levira.

Religious freedom is respected in law and in practice. A 2011 law mandated that public Russian-language high schools must teach 60 percent of their curriculum in the Estonian language. In 2013, the government rejected a petition from Tallinn's city council to allow four public secondary schools in the city to waive that requirement.

**E. Associational and Organizational Rights:** 12 / 12

The constitution guarantees freedoms of assembly and association, and the government upholds those rights in practice. Civil society is vibrant. Workers may organize freely, strike, and bargain collectively, although public servants at the municipal and state levels may not strike. The Confederation of Estonian Trade Unions has reported private-sector violations of union rights, including workers threatened with dismissal or pay cuts if they formed unions.

**F. Rule of Law:** 14 / 16

The judiciary is independent and generally free from government interference. Laws prohibiting arbitrary arrest and detention and ensuring the right to a fair trial are largely observed. The country's prison system continues to suffer from overcrowding and prisoners have poor access to health care. In February 2014, the European Court of Human Rights (ECHR) ruled that Estonian officials had violated Andrei Tali's right to be free from inhumane treatment or degradation. The court said prison authorities violated Tali's rights when in 2009 they pepper-sprayed him without warning in a confined space and strapped him to a restraint bed as a punishment. Tali, who is serving a life sentence for a murder conviction, was awarded €5,000 (\$6,700).

**G. Personal Autonomy and Individual Rights:** 14 / 16

Estonia's constitution allows citizens and noncitizens holding government-issued identity documents to travel inside Estonia and abroad. Though corruption in the business sector is problematic, Estonian residents enjoy a high level of economic freedom.

Violence against women, including domestic violence, remains a problem. Women in Estonia earn on average 30 percent less than men do, which is the largest gap in the European Union. Estonia is a source, transit point, and destination for women trafficked for the purpose of prostitution. Estonia criminalized human trafficking in 2012.

In October 2014, Estonia's parliament narrowly approved legislation permitting same-sex partnerships. The new law allows two people in a civil union nearly identical rights to those of married couples, but does not allow same-sex partners in a civil union to adopt. It does allow a person to adopt his or her partner's biological child.

## Ethiopia

**Political Rights Rating:** 6

**Population:** 95,933,000

**Civil Liberties Rating:** 6

**Capital:** Addis Ababa

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,5,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF

### INTRODUCTION

In 2014 the Ethiopian government continued to suppress free speech and associational rights, shattering hopes for meaningful reform under Prime Minister Hailemariam Desalegn. Government harassment and arrest of prominent opposition and media members continued, including the April arrest of nine journalists who were charged under Ethiopia's controversial antiterrorism law. In April and May, massive protests in Oromia Regional State broke out following the announcement of the planned expansion of Addis Ababa into Oromia. At least 17 people died after the military fired on unarmed protesters.

Despite nascent signs of an opening with Eritrea, formal dialogues remain frozen between the two countries. The Ethiopian-Eritrean border remains highly militarized, though no major border clashes were reported in 2014.

Sporadic violence resumed in Ethiopia's Ogaden region after talks failed in 2013 between the government and the Ogaden National Liberation Front (ONLF), a separatist group that has fought for independence since 1991. In January 2014, two ONLF negotiators dispatched to Nairobi for a third round of talks were abducted and allegedly turned over to Ethiopian authorities by Kenyan police. The kidnappings effectively ended the talks.

Ethiopia ranked 32 out of 52 countries surveyed in the Ibrahim Index of African Governance, below the continental average and among the bottom in East Africa. The country's modest gains in the index are due to its improvement in human development indicators, but its ranking is held back by low scores in the "Participation and Human Rights" category.

**POLITICAL RIGHTS:** 7 / 40

**A. Electoral Process:** 1 / 12

Ethiopia's bicameral parliament is made up of a 108-seat upper house, the House of Federation, and a 547-seat lower house, the House of People's Representatives. The lower house is filled through popular elections, while the upper chamber is selected by the state

legislatures; members of both houses serve five-year terms. The lower house selects the prime minister, who holds most executive power, and the president, a largely ceremonial figure who serves up to two six-year terms. Hailemariam has served as prime minister since September 2012, and Mulatu Teshome as president since October 2013.

The 2010 parliamentary and regional elections were tightly controlled by the ruling coalition party Ethiopian People's Revolutionary Democratic Front (EPRDF), with reports of voters being threatened with losing their jobs, homes, or government services if they failed to turn out for the EPRDF. Opposition party meetings were broken up, and candidates were threatened and detained. Opposition-aligned parties saw their 160-seat presence in parliament virtually disappear, with the EPRDF and its allies taking all but 2 of the 547 seats in the lower house. The next elections are scheduled for 2015.

#### **B. Political Pluralism and Participation: 2 / 16**

Shorn of their representation in parliament and under pressure by the authorities, opponents of the EPRDF find it difficult to operate. In July 2014, opposition members—two from Unity for Democracy Party, one from the Arena Tigray Party, and one from the Blue Party—were arrested without charges and held without access to legal representation. The Ethiopian government denies the arrests were related to 2015 elections, but the detainments follow the government's pattern of suppressing political dissent prior to popular votes.

A series of December 2014 rallies by a coalition of opposition parties saw nearly 100 people arrested, including the chairman of the Semayawi Party. Witnesses report that police beat protesters, though nearly all those arrested were released on bail within a week.

Political parties in Ethiopia are often ethnically based. The EPRDF coalition is comprised of four political parties and represents several ethnic groups. The government tends to favor Tigrayan ethnic interests in economic and political matters, and the Tigrayan People's Liberation Front dominates the EPRDF. While the 1995 constitution grants the right of secession to ethnically based states, the government acquired powers in 2003 to intervene in states' affairs on issues of public security. Secessionist movements in Oromia and the Ogaden have largely failed after being put down by the military.

#### **C. Functioning of Government: 4 / 12**

Ethiopia's governance institutions are dominated by the EPRDF, which controlled the succession process following the death of longtime Prime Minister Meles Zenawi in 2012.

Corruption remains a significant problem in Ethiopia. EPRDF officials reportedly receive preferential access to credit, land leases, and jobs. Petty corruption extends to lower-level officials, who solicit bribes in return for processing documents. In 2013, the government attempted to demonstrate its commitment to fighting corruption after the release of a World Bank study that detailed corruption in the country. As part of the effort, the Federal Ethics & Anti-Corruption Commission made a string of high-profile arrests of prominent government officials and businessmen throughout 2013 and 2014. The Federal High Court sentenced many corrupt officials in 2014, including in one case a \$2,500 fine and 16 years in prison. Despite cursory legislative improvements, however, enforcement of corruption-related laws remains lax in practice and Ethiopia is still considered "highly corrupt," ranked 110 out of 175 countries and territories by Transparency International's 2014 Corruption Perceptions Index.

#### **CIVIL LIBERTIES: 11 / 40**

##### **D. Freedom of Expression and Belief: 3 / 16**

Ethiopia's media are dominated by state-owned broadcasters and government-oriented newspapers. Privately owned papers tend to steer clear of political issues and have low cir-

ulation. A 2008 media law criminalizes defamation and allows prosecutors to seize material before publication in the name of national security.

According to the Committee to Protect Journalists (CPJ), Ethiopia holds at least 17 journalists behind bars—the second-highest number of jailed journalists in Africa as of December 2014, after Eritrea. Restrictions are particularly tight on journalists perceived to be sympathetic to protests by the Muslim community, and journalists attempting to cover them are routinely detained or arrested. Those reporting on opposition activities also face harassment and the threat of prosecution under Ethiopia's sweeping 2009 Antiterrorism Proclamation. At least 14 journalists have been convicted under Ethiopia's antiterror law since 2011, and none convicted have been released.

In April 2014, police arrested nine journalists—six associated with the Zone9 blogging collective and three freelancers—and charged them with terror-related offenses. Their trial has been postponed 13 times and was closed to the public until recently; their defense lawyer claims the defendants were forced to sign false confessions while in prison.

In June, the government fired 18 people from a state-run, Oromia-based broadcaster, silencing the outlet's reporting on Oromo protests. In August, the government charged six Addis Ababa-based publications with terrorism offenses, effectively shuttering some of the last independent news outlets inside Ethiopia. In October, three publication owners were convicted in absentia after they fled the country. The same month, Temesgen Desalegn, former editor of the weekly *Feteh*, was convicted under Ethiopia's criminal code on defamation and incitement charges and sentenced to three years in prison.

Due to the risks of operating inside the country, many Ethiopian journalists work in exile. CPJ says Ethiopia drove 30 journalists into exile in 2014, a sharp increase over both 2012 and 2013. Authorities use high-tech jamming equipment to filter and block news websites seen as pro-opposition. According to Human Rights Watch (HRW), since 2010 the Ethiopian government has developed a robust and sophisticated internet and mobile framework to monitor journalists and opposition groups, block access to unwanted websites or critical television and radio programs, and collect evidence for prosecutions in politically motivated trials.

The constitution guarantees religious freedom, but the government has increasingly harassed the Muslim community, which has grown to rival the Ethiopian Orthodox Church as the country's largest religious group. Muslim groups accuse the government of trying to impose the beliefs of an obscure Islamic sect, Al-Ahbash, at the expense of the dominant Sufi-influenced strain of Islam. A series of protests against perceived government interference in religious affairs since 2012 have ended in a number of deaths and more than 1,000 arrests.

Academic freedom is often restricted in Ethiopia. The government has accused universities of being pro-opposition and prohibits political activities on campuses. There are reports of students being pressured into joining the EPRDF in order to secure employment or places at universities; professors are similarly pressured in order to ensure favorable positions or promotions. The Ministry of Education closely monitors and regulates official curricula, and the research, speech, and assembly of both professors and students are frequently restricted. In 2014, the Scholars at Risk network catalogued three incidents in academia, including the jailing or firing of professors who expressed antigovernment opinions.

The presence of the EPRDF at all levels of society—directly and, increasingly, electronically—inhibits free private discussion. Many people are wary of speaking against the government. The EPRDF maintains a network of paid informants, and opposition politicians have accused the government of tapping their phones.

**E. Associational and Organizational Rights: 0 / 12**

Freedoms of assembly and association are guaranteed by the constitution but limited in practice. Organizers of large public meetings must request permission from the authorities 48 hours in advance. Applications by opposition groups are routinely denied and, in cases when approved, organizers are subject to government meddling to move dates or locations. Since 2011, ongoing peaceful demonstrations held by members of the Muslim community have been met with violent responses from security forces. Protesters allege government interference in religious affairs and politically motivated selection of members of the Ethiopian Islamic Affairs Supreme Council. Though momentum has slowed, protests continue.

After the government announced an expansion of Addis Ababa's city limits into the Oromia Regional State in April 2014, thousands of Ethiopians took to the streets. Witnesses reported that police fired on peaceful protesters, killing at least 17—most of whom were students in nearby universities—and detained hundreds.

The 2009 Charities and Societies Proclamation restricts the activities of foreign non-governmental organizations (NGOs) by prohibiting work on political and human rights issues. Foreign NGOs are defined as groups receiving more than 10 percent of their funding from abroad, a classification that includes most domestic organizations as well. The law also limits the amount of money any NGO can spend on "administration," a controversial category that the government has declared includes activities such as teacher or health worker training, further restricting NGO operations even on strictly development projects. NGOs have struggled to maintain operations as a result of the law.

Trade union rights are tightly restricted. Neither civil servants nor teachers have collective bargaining rights. All unions must be registered, and the government retains the authority to cancel registration. Two-thirds of union members belong to organizations affiliated with the Confederation of Ethiopian Trade Unions, which is under government influence. Independent unions face harassment, and trade union leaders are regularly imprisoned. There has not been a legal strike since 1993.

**F. Rule of Law: 3 / 16**

The judiciary is officially independent, but its judgments rarely deviate from government policy. The 2009 antiterrorism law gives great discretion to security forces, allowing the detention of suspects for up to four months without charge. After August 2013 demonstrations to protest the government's crackdown on Muslims, 29 demonstration leaders were charged under the antiterrorism law with conspiracy and attempting to establish an Islamic state; their trial remains ongoing. Trial proceedings have been closed to the public, media, and the individuals' families. According to HRW, some defendants claimed that their access to legal counsel has been restricted.

Conditions in Ethiopia's prisons are harsh, and detainees frequently report abuse. A 2013 HRW report documented human rights violations in Addis Ababa's Maekelawi police station, including verbal and physical abuse, denial of basic needs, and torture.

Yemen's June 2014 arrest and extradition of British citizen Andargachew Tsige to Ethiopia at the government's request has sparked outrage from human rights groups. Andargachew is the secretary-general of banned opposition group Ginbot 7 and was sentenced to death in absentia in 2009 and again in 2012 for allegedly plotting to kill government officials. Reports suggest that police have denied the British Embassy consular access.

Domestic NGOs say that Ethiopia held as many as 400 political prisoners in 2012, though estimates vary significantly. Nuredine "Aslan" Hasan, a student belonging to the Oromo ethnic group, died in prison in 2014; conflicting reports about the cause of his death—including torture—have not been verified.

The federal government generally has strong control and direction over the military, though forces such as the Liyu Police in the Ogaden territory sometimes operate independently.

Repression of the Oromo and ethnic Somalis, and government attempts to coopt their parties into subsidiaries of the EPRDF, have fueled nationalism in both the Oromia and Ogaden regions. Persistent claims that government troops in the Ogaden area have committed war crimes are difficult to verify, as independent media are barred from the region. The government's announcement of its intention to expand Addis Ababa's city limits into the Oromia Regional State exacerbates tensions over historical marginalization of Oromia; according to activists, the expansion will displace two million Oromo farmers.

Same-sex sexual activity is prohibited by law and punishable by up to 15 years' imprisonment.

#### G. Personal Autonomy and Individual Rights: 5 / 16

While Ethiopia's constitution establishes freedom of movement, insecurity—particularly in eastern Ethiopia—prevents unrestricted movement into affected sites.

Private business opportunities are limited by rigid state control of economic life and the prevalence of state-owned enterprises. All land must be leased from the state. The government has evicted indigenous groups from various areas to make way for projects such as hydroelectric dams. It has also leased large tracts of land to foreign governments and investors for agricultural development in opaque deals that have displaced thousands of Ethiopians. Up to 70,000 people have been forced to move from the western Gambella region, although the government denies the resettlement plans are connected to land investments. Similar evictions have taken place in Lower Omo Valley, where government-run sugar plantations have put thousands of pastoralists at risk by diverting their water supplies. Journalists and international organizations have persistently alleged that the government withholds development assistance from villages perceived as being unfriendly to the ruling party.

Women are relatively well represented in parliament, holding 28 percent of seats and three ministerial posts. Legislation protects women's rights, but these rights are routinely violated in practice. Enforcement of the law against rape and domestic abuse is patchy, and cases routinely stall in the courts. Female genital mutilation and forced child marriage are technically illegal, though there has been little effort to prosecute perpetrators. In December 2012, the government made progress against forced child labor, passing a National Action Plan to Eliminate the Worst Forms of Child Labor and updating its list of problematic occupations for children.

## Fiji

**Political Rights Rating:** 3↑

**Population:** 864,000

**Civil Liberties Rating:** 4

**Capital:** Suva

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Ratings change:** Fiji's political rights rating improved from 6 to 3 due to September general elections—the first since a 2006 coup—that were deemed free and fair.

#### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	4,3,PF	6,4,PF	6,4,PF	6,4,PF	6,4,PF	6,4,PF	6,4,PF	6,4,PF	6,4,PF	3,4,PF

**INTRODUCTION**

General elections on September 17, 2014, produced a democratically elected government, the first since a military coup in 2006. The Election Commission rejected all allegations of “corrupt and unlawful practices,” and the 90-member Multinational Observers Group confirmed that the elections were free and fair. On September 22, J. V. Bainimarama of the Fiji First party, who had served as interim prime minister, took office with a pledge to be “the Prime Minister of all Fijians, for all Fijians.” The Social Democratic Liberal Party (SODELPA) conceded defeat. Expert observers said Fiji First’s message of cultural transformation and social-economic modernization resonated with voters in general and urban, youth, and Indo-Fijian voters in particular. The economy, poverty, and the cost of schooling were top voter concerns.

As a result of the fair and free elections, Fiji resumed talks with Australia, New Zealand, and the United States to restore military ties. Bilateral ties with Beijing and Moscow have also deepened significantly in recent years since relations soured with traditional allies after the coup.

**POLITICAL RIGHTS:** 26 / 40 (+19)

**A. Electoral Process:** 9 / 12 (+9)

Fiji was essentially ruled by decree after military forces overthrew the civilian government in December 2006, a state of affairs that persisted until the general elections of September 2014. The interim government approved a new constitution in 2013 that provides for a single-chamber parliament with 50 members elected to serve four-year terms in a national-constituency, proportional representation system. The party with the greatest number of seats selects the prime minister. The voting age was lowered to 18 years. Citizens overseas can vote, but only those residing in Fiji can stand as candidates.

The president is elected from parliament 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 for one three-year term and eligible for reelection to a second term—holds a largely ceremonial role. The president can be removed only for incompetence or misbehavior by a tribunal appointed by the chief justice at the request of the prime minister.

The interim government declared the day of the elections a paid holiday and required employers to grant workers time off to vote. A Canadian firm created a new voter roll. Registration began in June 2012, and teams later visited countries where concentrations of Fijian citizens reside to organize international voter registration. In April 2014, the Elections Commission approved 11 organizations to conduct voter education and initiated advertising in local media in iTaukei (the Fijian vernacular), Hindi, Rotuman, Chinese, and other languages. It accredited 450 journalists, including 41 from overseas, to report on the elections, and hired 14,000 people to staff the 2,025 polling stations established nationwide. In total, 249 candidates competed in the 2014 elections, 44 of whom were women.

Bainimarama stepped down as head of the military in March 2014 in order to run in the elections. His successor in the military, Brigadier General Mosese Tikoitoga, underscored the armed forces’ commitment to support the electoral results but would not allow any elected government to rewrite the constitution. Former prime minister and Labour Party leader Mahendra Chaudhry was disqualified from running after the High Court convicted him in April for moving \$800,000 to Australia without government approval. Chaudhry lost his final appeal in August.

In the September elections, Fiji First won 32 parliamentary seats. SODELPA and the National Federation Party (NFP) took 15 and 3 seats, respectively. Voter turnout was 84 percent. Fewer than 4,000 of the 500,000 votes cast were invalidated. There were no reports

of violence or intimidation. The Elections Commission imposed a campaigning and media blackout for 48 hours before and during the polls. While Reporters Without Borders and other media advocacy groups opposed the blackout, the Elections Commission said it protected voters from “undue influence.”

**B. Political Pluralism and Participation:** 11 / 16 (+6)

Political affiliations tend to be associated with ethnicity. In 2013, the interim government issued a new decree requiring political parties to have English names in order to appeal to all ethnic groups and to report their finances to qualify for participation in elections. Although opposition parties have not succeeded in generating widespread voter support, there are no legal restrictions on the ability of opposition parties to campaign or participate in elections. Fiji First (launched by Prime Minister Bainimarama in March), Fiji United Freedom Party, Fiji Labor Party, NFP, One Fiji Party, People’s Democratic Party, and SODELPA are the approved parties.

Under the current electoral system, and in contrast to the previous system, no ethnic group has reserved seats or receives preferential treatment.

**C. Functioning of Government:** 6 / 12 (+4)

The seating of the new, democratically elected government increases government accountability.

The interim government made fighting official abuse and corruption—serious problems in Fiji—a top priority. It created the Fiji Independent Commission Against Corruption (FICAC) and has removed many officials accused of abuse and corruption. The interim government said the increasing number of complaints filed with FICAC—10,428 in 2013—was a sign of citizen trust in the institution, but political opponents criticized the interim government for failing to live up to its own standards in transparency and accountability. Prime Minister Bainimarama, for example, reported his income and assets only when election laws required him to do so.

Since the election of the new parliament, political transparency has increased through measures such as live internet broadcast of the inaugural legislative session, parliamentary sittings open to the public, official asset disclosures, and published meeting notes. The national budget is now subject to meaningful legislative review and public analysis, and is also posted online. However, despite promises from the transitional government that a formal freedom of information framework would be developed, no concrete proposals had surfaced by year’s end. Some opposition members have complained that the Fiji First–dominated parliament passes government bills and budgets without allowing adequate time for review and questions.

**CIVIL LIBERTIES:** 34 / 60 (+4)

**D. Freedom of Expression and Belief:** 11 / 16

Fiji has several private television and radio stations and newspapers. With an estimated internet penetration rate of 37 percent in 2013, more people are using online media to access news and entertainment. Internet use is unrestricted. In 2013, the International Telecommunications Union recognized the interim government for adding public internet centers, reducing cost of access, and expanding electronic government information and services.

However, the interim government also used strict media controls to silence critics. In April 2014, the Media Industry Development Authority found Fiji One News guilty of “hate speech” for broadcasting a traditional chief’s public comment on poverty among indigenous people. The United Nations, Reporters Without Borders, and the Pacific Media Center con-



tinue to press for repeal of the vaguely worded Media Industry Development Decree, which bans reporting critical of the government or harmful to “national interest or public order.”

Freedom of religion is generally respected. Hindu temples have in the past been targets of violence tied to ethnic tensions, but no such incidents were reported in 2013 or 2014. The interim government restricted the activities of critical religious organizations. In 2014, the Methodist Church—the largest in Fiji—asked its leaders to resign if they chose to run for political office in order to prevent abuse of power or undue influence.

Academic freedom is generally respected, but lack of resources affects quality of instruction. The interim government worked to remove various ethnicity-based preferences in college admissions, scholarships, and other areas. In January 2014, primary schools began mandatory instruction in English, iTaukei, and Hindi to all students in an effort to ease ethnic tensions and create a new national identity.

There were no confirmed reports of government restrictions on private discussion on political matters or other sensitive topics in 2014. Personal blogs and other forms of social media, both for and against the interim government, operated with relative freedom, unlike traditional media.

#### **E. Associational and Organizational Rights: 4 / 12 (+1)**

The interim government imposed severe restrictions on freedom of assembly and association, but gradually relaxed them in the two years leading to the general election. Police permits are required for public gatherings and protests, but there were no reports of denials or last minute orders to cancel events in 2014, as opposed to previous years. The general environment for civil society groups and labor unions has also improved over the past two years, with no confirmed reports of harassment or restrictions in 2014.

In January 2014, workers at two major hotels walked off the job over pay issues. Six union leaders were arrested for their role in the peaceful strikes, which the government deemed unlawful. In December, the new government promised—with no timeline—to review all existing labor laws to ensure they conform to international standards and the Fijian constitution. Of particular concern to labor advocates is the Essential National Industries Decree imposed by the interim regime, which restricts collective bargaining, freedom of association, and other rights and benefits for workers.

#### **F. Rule of Law: 9 / 16 (+3)**

The interim government dismissed many judges following its 2009 suspension of the previous constitution, and critics have questioned the independence of the new justices. Shortages of personnel and resources have continued to complicate the handling of cases in a timely manner.

There were no reports of serious police misconduct in 2014. However, prisons are overcrowded and have poor sanitary and living conditions.

There have been fewer politically motivated arrests since greater political transparency was ushered in by the September elections. The 2013 constitution grants amnesty to those involved in the 2006 military coup.

Indigenous Fijians receive preferential treatment in many areas despite multiple actions by the interim government to eliminate it. An estimated 250,000 people—many of them educated and skilled Indo-Fijians—have left the island in the last 25 years due to persistent discrimination, economic hardship, and political instability.

Fiji was the first Pacific island nation to decriminalize homosexuality when the interim government abolished antisodomy laws in 2010. The 2013 constitution also bans discrimi-

nation based on sexual orientation and gender identity. However, conservative social mores have resulted in continued discrimination and violence against the LGBT (lesbian, gay, bisexual, and transgender) community.

#### G. Personal Autonomy and Individual Rights: 10 / 16

Citizens enjoy broad freedom to travel, live, work, and seek education inside and outside the country. In March 2014, Australia and New Zealand lifted their travel bans on senior officials in the interim government that were imposed after the coup in 2006. Citizens can freely own property and establish businesses, and Fiji's economy has recovered to some extent from the global economic recession and general atmosphere of uncertainty under the interim government.

Women are frequent victims of discrimination and violence. The interim government promised greater equality and protection for women. It also pledged to expand and improve victims' services, planning 13 new women's resource centers for 2014. Under the interim government, there was an increase of nearly 25 percent in reported cases of assault from 2011 to 2013. The government considered this a sign that victims are more willing to seek justice. Eight women won parliamentary seats in the 2014 elections.

Human trafficking, especially the sex trafficking of minors, is a significant issue in Fiji. The U.S. State Department's 2014 *Human Trafficking Report* rates Fiji as a Tier 2 country for falling short of standards to prevent and prosecute trafficking, but acknowledged efforts to comply with the guidelines set forth in the U.S. Trafficking Victims Protection Act.

A dedicated crime unit monitors movement of Chinese migrants, who have been repeatedly linked to human trafficking, money laundering, prostitution, and other illegal activities. In June 2014, two men were convicted of slavery and domestic trafficking in a prostitution racket involving female minors. The cases marked the first of such convictions in Fiji.

## Finland

**Political Rights Rating:** 1

**Population:** 5,463,000

**Civil Liberties Rating:** 1

**Capital:** Helsinki

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

#### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

#### INTRODUCTION

In September 2014, the Greens left the six-party government coalition over a disagreement on nuclear power policy. The government had granted a license to a Russian consortium aiming to build a new megaplant even though the application was plagued by irregularities.

A continued slump in the economy and significant layoffs in the two main sectors of technology and paper/forestry fueled public dissatisfaction with political leadership, allowing the nationalist Finns Party to continue its political ascent.

**POLITICAL RIGHTS:** 40 / 40**A. Electoral Process:** 12 / 12

The president, whose role is mainly ceremonial, is directly elected for a six-year term. The president appoints the prime minister and deputy prime minister from the majority party or coalition after elections; the selection must be approved by parliament. Representatives in the 200-seat unicameral Eduskunta are elected to four-year terms. Finland joined the European Union (EU) in 1995 and is the only Nordic country to have adopted the euro as its currency.

The 2011 parliamentary elections resulted in a dramatic shift in Finnish politics. The KOK and SDP took 44 seats and 42 seats, respectively, while the ruling Center Party captured 35 seats and was ousted from power. The populist, nationalist party the True Finns gained an unprecedented 19 percent of the popular vote, increasing its seats from 5 to 39 and becoming the third-largest party in the legislature. The governing coalition at the end of 2014 comprised the moderate conservative National Coalition Party (KOK), the Social Democratic Party (SDP), the Left Alliance, the Swedish People's Party, and the Christian Democrats.

Pro-EU and pro-euro former finance minister Sauli Niinistö of the KOK handily won the presidency in 2012, defeating the Green League candidate, Pekka Haavisto, with 63 percent of the vote. Elections are free and fair.

Prime Minister Jyrka Kaitiainen of the KOK left the government in June 2014 for a new post as EU commissioner. Minister of Foreign Trade Alexander Stubb replaced him as prime minister.

**B. Political Pluralism and Participation:** 16 / 16

Finland boasts a robustly free political environment with a strong opposition.

The political identity of the Finns Party on the subject of immigration remains a controversial subject, both within and outside the party. While leader Timo Soini has sought to maintain a more moderate stance on immigration, several high-profile party members who serve in parliament also belong to the nationalist group Suomen Sisu. This faction has expressed fierce disagreement with the party leadership on immigration. Controversial parliamentarian James Hirvisaari was expelled from the True Finns in 2013 for posting pictures online of a friend performing a Nazi salute in parliament; his expulsion was interpreted by some as an effort to shift the party's image toward the political mainstream. The Finns' main political focus in 2014 continued to be euroscepticism.

There is comprehensive political protection of minorities. The Åland Islands—an autonomous region located off the southwestern coast whose inhabitants speak Swedish—have their own 30-seat Parliament, as well as a seat in the national legislature. The indigenous Sami of northern Finland have their own legislature, the Sameting, but are not represented in the Eduskunta.

**C. Functioning of Government:** 12 / 12

Corruption is not a significant problem in Finland, which was ranked 3 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. A 2009 law was amended the following year to require candidates and parties to report campaign donations of more than €800 (\$1,030) in local elections or €1,500 (\$1,930) in parliamentary elections.

In September 2014, the Green League left the government over disagreements on domestic nuclear energy policy as well as concerns over a conflict of interest for Minister of Economic Affairs Vapaavuori. The minister had signed a nuclear plant-supply contract with Russian company Rosatom in 2013 and approved permits for a new plant in northern Finland to be partly owned by the company. The process was plagued by irregularities.

There were also concerns over the extent of Russian ownership, given the developing political situation in Ukraine.

**CIVIL LIBERTIES:** 60 / 60

**D. Freedom of Expression and Belief:** 16 / 16

Finnish law provides for freedom of speech, which is respected in practice. Finland has a large variety of newspapers and magazines and protects the right to reply to public criticism. Newspapers are privately owned but publicly subsidized. Many are controlled by or support a particular political party. Since 2012, a value added tax on subscriptions to newspapers and magazines has contributed to financial difficulties for the sector.

In June 2014, the case of a photographer convicted in 2007 for disobeying the police while covering a 2006 demonstration in Helsinki was referred to the Grand Chamber of the European Court of Human Rights (ECHR). A February ECHR ruling was in favor of the Finnish Supreme Court, which had upheld that the journalist was guilty of disobeying police orders. However, because two dissenting opinions in the February ruling cited concerns over a “chilling effect on press freedom,” the Grand Chamber heard the case in December; it had not published its judgment by year’s end.

Finns enjoy freedom of religion. The Evangelical Lutheran Church and the Orthodox Church are both state churches and receive public money from the income taxes of members; citizens may exempt themselves from contributing to those funds, but must renounce their membership. Religious communities other than the state churches may also receive state funds. Religious education is part of the curriculum in all secondary public schools, but students may opt out in favor of more general instruction in ethics.

Academic freedom is respected. In October 2014, the national parliament scheduled a public hearing for spring 2015 on abolishing Swedish as Finland’s second official language; this would mean an end to compulsory Swedish in comprehensive schools.

**E. Associational and Organizational Rights:** 12 / 12

Freedoms of association and assembly are upheld in law and in practice. Workers have the right to organize and bargain collectively, though public-sector workers who provide services deemed essential may not strike. In October 2014, the Trade Union for the Public and Welfare Sectors called for a 24-hour work stoppage in Helsinki involving 9,000 metro and tram workers in protest against the planned privatization of county provider Palmia; the privatization ultimately went through. Approximately 70 percent of workers belong to trade unions.

**F. Rule of Law:** 16 / 16

The constitution provides for an independent judiciary. The president appoints Supreme Court judges, who in turn appoint lower-court judges. Finland has been criticized by the European Court of Human Rights for slow trial procedures. The Ministry of the Interior controls police and Frontier Guard forces.

Ethnic minorities and asylum seekers report occasional police discrimination. The criminal code covers ethnic agitation and penalizes anyone who threatens a racial, national, ethnic, or religious group. A 2012 ruling by the country’s Supreme Administrative Court led to a new interpretation of Finland’s immigration law that could allow several hundred rejected asylum seekers to stay in Finland and receive residency permits if their countries of origin refuse to receive forcible deportations. The number of asylum seekers in this position increased tenfold in 2014. In September, Interior Minister Räsänen announced plans to offer rejected asylum seekers a lump sum to return to their homelands; however by year’s end no specific details of the amendment were available. A little over half of all the asylum

applications ruled on in 2014 were rejected. Immigration issues remained divisive in 2014, in part fueled by the rapid political ascent of the Finns Party.

The constitution guarantees the Sami people (who constitute less than 1 percent of the population) cultural autonomy and the right to pursue their traditional livelihoods, which include fishing and reindeer herding. Their language and culture are also protected through public financial support. However, representatives of the community have complained that they cannot exercise their rights in practice and that they do not have the right to self-determination with respect to land use. While Roma also make up a very small percentage of the Finnish population, they are more significantly disadvantaged and marginalized.

#### **G. Personal Autonomy and Individual Rights: 16 / 16**

Finland has one of the most expansive legal definitions of “freedom to roam” in the world. Provided the privacy of a private residence is not violated and no environmental damage is incurred, anybody is free to use any land, public and private, for outdoor recreation purposes, without having to seek permission beforehand. Intellectual and physical property rights are upheld in Finland. There are no major obstacles to establish a business, and the country boasts a well-regulated, transparent, and open economy.

Women enjoy equal rights in Finland. Women hold approximately 43 percent of the seats in parliament. Despite a law stipulating equal pay for equal work, women earn only about 85 percent as much as men with the same qualifications. Domestic violence is an ongoing concern. An amendment to the constitution in 2012 allowed for citizens’ initiatives, which require parliament to consider petitions with more than 50,000 signatures.

Parliament passed a bill legalizing same-sex marriage in November 2014, after it was submitted by citizens’ initiative. However, the bill remains controversial in Finland and will not be in effect until 2016, giving opponents a chance to overturn it after the parliamentary elections slated for April 2015.

Finland remains a destination and a transit country for trafficked men, women, and children. Amendments to the Alien Act in 2006 allow trafficked victims to stay in the country and qualify for employment rights.

## France

**Political Rights Rating:** 1

**Population:** 64,064,000

**Civil Liberties Rating:** 1

**Capital:** Paris

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

#### **INTRODUCTION**

In 2014, public support for President François Hollande of the center-left Socialist Party (PS) fell to the lowest for a French president since World War II as France remained mired in economic stagnation and high unemployment. In January, Hollande announced a new economic policy of tax cuts for businesses and reductions in government spending, a

sharp break from his party's traditional policies. On March 31, Hollande appointed a new prime minister from the right wing of the party, former interior minister Manuel Valls, who replaced Jean-Marc Ayrault. The reshuffle came in response to the Socialists suffering heavy losses in local elections in late March. Valls then dissolved the government in August following a clash with leftist economy minister Arnaud Montebourg, who publicly criticized Hollande's economic policies. Montebourg was excluded from the new cabinet, but Valls was reappointed prime minister.

The far-right, anti-immigration, and anti-European Union National Front (FN), led by Marine Le Pen, placed first in European Parliament (EP) elections in May, taking 26 percent of the vote in France. This marked an increase from 6.5 percent in the previous EP elections and was the party's best result in a nationwide election to date.

The government continued to confront challenges in the areas of national security, immigration, and ethnic diversity. A number of attacks against minority groups, including Roma, Jews, and Muslims, occurred throughout the year.

**POLITICAL RIGHTS:** 38 / 40

**A. Electoral Process:** 12 / 12

The French president and members of the lower house of Parliament, the 577-seat National Assembly, are elected to five-year terms. The upper house, the 348-seat Senate, is an indirectly elected body whose members serve six-year terms. The prime minister is appointed by the president, who is elected by direct, universal suffrage in a two-round system. In the 2012 presidential election, Hollande won the first round with 28.6 percent of the vote, beating incumbent Nicolas Sarkozy of the UMP, who took 27.2 percent. Le Pen placed third, with 17.9 percent. Hollande won the election in a runoff against Sarkozy, with 51.6 percent of the vote to Sarkozy's 48.4 percent, becoming France's first Socialist president since François Mitterrand left office in 1995.

In 2012, the PS and its allies won an absolute majority of 314 seats in the National Assembly, while the UMP and its allies took 229 seats. In the September 2014 Senate elections, the PS lost its majority to the UMP and the center-right Union of Democrats and Independents (UDI), while the FN won two seats—its first ever in the upper chamber. The PS suffered substantial defeats in local elections in March 2014, with the UMP and FN both gaining at its expense.

**B. Political Pluralism and Participation:** 15 / 16

Parties organize and compete on a free and fair basis. The center-left PS and the center-right UMP are the largest parties, though the far-right, anti-immigration FN receives significant support. Since taking over the FN from her father in 2011, Le Pen has sought to give it a new image as a mainstream party. The UMP and the UDI made electoral gains against the PS in 2014.

The 2012 parliamentary elections yielded a record eight new members from immigrant backgrounds. However, they comprised less than 2 percent of the National Assembly, prompting renewed calls from minority rights groups for a law ensuring ethnic diversity in politics.

**C. Functioning of Government:** 11 / 12

In March 2014, newspaper *Le Monde* reported that investigators had wiretapped the telephones of Sarkozy, his lawyer, and two former ministers. The investigators were trying to discover whether Sarkozy had sought inside information from an appeals court judge about another investigation, into the financing of Sarkozy's 2007 presidential campaign. Former Libyan leader Mu'ammarr al-Qadhafi allegedly had provided the campaign with as much as

€50 million (\$68 million) in illegal funds. In July, police launched a formal investigation and detained Sarkozy for 15 hours of questioning, the first such action against a former president in modern French history. Sarkozy had allegedly sought to trade favors with a prosecutor, who was supposed to supply information about the campaign finance investigation in exchange for a job in Monaco. Sarkozy denounced the case as political manipulation.

In August, the French Court of Justice placed Christine Lagarde, the International Monetary Fund managing director and former finance minister for Sarkozy, under investigation for negligence in her decision to send a case involving businessman Bernard Tapie, a Sarkozy backer, to arbitration in 2007; Tapie won a multimillion-dollar arbitration payment in 2008, allegedly due to political connections.

Also in August, France joined the Open Government Partnership, a global initiative aimed at promoting transparency, accountability, and civic participation in government. France was ranked 26 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

#### **CIVIL LIBERTIES: 57 / 60**

##### **D. Freedom of Expression and Belief: 15 / 16**

The media operate freely and represent a wide range of political opinions. Though an 1881 law forbids “offending” various personages, including the president and foreign heads of state, in practice the press is lively and critical.

While internet access is generally unrestricted, a domestic security law, which came into effect in 2011, allows the filtering of online content. A separate 2011 decree requires internet companies to provide user data, including passwords, to authorities if requested. In November 2014, a new counterterrorism law empowered authorities to block websites that incite or “glorify” terrorism.

The constitution protects freedom of religion. Strong antidefamation laws prohibit religiously motivated attacks, and Holocaust denial is illegal. France maintains the policy of *laïcité*, whereby religion and government affairs are strictly separated, though the government maintains relationships with organizations representing the three major religions in France (Christianity, Islam, and Judaism). A 2004 law bans “ostentatious” religious symbols in schools; Muslim girls’ headscarves were widely seen as the main target of the law.

In January 2014, authorities in several French cities banned performances by comedian Dieudonné M’Bala M’Bala, who had stirred controversy with anti-Semitic remarks and by popularizing a gesture known as the “quenelle,” which was widely seen as a Nazi-inspired salute. The Council of State, the nation’s highest administrative court, upheld the ban imposed by the city of Nantes. The comedian had six prior convictions for hate speech.

In July 2014, the European Court of Human Rights upheld France’s ban on clothing that covers the face, including the burqa and niqab, in public spaces, ruling that the ban did not violate the European Convention on Human Rights. A French Muslim woman had brought the case, claiming that the ban was discriminatory and violated her freedoms of expression and religion. The ban had taken effect in 2011, the first of its kind in Europe. Violators can be fined up to €150 (\$220) or ordered to take citizenship lessons. A man who forces a woman to wear a niqab can be fined €30,000 (\$43,000).

Academic freedom is respected by French authorities, and private discussion is both open and vibrant.

##### **E. Associational and Organizational Rights: 12 / 12**

Freedoms of assembly and association are respected, and nongovernmental organizations can operate freely. In July, protests against Israel’s military offensive in the Gaza Strip

led in some instances to attacks on Jewish synagogues and shops in Paris and its suburbs. Authorities banned several pro-Palestinian protests, but some went ahead anyway.

Trade union organizations are strong despite fractionalization, declining density of membership, and a lack of legal protections relative to more corporatist European countries. In September, Air France pilots went on strike for two weeks to protest French-Dutch operator Air France-KLM's plans to expand its budget brand, Transavia, which would pay its pilots less. Prime Minister Valls criticized the strike and rejected the pilots' demand for mediation; the French government owns 16 percent of the airline.

**F. Rule of Law:** 15 / 16

France has an independent judiciary, and the rule of law is firmly established. Prisons are overcrowded, and suicides in prison are common. The country's antiterrorism campaign has included surveillance of mosques, and terrorism suspects can be detained for up to four days without charge. Concerned about French jihadists fighting abroad and then returning to commit terrorist acts in France, authorities had begun prosecuting suspects for offenses including planned travel to Syria. In the first such case, three Muslim men from the Paris metropolitan area who had been arrested in 2012 as they boarded a flight to Gaziantep, a city in Turkey near the Syrian border, received prison sentences in March 2014 ranging from two to five years. They were convicted on charges of criminal association with intent to commit terrorist acts. The November counterterrorism law imposed a travel ban on anyone suspected of planning to become a jihadist; under the law, suspects' passports can be confiscated for six months to two years. On November 6, Hollande stated that about 1,000 French jihadists were currently fighting in Iraq and Syria, traveling to do so, or returning to France from doing so.

In June 2014, the leading Corsican separatist group, the National Liberation Front of Corsica, said it would end its decades-long armed campaign for independence, having "unilaterally decided to begin a process of demilitarization." In 2001, the government devolved some legislative powers to the island and allowed teaching in the Corsican language in public schools.

French law forbids the categorization of people according to ethnic origin, and no official statistics are collected on ethnicity. Minorities are underrepresented in leadership positions in both the private and public sectors.

In 2013, France reportedly deported a record 19,380 Roma, up from about 9,400 in 2012 and 6,400 in 2011. This marks a sharp increase under Hollande, who previously criticized Sarkozy for such expulsions. In June 2014, a gang beating in a Paris suburb left a 17-year-old Roma boy in a coma. He allegedly burglarized apartments in the gang's housing project. Police made no arrests, and residents of the local Roma camp fled after the incident.

A national human rights commission has reported constant and pervasive discrimination, attacks, and threats against Roma and Muslims in recent years. Discrimination based on sexual orientation is prohibited by law.

**G. Personal Autonomy and Individual Rights:** 15 / 16

There are no restrictions on freedom of travel or choice of residence or employment. Private business is free to operate.

Gender equality is protected in France, and constitutional reforms in 2008 institutionalized economic and social equality. In August 2014, the National Assembly passed a new law aimed at increasing gender equality in the workplace, strengthening women's reproductive rights, and expanding protections for victims of domestic abuse. However, in the 2014 Global Gender Gap report, France ranked 126 out of 142 countries in terms of perceptions



of the wage gap between women and men. Some electoral lists require the alternation of candidates by gender. After the 2012 elections, women held a record 27 percent of seats in the National Assembly.

In 2013, France became the 14th nation in the world, and the ninth in Europe, to legalize gay marriage.

In June 2014, the Council of State ruled that doctors could allow Vincent Lambert, a 38-year-old man in a vegetative state since a 2008 car accident, to die by removing his feeding tube. His parents, devout Roman Catholics, opposed the step and appealed to the European Court of Human Rights; his wife supported the doctors. Although France has not explicitly legalized euthanasia, a 2005 law gives doctors broad discretion over end-of-life decisions.

Civil right groups and academic studies have reported evidence of labor market discrimination against French Muslims and immigrants of North African decent, reflected in hiring patterns and income differentials.

## Gabon

**Political Rights Rating:** 6

**Population:** 1,711,000

**Civil Liberties Rating:** 5

**Capital:** Libreville

**Freedom Rating:** 4.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,4,PF	6,4,PF	6,4,PF	6,4,PF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF

### INTRODUCTION

In 2014, one of Gabon's most powerful ministers, Jean Ping, emerged as a serious challenger to President Ali Bongo. In February, Ping announced he was severing all ties with the ruling Gabonese Democratic Party (PDG), and by July he had aligned himself with the newly formed United Opposition Front for Change (FOPA). FOPA members include many former stalwarts of former president El Hadj Omar Bongo Ondimba, Ali Bongo's father.

On December 20, at least one man was killed and roughly one hundred arrested in the capital, Libreville, when police clashed with protesters to shut down a banned rally calling for the president's resignation amid growing popular discontent with the stagnant political landscape.

**POLITICAL RIGHTS:** 9 / 40

**A. Electoral Process:** 2 / 12

The bicameral parliament of Gabon consists of a National Assembly whose 120 members are elected by popular vote for five-year terms, and a 102-seat Senate indirectly elected by regional and municipal officials for six-year terms. Presidential term limits were abolished in 2003, and the president, who is elected by popular vote for seven years, has the power to dissolve the National Assembly. In snap presidential elections following former President Omar Bongo's death in 2009, Ali Bongo was elected with 42 percent of the vote against several senior PDG figures, who ran as independents. Although the opposition chal-

lenged the official results amid violent protests, the Constitutional Court upheld Bongo's victory following a recount the next month.

Some opposition parties boycotted the 2011 National Assembly elections over the government's failure to implement biometric technology for voter registration; the ruling PDG won all but seven seats. Biometric registration was in effect for the 2013 municipal and regional elections, which were overwhelmingly won by the PDG as well.

**B. Political Pluralism and Participation: 4 / 16**

The government is dominated by the PDG, which has held power since it was formed in 1968. The country has several opposition parties, but their power is fragmented, and many are spinoffs of the ruling PDG. The FOPA was announced in July 2014. Its ranks include former PDG secretary general Jacques Adiahénot, former foreign minister Ping, and many members of the now-banned National Union Party (NUP). Ping spent nine years as Gabon's foreign minister under Omar Bongo.

There are two other main opposition coalitions, the Union of Forces of Change (UFC) and a splinter group, the Union of Forces for an Alternative (UFA). It is unclear whether the FOPA, the UFC, and the UFA might unite behind a single candidate for the next presidential election, in 2016.

**C. Functioning of Government: 3 / 12**

Investigations by other countries, especially France and the United States, have documented extensive patronage under Omar Bongo's regime. Since taking office, Ali Bongo has attempted to distance himself from his father. He has reduced the size of the presidential cabinet, eliminated ghost workers from the public payroll, formed the National Commission against Illegal Enrichment to combat corruption, and launched an anticorruption probe aimed at finding millions of dollars siphoned off from a decade's worth of development projects during Omar Bongo's reign. However, corruption remains an issue. Gabon ranked 94 out of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index. While the country has one of the highest per capita income levels in Africa, a large minority of the population still lives in poverty.

In January 2014, the government launched an investigation into hundreds of millions of dollars in state funds allegedly stolen during the final years of Omar Bongo's regime. Critics say the probe targeted regime critics, such as former prime minister Jean Eyeghé Ndong. The operation led to the arrest in August of a current minister, Jeannot Kalima, for alleged misappropriation of funds when he was a senior public works official under Omar Bongo.

In February, the government eliminated the quarterly bonus for approximately 10,000 finance-based civil servants, replacing it with a performance-based system for which 30,000 civil servants in all sectors are now eligible.

Gabon was delisted as a candidate for the Extractive Industries Transparency Initiative (EITI) in 2013 because it submitted its validation report after the deadline. In October 2014, the government held a National Workshop to take steps to reenter EITI.

**CIVIL LIBERTIES: 25 / 60**

**D. Freedom of Expression and Belief: 10 / 16**

Press freedom is guaranteed by law and the constitution. One daily newspaper is government owned and the other is closely affiliated with the ruling party, though there are about two dozen private weeklies and monthlies and half a dozen private radio and television stations. Both private and government-affiliated newspapers and websites criticize the government, but self-censorship is widely practiced. The government's main news

regulatory body, the National Communications Council (NCC), can censor and control news outlets with a complaint of “disrupting public order.” Reporters convicted of libel and defamation can be imprisoned, though there were no reports of such activity in 2014. There are no government restrictions on internet access or reports of illegal monitoring or surveillance, though less than 10 percent of the population has access. Several Facebook forums express opposition to the government by Gabonese inside the country.

In September 2014, two opposition weekly newspapers, *La Loupe* and *L’Aube*, were shut down temporarily. They had previously claimed that the government had replaced their original publications with bogus issues that included new content favorable to the president. The government denied the allegations.

Gabon is a predominantly Christian country. Religious freedom is enshrined in the constitution and largely upheld by the authorities.

The government does not directly restrict academic freedom.

#### **E. Associational and Organizational Rights: 4 / 12**

The rights of assembly and association are legally guaranteed. Public protests must be approved by the government, and security forces have used harsh tactics to keep order. In July 2014, 30 students staged a hunger strike to protest irregularities of the 2014 baccalaureate exam. This led to the resignation of Education Minister Léon Nzouba, the first minister to leave in the middle of a presidential term since 1996.

Nongovernmental organizations (NGOs) serve as an important counterweight to the lack of an effective political opposition, and are generally free to investigate and report on civil liberties abuses. However, their numbers are small.

Unions are relatively strong and influential, and the private industrial sector is almost entirely unionized. Strikes are frequent, as public impatience with the slow rate of change is growing. In February 2014, customs workers struck in order to force negotiations with the government; fresh produce, pharmaceuticals, and items for the presidency were still allowed entry into the country. Union members are occasionally blacklisted. In December, oil workers went on strike after talks with the government over the reinstatement of some unfairly fired workers broke down.

#### **F. Rule of Law: 6 / 16**

The law stipulates that the judiciary be independent, but it is accountable to the Ministry of Justice, through which the president has the power to appoint and dismiss judges.

Prison conditions are harsh and facilities are severely overcrowded. The main prison in Libreville, built to hold 300 inmates, has approximately five times that many. Pretrial detention is often lengthy, sometimes well beyond the six months for misdemeanors and one-year limit for felonies permitted by law. Torture is not specifically outlawed. Legal prohibitions against arbitrary arrest and detention are not always observed.

Ritual killings remain a serious problem that tends to spike in election years because certain body parts are believed to enhance strength. In 2013, a Gabonese senator, Gabriel Eyeghe Ekomie, was arrested after being accused of ordering the murder of a young girl. It was the first time a senior official was detained in such a case. The charges were dropped nine months later, and Ekomie was released from prison.

The country’s large population of African immigrants is subject to harassment and extortion, especially during roundups by security forces. Most of Gabon’s several thousand members of the indigenous Baka ethnic group live in extreme poverty in remote forest communities, and are often exploited as cheap labor.

Gabon has no specific statute outlawing same-sex sexual activity, but bias against LGBT (lesbian, gay, bisexual, and transgender) people remains an issue. Most members of the LGBT community choose to keep their identities a secret to avoid housing and employment discrimination. There were no reports of violence directed against LGBT members in 2014. In January, six people were arrested and held overnight for allegedly taking part in a marriage ceremony between two men in late December 2013.

#### G. Personal Autonomy and Individual Rights: 5 / 16

Gabon's ranking in the World Bank's *Doing Business* report fell six places in 2014, to 144 out of 189 countries.

Women hold positions at all levels of private business and the government, including 4 of 29 cabinet positions, 18 of 120 seats in the National Assembly, and 18 of 102 seats in the Senate. However, there is no law against sexual harassment, and rape is rarely prosecuted and is often unreported due to societal taboos. Spousal rape is not mentioned in the law.

Gabon's relatively stable economy makes it attractive for smugglers who want to lure young people into the country, and teenagers from neighboring countries are commonly trafficked into Gabon. Many boys end up as street vendors or mechanics, while girls are forced to work as domestic servants.

## ↓ The Gambia

**Political Rights Rating:** 6

**Civil Liberties Rating:** 6

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Population:** 1,909,000

**Capital:** Banjul

**Trend Arrow:** The Gambia received a downward trend arrow due to an amendment to the criminal code that increased the penalty for "aggravated homosexuality" to life in prison, leading to new arrests of suspected LGBT people and an intensified climate of fear.

#### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,5,PF	5,5,PF	6,5,NF	6,6,NF	6,6,NF	6,6,NF

#### INTRODUCTION

The government's repression of opposition leaders and journalists continued in 2014, intensifying in the run-up to the 2016 presidential elections. On December 30, disaffected Gambian soldiers launched a failed coup attempt while President Yahya Jammeh was abroad. Upon his return on December 31, authorities launched a crackdown on those allegedly involved in the coup plot.

In October, Jammeh signed into law an amendment to the Criminal Code that penalizes "aggravated homosexuality" with life in prison. A spate of arrests of suspected LGBT (lesbian, gay, bisexual, and transgender) individuals throughout the fall intensified the atmosphere of intimidation for sexual minorities.

**POLITICAL RIGHTS:** 7 / 40**A. Electoral Process:** 2 / 12

The president is elected by popular vote and is eligible for an unlimited number of five-year terms. Elections are violent and rigged. In the run-up to the 2011 presidential polls, the Independent Electoral Commission—controlled by the ruling party—failed to share the electoral register with opposition parties, shortened the campaign period, and hampered opposition party campaigns. Jammeh secured his fourth presidential term with 72 percent of the vote; opposition parties rejected the results as fraudulent and there was outcry from the international community.

Of the 53 members of the unicameral National Assembly, 48 are elected by popular vote, with the remainder appointed by the president; members serve five-year terms. Six of the seven opposition parties boycotted the 2012 legislative elections after demands for electoral reform were unmet. Facing little opposition, the ruling Alliance for Patriotic Reorientation and Construction (APRC) won 43 elected seats. African Union observers noted irregularities, a “gross imbalance” between the resources of the APRC and other parties, and the presence of security personnel and traditional chiefs in polling stations. The Economic Community of West African States (ECOWAS) refused to send observers. In 2014, no changes were made to the electoral system despite united opposition requests for reform prior to the 2016 presidential elections.

On December 30, 2014, a group of former soldiers launched an armed coup, which ultimately failed, while Jammeh was traveling abroad. As of December 31, three suspects were killed, including Lamin Sanneh, whom the authorities identified as the ringleader. Jammeh rejected claims that the attack was a coup attempt and instead blamed it on “terrorist groups backed by some foreign powers.” Such statements fueled concerns by human rights groups that the incident could be used to justify a renewed crackdown on political opponents.

**B. Political Pluralism and Participation:** 5 / 16

Jammeh and his APRC dominate the political landscape, while security forces continue to repress opposition. Throughout 2014, members of the opposition United Democratic Party (UDP) were faced with increased harassment, detention, and arrest. The government consistently denied opposition requests to hold rallies. After fleeing the country in 2012 for fear of his life, Dodou Kassa Jatta—who had run as an independent in the 2012 legislative elections—remained in exile. At the end of 2014, Malang Fatty (a political opponent seeking asylum abroad), Amadou Sanneh (national treasurer of the UDP), and Fatty’s brother, who asked Sanneh to write a letter promoting Fatty’s case for asylum, remained imprisoned. The men were allegedly tortured, having been sentenced to five years in prison for sedition in December 2013.

**C. Functioning of Government:** 0 / 12

Official corruption remains a serious problem, and reports of government officials participating in drug trafficking are rampant. The government set up one anticorruption commission in 2004 and another in 2012. The latter sentenced several high-ranking security officials on drug and corruption charges. In 2014, the regime considered creating a third commission, giving the impression that the commissions are ad hoc rather than permanent antigraft agencies. The Gambia was ranked 126 out of 175 countries and territories surveyed in Transparency International’s 2014 Corruption Perceptions Index.

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**CIVIL LIBERTIES:** 13 / 60 (-1)**D. Freedom of Expression and Belief:** 3 / 16 (-1)

The government does not respect freedom of the press. Laws on sedition give the authorities discretion in silencing dissent, and independent media outlets and journalists are subject to harassment, arrest, and violence. Amendments to the Information and Communications Act enacted in 2013 imposed harsher penalties—up to 15 years in jail and up to \$82,000 in fines—on people who use the internet to criticize government officials. The 2013 passage of the Criminal Code Amendment Bill increased the punishments for anyone convicted of providing “false information” to a public servant and expanded the definition to include elected officials.

Journalists are often jailed without charge or detained more than the 72 hours allowed by law while their whereabouts are withheld. In July, activist Lasana Jobarteh was found guilty of broadcasting without a license and fined 50,000 dalasi (\$1,300) because he used Skype to enable members of the diaspora to listen to a UDP political rally in December 2013. In January, two journalists—Musa Sheriff and Sainey M. K. Marenah—were arrested and charged with “publication of false news with intent to cause fear and alarm to the public” after they published an article claiming that youth supporters of the ruling party had defected to the opposition UDP. In November, a magistrate acquitted them of the charges. In September, Alhagie Jobe, an editor from the progovernment *Daily Observer* newspaper, was released from custody after spending one year in detention on sedition and other charges related to an allegedly inaccurate news article found in his possession and statements extracted under torture.

State-run outlets dominate the media landscape. Ownership of private television stations is prohibited, but a small number of privately owned newspapers and radio stations operate. In January, the office of the president lifted a ban on the community radio station Taranga FM and the privately owned English-language Standard newspaper that had been in effect since 2012.

The government has reportedly blocked access to at least 15 news and opposition websites.

Religious freedom is generally protected. However, the authorities occasionally target minority Muslim groups whose observance departs from practices condoned by the Supreme Islamic Council.

Academic freedom is severely limited at the University of The Gambia, with the presence of security forces on campus, the discouragement of political speech and activities, and the departure of prominent scholars. The ruling party controls curriculum decisions and instructor appointments at all levels. In 2014, Sait Matty Jaw, a lecturer at the university, was arrested along with two foreign nationals, detained for several days, and charged with conspiracy due to his research and data collection projects. No decision had been reached as of year’s end. His detention, alongside the crackdown on LGBT persons, intensified the climate of fear at educational institutions. Open and free private discussion is limited by fears of government surveillance and retaliation.

**E. Associational and Organizational Rights:** 3 / 12

Freedoms of assembly and association are legally protected but constrained by state intimidation in practice. The 2013 amendment to the Information and Communications Act further threatens associational freedoms by formalizing punishments for people “inciting dissatisfaction.” Nongovernmental organizations (NGOs) operate in the country but face the

constant threat of judicial reprisals and detentions. Few NGOs aggressively tackle human rights and political issues. Workers, except for civil servants and members of the security forces, have the right to form unions, strike, and bargain for wages, but a climate of fear generated by the state dissuades workers from taking action.

**F. Rule of Law: 1 / 16**

Although the constitution provides for an independent judiciary, Jammeh selects and dismisses judges. The judicial system recognizes customary law and Sharia (Islamic law), primarily with regard to personal status and family matters. Impunity for the country's security forces is a problem. A 1995 decree allows the National Intelligence Agency to search, arrest, or seize any person or property without a warrant in the name of state security. Prisons are overcrowded and unsanitary. Torture of prisoners is reportedly routine. In November 2014, the UN Special Rapporteurs on torture and extrajudicial killing were unable to complete their investigation in the country because the government denied them unrestricted access to detention facilities.

The Gambia's ethnic groups coexist in relative harmony, though critics have accused Jammeh of giving preferential treatment to his Jola ethnic group.

Consensual same-sex sexual relations between men are a criminal offense, with punishments of between 5 and 14 years in prison. In October 2014, Jammeh signed into law an amendment to the Criminal Code that further penalizes "aggravated homosexuality" with life in prison. The charge is vaguely worded but would cover "repeat offenders" and people living with HIV/AIDS who are suspected of being gay or lesbian. The legislation was passed amid a broader atmosphere of official hostility to LGBT persons. During 2014, the National Intelligence Agency detained more than 16 individuals on suspicion of homosexuality, while others fled the country for fear of arrest.

**G. Personal Autonomy and Individual Rights: 6 / 16**

In January 2014, officials in Senegal, The Gambia's only border country, banned commercial traffic from its neighbor in response to increased tariffs on Senegalese vehicles entering Gambian ports. In April, Gambian officials closed the border completely for nearly a week as the dispute intensified, though it was reopened to private traffic shortly thereafter. The border was closed again at the end of the year and the government set up numerous checkpoints and roadblocks throughout the country in response to the coup attempt against Jammeh.

Property rights are not secure. In provincial areas, village chiefs allocate land for residential and agricultural use, but poor record keeping and high rates of turnover in village hierarchies give rise to land disputes and confusion in matters of ownership and lease. A variety of regulatory hurdles also impede the establishment and operation of new businesses.

Women enjoy fewer opportunities for higher education and employment than men. Only five parliamentarians are women. Sharia provisions regarding family law and inheritance restrict their rights. Rape and domestic violence are common, despite laws prohibiting violence against women. Female genital mutilation (FGM) remains legal and widely practiced. In 2014, anti-FGM efforts were increased, featuring the country's first National Youth Forum on FGM.

The Gambia is a source, destination, and transit country for the trafficking of women and children and home to several forms of child labor. In 2014, the United States downgraded the country to a Tier 3 designation after it made no significant efforts to combat trafficking.

# Georgia

**Political Rights Rating:** 3

**Population:** 4,785,000

**Civil Liberties Rating:** 3

**Capital:** Tbilisi

**Freedom Rating:** 3.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

*Note:* The numerical ratings and status listed above do not reflect conditions in South Ossetia or Abkhazia, which are examined in separate reports.

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	3,3,PF	4,4,PF	4,4,PF	4,4,PF	4,3,PF	4,3,PF	3,3,PF	3,3,PF	3,3,PF

## INTRODUCTION

Citizens' empowerment through the direct election of mayors, local administrators, and city council members in June 2014 was an important step for Georgia's democracy. For the first time in the country's post-Soviet history, the ruling coalition faced competition in a runoff election in Tbilisi. The pre-election environment was tense and deeply polarized, with instances of intimidation of candidates from the United National Movement (UNM) of former president Mikheil Saakashvili. As a result, some UNM candidates withdrew from races. Prime Minister Irakli Garibashvili of the ruling Georgian Dream–Democratic Georgia party said violence, including physical beatings of at least four UNM party members, was evidence of Georgian society's discontent with abuses under the previous, UNM-led government. Garibashvili's statement, made amid increased societal tensions, did not encourage a level playing field for UNM candidates. Nevertheless, overall election monitors deemed the local elections both free and fair.

Georgia signed a comprehensive trade and political agreement with the European Union (EU) in June and entered the second phase of the EU visa liberalization process in October.

In November, Foreign Minister Maia Panjikidz and three of her deputies resigned following the firing of Defense Minister Irakli Alasania, a member of the Our Georgia–Free Democrats party. The departures fueled debate about the government's commitment to a pro-Western course, as the four officials support Georgia's goal of joining the North Atlantic Treaty Organization (NATO) and EU. Alasania said that an ongoing investigation of corruption cases in the defense ministry during his tenure was a politically motivated campaign against him. Following his dismissal, the Free Democrats left the Georgian Dream coalition—a group of parties led by Georgian Dream–Democratic Georgia—forcing the government to rely on the backing of independent members of parliament to gain a majority.

**POLITICAL RIGHTS:** 26 / 40 (+1)

**A. Electoral Process:** 9 / 12 (+1)

Georgia's unicameral Parliament has 150 seats, with 77 chosen by party list and 73 in single-member districts. The president appoints the cabinet and can serve up to two five-year terms.

International observers generally considered the 2012 parliamentary elections as free and fair. Georgian Dream captured 85 seats, leaving the UNM in the minority with 65 seats. In Georgia's first peaceful transfer of power through elections since independence, Saakashvili conceded defeat and pledged to cooperate with the new government.



Presidential elections in 2013 were widely regarded as free and fair. While observers reported some violations, they noted no cases of abuse of administrative resources or pressure on voters, which had been issues in past elections. Another improvement was the reduced number of voting stations set up in workplaces for public servants, who were encouraged to vote as civilians in their local communities, reducing opportunities for the state to influence the vote of its employees. The Central Election Commission was also praised for its professionalism during the election. Giorgi Margvelashvili of Georgian Dream won 62 percent of votes in the first round of the presidential election, surpassing the 50 percent threshold needed for an outright win.

Constitutional changes introduced by Saakashvili in 2010 to transform the country's political structure from a presidential to a parliamentary system came into force following Margvelashvili's inauguration in November 2013. The bulk of executive authority shifted from the president to the prime minister, and new rules on votes of no confidence make it difficult for Parliament to remove the prime minister. Garibashvili became prime minister that month.

In 2014, after reforms to the Electoral Code, Georgian citizens directly elected heads of municipal districts and mayors of cities other than Tbilisi for the first time. The shortcomings in the pre-election environment and the election process cited by election observers were not systematic and were judged not to have affected the overall outcome.

#### **B. Political Pluralism and Participation: 10 / 16**

Saakashvili's UNM dominated Georgian politics from 2004 to 2012, when growing dissatisfaction with the ruling party's perceived consolidation of power helped fuel support for Georgian Dream. This new party, founded by former prime minister Bidzina Ivanishvili in 2012, merged older opposition factions and benefited from Ivanishvili's extensive personal wealth.

As a part of Georgian Dream's electoral pledge to restore justice, the government launched a series of investigations into credible allegations of crimes and abuses of power by high-profile UNM leaders. Approximately 90 officials of the previous government have been arrested or investigated, and many of its activists nationwide have been questioned, according to UNM. Some Georgian and international observers see these investigations as politically motivated; some have likened it to a "witch hunt."

The Georgian Dream coalition leadership has made frequent hostile statements directed against the UNM. For example, during the campaign period for local elections, Prime Minister Garibashvili predicted that the polls would lead to the "disappearance" of the UNM. Although Garibashvili pledged in April 2014 to end prosecutions of politicians during the campaign period, former Tbilisi mayor and UNM campaign coordinator Gigi Ugulava was arrested on money laundering charges in July, when second-round elections were taking place.

Given the widespread public trust in the Georgian Orthodox Church, it has strong potential to influence citizens' political choices. In July, a bishop in Tbilisi instructed worshippers to vote against the UNM. The Central Election Commission declined to fine the bishop, saying he was acting in his individual capacity and did not speak on behalf of the Patriarchate.

#### **C. Functioning of the Government: 7 / 12**

At the time of the government reshuffle in November, President Margvelashvili described the crisis within the Georgian Dream coalition as "symptomatic of broader problems" in Georgia: particularly "disrespect of institutions" and the "lack of institutional governance."

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Georgia's anticorruption reforms, implemented in 2004, largely eliminated petty corruption. More recent initiatives to fight corruption in Georgia include the formation of an effective State Audit Office and the introduction of an e-procurement system. However, Transparency International has recommended that Georgia establish an independent anticorruption body that can investigate and prevent crimes committed by high-ranking officials, develop better mechanisms to verify public officials' asset declarations, and introduce adequate mechanisms to investigate crimes committed by law enforcement agencies. Georgia ranked 50 out of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 38 / 60

**D. Freedom of Expression and Belief:** 12 / 16

Georgia's media environment continues to be diverse and pluralistic, benefiting from enhanced editorial independence after the 2012 shift in government. Legislative amendments passed in 2013 ban offshore ownership of broadcasts and require declaration of ownership structures, increasing transparency in the Georgian media sector. In addition, "must carry, must offer" legislation, originally designed to provide diverse political coverage of Georgia's pre-election environment in 2012, became permanent in 2013. This increased opportunities for Georgian citizens to access diverse news sources, even in rural areas.

Nevertheless, some worrying signs emerged in 2014. Prominent voices of the Georgian Dream coalition, including former prime minister Ivanishvili and serving prime minister Garibashvili, have criticized the media for lacking professionalism and displaying bias in reporting, which Georgian media professionals have denounced. For example, when the government publically criticized a television report in May that accused the administration of flouting its pre-election promises, Georgian civil society considered the statement undue pressure on editorial independence. Media professionals are concerned that the playing field is becoming increasingly uneven for journalists, as the government appears to favor certain outlets while restricting official access for others. *Batumelebi*, *Netgazeti*, *Guria News*, *Livepress.ge*, *Studio Monitor*, *Information Center Kakheti*, and *TV-25* have all reported difficulties obtaining information from the Georgian Ministry of Internal Affairs. In December, more than 20 journalists from *Maestro TV* resigned in protest of the politically motivated firing of a popular television presenter and the increasing influence of progovernment consultants over editorial content.

The Finance Ministry's Revenue Service sparked controversy in 2014 after it requested that the television audience measurement company TVMR GE provide the locations of the households where the company hosts "people meters," devices that measure viewing habits. Nika Gvaramia, chief executive of the Rustavi 2 television channel, described these efforts as politically motivated and aiming to influence Georgian media. UNM claimed that TVMR's very low rating of GDS TV, run by the son of former prime minister Ivanishvili, is behind an initiative to discredit existing television ratings. TVMR suspended operations for several months. The authorities do not restrict access to the internet and have undertaken several initiatives in the past year to improve penetration.

Freedom of religion is respected for the country's large Georgian Orthodox Christian majority, and the Georgian Orthodox Church enjoys numerous privileges that are not afforded to other religious institutions, including tax exemptions, special funding, and involvement in state educational and social welfare programs. Some traditional minority groups, including Muslims and Jews, experience discrimination but are generally free to worship. In February, the government established the State Agency for Religious Issues to

improve relations between the state and religious minorities. Authorities continued to delay approval for the construction of a new mosque in Batumi in 2014.

Members of groups newer to the region—including Baptists, Pentecostals, and Jehovah's Witnesses—have faced harassment and intimidation by law enforcement officials and Georgian Orthodox extremists. In 2014, construction on a previously approved prayer house for Jehovah's Witnesses in Terjola was suspended following protests from locals. Since political changes began in Egypt in 2011, there has also been an influx of Coptic Christian immigrants. Some reports indicate that Orthodox authorities have denied Coptic Christians permission to worship in Orthodox churches.

The government does not generally restrict academic freedom, though politically motivated academic dismissals and appointments have been reported in the past.

Illegal surveillance of Georgian citizens is systematic, violating Georgia's obligations under the European Convention of Human Rights. Parliament passed legislation regulating data collection and surveillance in November; the legislation allows the Interior Ministry to retain the power to directly access communications operators' networks. President Margvelashvili vetoed the government-backed legislation, but Parliament overrode the presidential veto.

#### **E. Associational and Organizational Rights: 8 / 12**

Freedom of assembly is generally respected. Numerous activists and civil society groups staged protests and demonstrations throughout 2014 in connection with various social and political issues, largely unobstructed by the government. However, assemblies related to sensitive issues have ignited controversy in the past.

Georgian civil society is vibrant. Despite Prime Minister Garibashvili's statements about the bias of nongovernmental organizations (NGOs) in Georgia, the government does not interfere with their work. NGOs are able to register and operate without arbitrary restrictions. Georgian civil society relies on peaceful forms of public mobilization and increasingly uses social media to organize.

The constitution and the Law on Trade Unions allow workers to organize and prohibit antiunion discrimination. The Amalgamated Trade Unions of Georgia, the principal trade union bloc, is not affiliated with the government and receives no state funding. Union influence remains minimal in practice.

#### **F. Rule of Law: 8 / 16**

Executive and legislative interference in the judiciary is a substantial problem. A 2014 draft law would make new judges subject to evaluation for permanent appointment after a three-year probationary period. Civil society members have said the probationary period further undermines judicial independence. The law was pending at year's end.

In October 2014, the Venice Commission of the Council of Europe approved the third package of comprehensive judicial reforms the Georgian government has initiated since November 2012, aimed at ensuring judicial independence and transparency. However, in its final 2014 assessment of Georgia's human rights and democratic progress, the Parliamentary Assembly of the Council of Europe reported that shortcomings in the rule of law remained. Serious problems persist in prosecutors' respect for the rule of law in court proceedings. In particular, the wave of prosecutions of former state officials under the Georgian Dream government has displayed procedural deficiencies and negligence toward defendants' rights.

Historically, Georgia has had high rates of incarceration, substandard prison conditions, and poor treatment of inmates. Although some observers have noted an improvement in the past several years, the Venice Commission has criticized the persistence of these issues.

The government generally respects the rights of ethnic minorities. Georgia has fallen behind in meeting a 1999 obligation to the Council of Europe to support the repatriation of Muslim Meskhetians, who were deported from Georgia during the Soviet period. Antidiscrimination regulations cover bias based on sexual orientation, but societal discrimination against LGBT (lesbian, bisexual, gay, and transgender) people remains strong. An antidiscrimination law adopted in May 2014 prohibits many forms of discrimination, including discrimination based on sexual orientation and gender identity, despite strong opposition from the Georgian Orthodox Church and numerous domestic supporters of traditional values. An earlier version of the law provided greater protections and resources to Georgia's LGBT community; the version adopted in May includes no punitive mechanisms. Perpetrators of violence against participants in a Tbilisi demonstration supporting LGBT rights in 2013 have largely enjoyed impunity.

### G. Personal Autonomy and Individual Rights: 10 / 16

Freedom of residence and freedom to travel abroad are observed. Georgia moved into the second phase of the EU visa liberalization process in October.

Georgia ranks 15 out of 189 countries in the World Bank's 2015 *Doing Business* report and 22 out of 178 countries on the 2015 Index of Economic Freedom. Although Georgia's low-tax, low-regulation environment is beneficial to owners of capital, high levels of corruption, weak anti-trust regulation, and lack of respect for property rights still negatively impact citizens' economic well-being.

Legislation from 2006 aims to prevent domestic violence and to protect and assist victims. However, instances of domestic violence have been on the rise in Georgia. The Ministry of Internal Affairs registered 362 incidents of domestic violence from January through October 2014. Moreover, at least 24 murders of women by their husbands or partners were reported in 2014, up from 21 in 2013 and only 6 the year before. The police rarely pursue investigations of domestic violence and often sympathize with the accused men. A tougher law on domestic violence was pending at year's end.

## Germany

**Political Rights:** 1

**Population:** 80,900,000

**Civil Liberties:** 1

**Capital:** Berlin

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

Germany received some 200,000 refugees in 2014—more than any other Western country—including many from Syria and Iraq. The influx fueled the rise of several anti-immigrant groups. The Alternative for Germany (AfD), a populist, anti-immigration, anti-European Union right-wing party, emerged as a rising force in German politics, winning seven seats in the May European Parliament elections as well as seats in three state legislatures.

Toward the end of the year, a new anti-immigration, anti-Islam movement known as Patriotic Europeans Against the Islamization of the West (PEGIDA), initially formed to protest the government's decision to set up new refugee centers, held mass rallies in the eastern city of Dresden. Chancellor Angela Merkel and other mainstream politicians condemned the movement, and counterdemonstrations were held in Dresden and other cities.

**POLITICAL RIGHTS:** 39 / 40**A. Electoral Process:** 12 / 12

The German constitution provides for a lower house of parliament, the 622-seat Bundestag (Federal Assembly), as well as an upper house, the Bundesrat (Federal Council), which represents the country's 16 states. The Bundestag is elected at least every four years through a 50-50 mixture of proportional representation and single-member districts. The country's head of state is a largely ceremonial president, chosen jointly by the Bundestag and a group of state representatives to serve up to two five-year terms. The 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. In Germany's federal system, state governments have considerable authority over matters such as education, policing, taxation, and spending.

In the September 2013 federal elections, Merkel's Christian Democratic Union (CDU) and its Bavarian sister party, the Christian Social Union (CSU), won a total of 311 seats in the Bundestag—the best showing for the Christian Democrats since 1990, when Germany reunified. Their previous coalition partner, the pro-free market Free Democratic Party (FDP), failed to meet the 5-percent threshold to qualify for seats for the first time since 1949. The center-left Social Democratic Party (SPD) took 193 seats, and the Greens won 63 seats. The radical Left party took 64 seats. AfD narrowly failed to qualify for seats.

The SPD had previously ruled out governing with the Left, which is widely viewed as a successor to the East German communists. In November 2013 the CDU reached an agreement with the SPD to form a so-called grand coalition government, as they had done during Merkel's first term (2005–09).

In February 2014, the German Constitutional Court struck down a 3-percent voting threshold required for parties to qualify for a seat in the European Parliament. The decision allowed the right-wing National Democratic Party of Germany (NPD) to win one seat in May European elections. In August, however, the NPD lost its last remaining seat in the parliament of the eastern state of Saxony, which resulted in a loss of public funding for the party. The NPD now holds a seat in only one state parliament, in eastern Mecklenburg-Pomerania. The FDP failed to reach the 5-percent threshold for representation in Saxony, leaving it with no seats in any state parliament or at the federal level.

**B. Political Pluralism and Participation:** 15 / 16

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 be represented in parliament. The largest political parties have traditionally been the SPD and the CDU-CSU. The main extreme right party, the NPD, is hostile to immigration and the EU, and has been accused of glorifying Adolf Hitler and the Third Reich. In December 2013, all 16 German states petitioned the Federal Constitutional Court to ban the NPD, calling it a neo-Nazi antidemocratic group. Previous attempts to outlaw the party had failed, most recently in 2012; Merkel did not back the petition, which was unresolved as of the end of 2014.

While the NPD's influence has been waning, AfD's support is growing. It won seven seats in the European Parliament elections and also gained its first seats in state parliaments, in the eastern states of Saxony, Thuringia, and Brandenburg.

In December, Bodo Ramelow of the Left Party became the premier of Thuringia, the first member of the party to hold the position in any state. Merkel and President Joachim Gauck both criticized the Left's inclusion in a state government.

The September 2013 federal elections resulted in the first black members of the Bundestag, with one each from the CDU and the SPD. The CDU also saw its first Muslim deputy elected to the Bundestag. Overall, the number of Bundestag members from immigrant backgrounds rose from 21 to 34.

### **C. Functioning of Government:** 12 / 12

Germany is free from pervasive corruption. Germany was ranked 12 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. The government is held accountable for its performance through open parliamentary debates, which are covered widely in the media.

In January 2014 it was reported that Ronald Pofalla, two weeks after resigning as Merkel's chief of staff, had accepted a board position with Deutsche Bahn, the railway operator part-owned by the government. The news prompted calls for a longer interim period during which former high-level government officials would be banned from taking private-sector lobbying positions.

In February, a regional court in Hanover acquitted former federal president Christian Wulff of corruption charges. Wulff had resigned in 2012 amid allegations that he had accepted favors from wealthy friends while serving as premier of Lower Saxony state. He was Germany's first former head of state to stand trial.

### **CIVIL LIBERTIES:** 57 / 60

#### **D. Freedom of Expression and Belief:** 15 / 16

Freedom of expression is enshrined in the constitution, and the media are largely free and independent. Hate speech is punishable if publicly pronounced against specific segments of the population and in a manner that incites hatred, such as racist agitation and anti-Semitism. It is also illegal to advocate Nazism, deny the Holocaust, or glorify the ideology of Hitler.

In August 2014, the state-owned broadcasting company, Deutsche Welle, dismissed Su Yutong, an exiled Chinese dissident who had worked as a blogger for its Chinese-language website. Su had publicly criticized the broadcaster for giving a platform to commentators sympathetic to the Chinese government's role in the 1989 Tiananmen Square massacre; the broadcaster said she was fired for publicly voicing opinions on internal issues.

Internet access is generally unrestricted. In 2013, documents leaked by former U.S. National Security Agency (NSA) contractor Edward Snowden showed that the NSA, collaborating with German intelligence agencies, had secretly collected extensive data on communications in Germany, and had monitored Merkel's mobile phone. In February 2014, Merkel expressed support for calls to create a new European-operated communications network that would safeguard email and other data from U.S. surveillance. In June, Attorney General Harold Range stated that he had opened a formal investigation into the tapping of Merkel's phone by "unknown members of the US intelligence services."

Freedom of belief is legally protected. Eight states have passed laws prohibiting female Muslim schoolteachers from wearing the headscarf, while Berlin and the state of Hesse have adopted legislation banning headscarves for all civil servants. Academic

freedom is generally respected, and higher education is free of charge to students. In October 2014, Lower Saxony became the final state to abolish university tuition fees. Private discussion is unrestricted.

**E. Associational and Organizational Rights:** 12 / 12

The right of peaceful assembly is not infringed upon, except in the case of outlawed groups, such as those advocating Nazism or opposing the democratic order. Civic groups and nongovernmental organizations operate without hindrance. Trade unions, farmers' groups, and business confederations are free to organize.

**F. Rule of Law:** 15 / 16

The judiciary is independent, and the rule of law prevails. Prison conditions are adequate, though the Council of Europe has criticized elements of the practice of preventive detention.

In September 2014, Interior Minister Thomas de Maizière announced a ban on all forms of support for the Islamic State (IS) militant group. In December, a Frankfurt court convicted a 20-year-old man, the son of immigrants from Kosovo, on charges of joining IS in 2013, sentencing him to three years and nine months in prison. The man was the first to face charges of IS membership in Germany. In November, the head of the domestic intelligence agency said that around 550 German citizens had traveled to Syria and Iraq to join IS.

Merkel's cabinet in August 2014 approved draft legislation intended to improve the handling of racist and xenophobic crimes by making it easier for the federal prosecutor to participate in their investigation and requiring courts to consider racial motivations in rendering sentences.

In 2014, Germany received approximately 200,000 asylum applicants. States and municipalities reportedly failed to provide applicants with humane accommodations as they contended with overcrowded shelters and inadequate funding. There were also reports of guards abusing refugees at some facilities. The government reported 86 far-right attacks against hostels for asylum seekers in the first nine months of 2014.

In September, Merkel spoke at a rally in Berlin against anti-Semitism after a number of incidents during the summer in which protests in Germany against Israel's invasion of the Gaza Strip led to anti-Semitic rhetoric and actions. Molotov cocktails were thrown at a synagogue in the western city of Wuppertal in July; three Palestinian suspects were arrested. There were also three incidents of suspected arson attacks against mosques during the summer: one in Berlin and two in the western city of Bielefeld.

In October, a group called Hooligans Against Salafists, comprised of soccer hooligans and neo-Nazis, drew some 5,000 followers to an anti-Islam rally in Cologne that led to violent rioting. October also saw small rallies in Dresden held by a new movement called PEGIDA. By December, the numbers attending the Dresden rallies had grown as large as 17,500. On December 12, Merkel condemned the rallies, declaring that there was "no place in Germany" for hatred of minorities. In her New Year's address on December 31, she warned Germans not to "follow those who have called the rallies."

**G. Personal Autonomy and Individual Rights:** 15 / 16

Freedom of movement and property ownership are respected. Women's rights are well protected under antidiscrimination laws. However, gender wage gaps persisted in 2014, with women earning approximately 22 percent less than men for the same work. In December, the Bundestag passed a law requiring large German companies to reserve at least 30 percent of the seats on their corporate boards for women. Women held 6 of the

16 federal cabinet positions in the government and 36 percent of the seats in parliament after the September 2013 elections.

Limited same-sex partnership rights are respected. The Bundestag passed new adoption and tax laws in May 2014 to grant equal rights to gay couples, in accordance with 2013 rulings by the Constitutional Court.

In July 2014, the Bundestag voted to grant dual citizenship to German-born children of immigrants for the first time. To qualify, they must prove at the age of 21 that they have lived in Germany for at least eight years or have attended German schools or vocational training for six years.

## Ghana

**Political Rights Rating:** 1

**Population:** 27,045,000

**Civil Liberties Rating:** 2

**Capital:** Accra

**Freedom Rating:** 1.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F

### INTRODUCTION

Following the 2013 Supreme Court ruling reaffirming John Mahama of the National Democratic Congress (NDC) as the duly elected president, Ghana's political parties commenced preparations for the 2016 presidential and parliamentary elections. The NDC and its main rival, the New Patriotic Party (NPP), held party primaries in late 2014 and elected Mahama and Nana Akufo-Addo as their respective presidential candidates. Guided by the Supreme Court ruling, the Electoral Commission (EC) spearheaded consultations with political parties on issues of electoral reform.

Ghana's economic situation continued to worsen under high inflation, currency depreciation, credit-rating downgrades, and slower-than-expected economic growth. In September, the government commenced negotiations with the International Monetary Fund (IMF) for a fiscal assistance program with the aim of enhancing investor confidence in the country.

Beginning in September, Ghana served as the hub for coordinating the international response to the outbreak of the Ebola virus in West Africa. The country was not directly affected by the epidemic in 2014.

**POLITICAL RIGHTS:** 37 / 40

**A. Electoral Process:** 12 / 12

Since 1992, Ghana has experienced an uninterrupted period of competitive multiparty elections. The president and vice president are directly elected on the same ticket for up to two four-year terms. Members of the unicameral, 275-seat Parliament are also elected for four-year terms.

In 2012, Mahama was elected with 50.7 percent of the vote, while Akufo-Addo, presidential candidate for the NPP, took 47.7 percent. In concurrent parliamentary elections, the NDC captured 148 seats and the NPP took 123. Limited technical problems, including



the breakdown of new biometric machines used to register and identify voters, led to the extension of voting by a day at many polling places.

Although international and domestic observers praised the elections as free, fair, and peaceful, the NPP disputed the results, questioned the neutrality of the EC, and filed a legal suit before the Supreme Court. The NPP's suit claimed that violations of electoral law and widespread irregularities should invalidate some 4.6 million votes from more than 11,000 polling stations. In 2013, the Supreme Court dismissed the NPP's claim and ruled that Mahama had been fairly elected. For many domestic and international observers, the peaceful resolution of the legal challenge underscored the consolidation of democracy and respect for rule of law.

The Supreme Court also recommended a series of administrative and procedural reforms to the EC. In June 2014, the chairman of the EC informed Parliament of the commission's plan to explore these recommendations, along with reform proposals submitted by political parties and other election stakeholders, through the creation of a committee devoted to electoral reform.

#### **B. Political Pluralism and Participation: 15 / 16**

Ghana's multiparty system provides ample opportunity for opposition parties to participate meaningfully in the political process. The NPP and the NDC dominate the political system. The country has experienced two peaceful, democratic transfers of power between presidents from the NPP and NDC, in 2000 and in 2008. The legal framework provides for equal participation in political life for the country's various cultural, religious, and ethnic minorities.

#### **C. Functioning of Government: 10 / 12**

Political corruption continues to be a problem, despite active media coverage, the existence of robust legal and institutional frameworks to combat it, and the government's willingness to investigate major scandals. The media, opposition parties, and nongovernmental organizations (NGOs) continue to criticize the government for its inability to prevent political corruption and prosecute public officials suspected of malfeasance.

Investigations into two high-profile corruption scandals that emerged in 2013 were ongoing in 2014. In 2013, high-ranking government officials affiliated with the Ghana Youth Employment and Entrepreneurial Development Agency (GYEEDA) were under investigation for allegedly granting interest-free loans worth \$100 million to several private companies without parliamentary approval. In January 2014, Abuga Pele, an incumbent parliamentarian and the former national coordinator of GYEEDA, was arrested and charged with intentionally causing financial loss to the state. The case continued through the end of the year, and the government continued recovery of the misappropriated funds. A second case involved the Ghana Revenue Authority allegedly paying 144 million cedis (\$37 million) over three years to Subah Infosolutions, a private government contractor, for services that were not provided. In March, a committee established by the government to probe the allegations concluded that Subah legitimately incurred costs for services rendered to the government.

The government took important steps to address the problem of corruption in 2014. In July, Parliament approved the National Anti-Corruption Action Plan (NACAP), which aims to improve the prevention, investigation, and prosecution of corruption by strengthening a number of state agencies. However, NGOs, trade unions, and private-sector interests continue to question the administration's commitment to government accountability and transparency. Although the revenue-management legislation introduced within the oil

and gas industry in 2012 earned international praise, NGOs have voiced concerns about government compliance with it. In September 2014, a parliamentary committee revised sections of the Right to Information Bill following consultations with NGOs; it had not yet been passed at year's end.

**CIVIL LIBERTIES:** 47 / 60

**D. Freedom of Expression and Belief:** 14 / 16

Freedom of expression 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, and several independent newspapers and magazines. However, government agencies occasionally restrict press freedom through harassment and arrests of journalists, especially those reporting on politically sensitive issues. In January 2014, police in the Western Region arrested the host of the radio talk program *Sungmaale FM*, along with two panelists, for on-air comments about police strategies toward criminal activity. The detainees were released the same day, and the acting commissioner of police of the Upper Western Region apologized for the officers' unlawful conduct. There were also several attacks against journalists by nonstate actors. In March, a group attacked the office of Radio Justice in the north region, burning cars and motorcycles at the site, because of allegedly insensitive comments made by an NPP panelist during a radio talk show. Local police arrested three individuals for their alleged involvement in the attack.

Although criminal libel and sedition laws were repealed in 2001, an Accra court fined two privately owned newspapers, *The Informer* (\$104,000) and *Daily Guide* (\$86,000), for publishing defamatory articles against a private timber processing company and the general secretary of the NDC, respectively. The Media Foundation for West Africa questioned the severity of the fines and pointed out their ability to discourage freedom of speech. The government does not generally restrict access to the internet.

Religious freedom is constitutionally and legally protected and largely respected in practice by the government. However, Muslim families have complained that the compulsory Christian prayer sessions and church services that are widespread in Ghana's public schools seek to promote Christianity and violate their children's religious freedom. Academic freedom is legally guaranteed and upheld in practice, and private discussion is both free and vibrant.

**E. Associational and Organizational Rights:** 11 / 12

The rights to peaceful assembly and association are constitutionally guaranteed and generally respected. Permits are not required for meetings or demonstrations. NGOs are generally able to operate freely, and they play an important role in ensuring government accountability and transparency. Throughout 2014, leading NGOs and trade unions organized a series of public protests to criticize the government's mismanagement of the economy and inability to combat political corruption.

Under the constitution and 2003 labor laws, workers have the right to form and join trade unions. However, the government forbids or restricts labor action in a number of industries, including fuel distribution, public transportation, and the prison system.

**F. Rule of Law:** 12 / 16

Judicial independence in Ghana is constitutionally and legally enshrined. While the judiciary has demonstrated greater levels of impartiality in recent years, corruption remains a challenge, courts lack necessary resources, and judges are poorly paid. Generally, the government and private interests comply with judicial decisions, and recent initiatives to

improve the judicial process have reaped positive results. The Accra Fast Track High Court and automated commercial courts have enhanced the speed and efficiency of the judicial process, while a judicial complaints unit actively investigates cases of judicial impropriety.

Police in Ghana have a history of using excessive force, making arbitrary arrests, prolonging detention of suspects, and taking bribes. In March 2014, the country's police service launched a series of initiatives to improve its image and effectiveness, including more stringent disciplinary procedures and the creation of a new training institute. For the first quarter of 2014, the Police Intelligence and Professional Standards Unit fired 21 officers and demoted a further 9 for various offenses, including brutality and fraud.

Ghana's prisons are overcrowded, and conditions are often life-threatening. In August, Interior Minister Mark Woyongo announced initiatives to reduce congestion in prisons and improve the treatment of inmates. The Ghana Prison Service and the Ministry of Justice continued to release inmates who have been imprisoned for more than four years without trial through the "Justice for All" program. Meanwhile, Ghana continues to cooperate with the UN Refugee Agency to protect the rights of the 21,000 refugees and asylum seekers in the country.

Although communal and ethnic violence occasionally flare in Ghana, there were no reports of such incidents during the year. Violent crime rates have declined in recent years, and there were no major acts of political terror.

Ghanain law prohibits "sexual intercourse with a person in an unnatural manner." However, it is unclear if this law applies to same-sex sexual activity between consenting adults, and there were no reports of adults being prosecuted for same-sex sexual activity. Nevertheless, LGBT (lesbian, gay, bisexual, and transgender) people continue to face societal discrimination.

#### **G. Personal Autonomy and Individual Rights: 10 / 16**

Freedom of movement is guaranteed by the constitution and respected by the government, and Ghanaians are free to choose their place of residence. However, poorly developed road networks and banditry 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, with more than 40 percent of Ghanaians reporting having to pay illegal fees to attend school.

Economic freedom in Ghana continues to improve. According to the 2014 *Index of Economic Freedom*, Ghana ranked 66th in the world and fifth in sub-Saharan Africa, with a marginal increase in its economic freedom score due to improvements in business freedom, control of government spending, and corruption. Nonetheless, weak rule of law, corruption, and an underregulated property rights system remain significant impediments to economic freedom and business confidence. Bribery is a common practice to gain admission to educational institutions, start a business, and register property.

Despite equal rights under the law, women suffer societal discrimination, especially in rural areas, where opportunities for education and wage employment are limited. However, women's enrollment in universities is increasing, and a number of women hold high-ranking positions in the government: six members of the current cabinet are women, and 30 of the 275 parliamentary seats went to female legislators in the 2012 elections.

Domestic violence and rape are serious problems, and the practice of female genital mutilation continues in the north. The government has worked to combat gender-based violence by expanding the police's domestic violence and victim support unit, creating gender-based violence courts, establishing domestic violence shelters, and training police and service providers likely to encounter domestic violence situations.

Ghana serves as a source, transit point, and destination for the trafficking of women and children for labor and sexual exploitation. Children in Ghana, especially in the region surrounding Lake Volta, are vulnerable to exploitation in the agricultural and fishing industries. The government has made some steps in recent years to address the issue, particularly in the sector of cocoa production. The police's Anti-Human Trafficking Unit (AHTU) maintains nine regional units, but they are underfunded and have limited capacity. In 2013, the AHTU rescued 262 victims of trafficking through national raids.

## Greece

**Political Rights Rating:** 2

**Population:** 10,972,000

**Civil Liberties Rating:** 2

**Capital:** Athens

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	2,2,F	2,2,F	2,2,F	2,2,F

### INTRODUCTION

After six years of contraction, the Greek economy turned a corner in 2014, registering modest growth in the second half of the year. In April, the coalition government led by Prime Minister Antonis Samaras of the center-right New Democracy (ND) party secured €3 billion (\$4 billion) in sales of five-year bonds through private capital markets, marking the first such issue of public debt in four years and increasing confidence in Greece's economic outlook. The sovereign debt crisis continued to shape the country's economic and political landscapes, however. Poor economic performance, high debt levels, and the ongoing demands of Greece's three main lenders—the European Commission, the European Central Bank, and the International Monetary Fund—for austerity measures and economic reforms posed a challenge to political stability.

On December 29, the failure of Parliament to choose a replacement for retiring president Karolos Papoulias triggered automatic parliamentary elections, scheduled for January 2015. Most analysts predicted a victory by the Coalition of the Radical Left (SYRIZA), which pledged to end austerity policies and demand debt forgiveness.

Also during the year, a new antidiscrimination law raised penalties for attacks motivated by the ethnic origin or sexual orientation of the victim. However, the final legislation did not authorize civil unions for same-sex couples.

**POLITICAL RIGHTS:** 35 / 40

**A. Electoral Process:** 12 / 12

All 300 members of the unicameral Parliament are elected by proportional representation for four-year terms. 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 majority party in Parliament.

Early parliamentary elections were held in May 2012, after the prime minister resigned over politically unpalatable austerity measures. The voting resulted in a hung Parliament,

prompting new elections that June. ND led with 129 seats and formed a government with the Panhellenic Socialist Movement, or PASOK (33 seats), and the Democratic Left (17 seats). However, SYRIZA placed second with 71 seats, while the right-leaning Independent Greeks took 20, the right-wing extremist party Golden Dawn took 18, and the Communist Party garnered 12.

Greece has generally fair electoral laws, equal campaigning opportunities, and a system of compulsory voting that is weakly enforced. Documented immigrants are allowed to vote in municipal elections.

#### **B. Political Pluralism and Participation:** 15 / 16

Greece's multiparty system features vigorous competition among rival parties. PASOK and ND have dominated the political landscape since 1980, though PASOK has rapidly lost ground in elections since the beginning of the sovereign debt crisis. In May 2014 European Parliament (EP) elections, SYRIZA secured more seats than PASOK or ND.

The operations of Golden Dawn have been weakened by a government crackdown since a party supporter murdered antifascist rap artist Pavlos Fyssas in 2013. Golden Dawn president Nikolaos Michaloliakos and two other members of the party's parliamentary contingent remained in detention in 2014 pending trial on charges of belonging to or founding a criminal organization. The prosecutions have not weakened Golden Dawn's electoral appeal, however, and it remains Greece's third-largest political party. It won 9.4 percent of the vote in the 2014 EP elections.

Greece's largest minority population, the Muslim community in the province of Thrace, is allowed full political rights and had three representatives in Parliament as of 2014.

#### **C. Functioning of Government:** 8 / 12

Corruption remains a problem in Greece, which was ranked 69 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. Tax evasion is a serious challenge, with an estimated 24 percent of economic activity going undeclared, compared with a European Union average of 19 percent. Although tax enforcement efforts have been more robust in recent years, the government has largely failed to prosecute tax evasion by economic elites.

#### **CIVIL LIBERTIES:** 48 / 60

#### **D. Freedom of Expression and Belief:** 14 / 16

The constitution includes provisions for freedoms of speech and the press. However, the Samaras administration's closure of the Hellenic Broadcasting Corporation (ERT) in June 2013 negatively affected diversity of opinions in the mass media. In May 2014, New Hellenic Radio, Internet, and Television (NERIT) became ERT's successor as the public broadcaster. In August 2014, Parliament passed a resolution streamlining the process for selecting members of NERIT's board of supervisors. Despite government assertions that NERIT would be shielded from political pressures, the European Broadcasting Union and others argued that the changes removed safeguards designed to prevent undue influence. In addition, representatives of the governing coalition appeared to meddle in the station's hiring practices and journalistic autonomy. In September 2014, charges of political interference in the selection of 132 journalists for NERIT led to a legal decision to investigate the issue. The following month, four members of NERIT's supervisory board, including its director, resigned after government officials tried to suppress a live broadcast featuring SYRIZA leader Alexis Tsipras.

However, citizens generally enjoy access to a broad array of privately owned print and broadcast outlets, and internet access is unrestricted. There are some limits on speech that incites fear, violence, and public disharmony, as well as on publications that offend religious beliefs, are obscene, or advocate the violent overthrow of the political system. Antidiscrimination legislation passed in September 2014 also criminalizes denial of the Holocaust and other genocides, including the World War I-era mass killing of Armenians in Turkey.

The constitution guarantees freedom of religion, though the Greek Orthodox Church receives government subsidies and is considered the “prevailing” faith of the country. Members of some minority religions face discrimination and legal barriers, such as permit requirements to open houses of worship and restrictions on inheriting property. Opposition to the construction of an official mosque in Athens remains substantial; currently, Muslims are forced to worship in improvised mosques. The constitution prohibits proselytizing, but this law is almost never enforced.

Academic freedom is respected in Greece, and the educational system is free from political indoctrination. Private conversation is open and free.

#### **E. Associational and Organizational Rights:** 11 / 12

The constitution guarantees freedoms of assembly and association, and the government generally protects these rights in practice, though there are some limits on groups representing ethnic minorities. Golden Dawn has attempted to intimidate assemblies of immigrants and immigrant advocacy groups, and in some cases the police have not adequately defended the rights of immigrants to assemble. Major antiausterity protests and strikes have occurred frequently in recent years, including large-scale demonstrations during 2013. The vast majority of participants are peaceful, but the protests often turn violent as anarchist elements and the police confront each other. Nongovernmental organizations generally operate without interference from the authorities, and workers have the right to form and join unions.

#### **F. Rule of Law:** 10 / 16

The judiciary is independent, and the constitution provides for public trials. Prisons suffer from overcrowding, as do immigrant detention centers. Immigrants are disproportionately affected by institutional problems in the judicial system. The policing of immigration continues to be criticized for its indiscriminate nature and for inhumane conditions in detention centers. In addition, the state has failed to implement an adequate system for processing asylum applications. Bureaucratic delays force many immigrants into a semilegal status whereby they cannot renew their documents, putting them at risk of deportation.

Acts of racist violence are an ongoing problem. According to an April 2014 report by the Racist Violence Recording Network, 143 acts of racially motivated violence were documented in Greece in 2013. In response to Golden Dawn and increasing xenophobic violence, Parliament passed an antidiscrimination bill in September 2014 that toughened penalties for attacks motivated by ethnic origin or sexual orientation. However, the legislation has been criticized for failing to protect victims of hate crimes from deportation proceedings.

The country’s Romany community continues to face considerable governmental and societal discrimination. LGBT (lesbian, gay, bisexual, and transgender) individuals encounter some discrimination, including occasional violent attacks.

#### **G. Personal Autonomy and Individual Rights:** 13 / 16

Freedom of movement is unrestricted. Government bureaucracy exerts influence over the ability to start and operate businesses, and political parties have been involved in

smoothing the process for their supporters. As a result, the field for business activity is not level for all participants.

Women face discrimination in the workplace and held only 21 percent of the seats in Parliament as of 2014. Domestic violence remains a problem. Greece serves as a transit and destination country for the trafficking of men, women, and children for the purposes of sexual exploitation and forced labor.

## Grenada

**Political Rights Rating:** 1

**Population:** 111,582

**Civil Liberties Rating:** 2

**Capital:** St. George's

**Freedom Rating:** 1.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F

### INTRODUCTION

In 2014, the government made significant progress toward constitutional reform. Pending submission to and approval by the parliament, a number of proposed amendments—including replacing the current supervisor of elections with an electoral commission—may be put to a referendum in early 2015.

Grenada faces unsustainable debt levels and has yet to fully rebuild after devastation from a hurricane in 2004 that damaged almost 90 percent of homes on the islands and destroyed the country's main export crop, nutmeg. However, Grenada's economic outlook improved somewhat in 2014, as a Memorandum of Understanding on energy security was signed between Grenada and the United States in September. The United States will provide technical assistance to the country and encourage private investment as Grenada implements reform in its energy sector.

**POLITICAL RIGHTS:** 38 / 40

**A. Electoral Process:** 12 / 12

Grenada is governed under a parliamentary system. The bicameral Parliament consists of the directly elected, 15-seat House of Representatives, whose members serve five-year terms, and the 13-seat Senate appointed by the governor-general, 10 on the advice of the prime minister and 3 on the advice of the opposition leader. The prime minister is generally the leader of the majority party in the House of Representatives and is appointed by the governor-general, who represents the British monarch as head of state.

Early elections were held in 2013. In addition to Prime Minister Thomas's National Democratic Congress (NDC) and the New National Party (NNP), the newly formed National United Front (NUF), representing a breakaway faction of the NDC, competed in the elections. Voter turnout was 87 percent. The elections gave a landslide victory to the NNP, which captured all 15 seats in the House of Representatives with 59 percent of the vote. The NDC received 41 percent of the vote and the NUF received less than 1 percent. Keith Mitchell, who had served as prime minister from 1995 to 2008, was sworn in as prime minister.

Observers from the Organization of American States (OAS) commended the government on its implementation of a new voter registration system. However, observers expressed concern over the lack of campaign financing regulations, and recommended a comprehensive review of the Representation of the Peoples Act, which governs the conduct of elections.

Due to the lack of parliamentary opposition after the elections, the governor-general appointed three former NDC ministers to the Senate. Cécile La Grenade was sworn in as Grenada's first female governor-general in May 2013. In September 2013, La Grenade dismissed the supervisor of elections, Judy Benoit, who had failed to comply with a cabinet-mandated decision to integrate the Electronic Government for Regional Integration Project (EGRIP) into the electoral computer system. Benoit claimed that the integration would infringe on the independent mandate of the Office of the Supervisor of Elections and violate the office's integrity. In October 2014, the Organization of Eastern Caribbean States (OECS) Court of Appeal granted Benoit leave to pursue judicial review of her dismissal.

**B. Political Pluralism and Participation:** 16 / 16

Parties are free to form and operate. Grenada's main political parties are the center-left NDC and the conservative NNP, which regularly rotate in power. A number of smaller parties exist and competed in the last elections. These include the Grenada United Labour Party, the People's Labour Movement, and the recently formed NUF.

**C. Functioning of Government:** 10 / 12

Corruption remains a prominent issue in Grenada. The Prevention of Corruption Act and the Integrity in Public Life Act, the legislative core of Grenada's anticorruption efforts, were both passed in 2007. A decree passed in 2013 under the authority of the Integrity in Public Life Act mandated that all public officials declare their personal assets by April 3, 2014; as of that date, a number of officials had yet to comply.

In April 2014, an OAS monitoring body visited Grenada to assess its compliance with the Inter-American Convention against Corruption. The group made a number of recommendations, and Grenada continues to make efforts to conform to international anticorruption standards.

**CIVIL LIBERTIES:** 51 / 60

**D. Freedom of Expression and Belief:** 15 / 16

The right to free expression is guaranteed in the constitution and is generally respected in practice. In July 2012, Grenada became the first Caribbean country to decriminalize defamation. However, seditious libel remains a criminal offense with a possible two-year prison sentence. In 2013, the government passed the Electronic Crimes Act, which provides a prison sentence of up to one year for "grossly offensive" electronic communications. The government subsequently responded to international pressure, announcing that it would amend the law to remove restrictions on free speech. In March 2014, the House of Representatives voted in favor of an amendment to the act, removing the three most controversial sections. While Grenada has no daily newspapers, there are several privately owned weeklies. The government owns a minority stake in a private corporation that operates the principal radio and television stations, and there are several independent stations.

Citizens of Grenada generally practice their religious beliefs freely, and there are no official restrictions on academic freedom.



**E. Associational and Organizational Rights:** 11 / 12

Constitutional guarantees of freedoms of assembly and association are respected. Independent nongovernmental organizations (NGOs) are free to operate. Workers have the right to strike and to organize and bargain collectively, though employers are not legally bound to recognize a union if a majority of workers do not join.

**F. Rule of Law:** 12 / 16

The constitution provides for an independent judiciary, which is generally respected by the government. 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 still relies on the Privy Council in London as its final court of appeal.

Detainees and defendants are guaranteed a range of legal rights, which are mostly respected in practice. However, Grenada's prisons are significantly overcrowded. In 2011, five police officers allegedly beat to death Oscar Bartholomew, a Grenadian-Canadian man on holiday. In 2013, manslaughter charges against the five officers were dropped, and they returned to work pending a coroner's inquest into the death, which has been continuously delayed.

Grenada's Criminal Code criminalizes same-sex sexual activity with prison sentences of up to 10 years, and LGBT (lesbian, gay, bisexual, and transgender) people face significant societal discrimination.

**G. Personal Autonomy and Individual Rights:** 13 / 16

The constitution prohibits gender discrimination, and Grenada's Employment Act (1999) and Education Act (2002) prohibit discrimination based on sex. However, cultural norms perpetuate discrimination in practice. New domestic violence legislation came into effect in 2011, but enforcement has been limited. While women's political representation increased to a record one-third of the lower house following the 2013 elections, women were appointed to just 2 of the 13 Senate seats.

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## Guatemala

**Political Rights Rating:** 3**Population:** 15,860,000**Civil Liberties Rating:** 4**Capital:** Guatemala City**Freedom Rating:** 3.5**Freedom Status:** Partly Free**Electoral Democracy:** Yes**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	4,4,PF	3,4,PF	3,4,PF	3,4,PF	4,4,PF	4,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF

**INTRODUCTION**

After recent improvement, the Guatemalan criminal justice system suffered several reversals in 2014. The term for respected Attorney General Claudia Paz y Paz was questionably curtailed by seven months, and Yassmin Barrios, the judge who presided over the 2013 genocide trial against former general Efraín Ríos Montt, was suspended and fined. There were also irregularities in the selection of Supreme Court and appellate court justices.

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Violence and threats continue against members of the media and human rights defenders. Ongoing allegations of corruption plague President Otto Pérez Molina and Vice President Roxana Baldetti Elías. Social and land conflicts go on, including surrounding the Santa Rita hydroelectric dam and a cement plant in Pajoques.

**POLITICAL RIGHTS:** 24 / 40

**A. Electoral Process:** 9 / 12

The constitution stipulates a four-year presidential term and prohibits reelection. Members of the 158-seat, unicameral Congress of the Republic are elected to four-year terms. In 2011 parliamentary elections, the Patriotic Party (PP) captured 56 seats and National Unity for Hope won 48 seats; nine other parties took the remaining 54 seats. The PP's Otto Peréz Molina defeated Manuel Baldizón of the Renewed Democratic Liberty (LIDER) party in a November presidential runoff with 54 percent of the vote. The elections were generally considered free and fair despite accompanying violence, though electoral observers reported irregularities including intimidation, vote buying, and the burning of ballots and electoral boxes. The electoral authority, the Supreme Electoral Tribunal (TSE), was criticized for its slow transmission of election results.

**B. Political Pluralism and Participation:** 10 / 16

Elections take place within a highly fragmented and fluid multiparty system. The TSE has suspended 11 political parties for organizing campaign activities in anticipation of the 2015 elections. After the PP violated election laws by holding an early rally to announce its 2015 presidential candidate in September 2014, the TSE ordered its suspension for six months and removal of Vice President Baldetti from her post as secretary general of the party. The government uses the military to maintain internal security, despite restrictions imposed by the 1996 peace accord.

Although they comprise 44 percent of the population, members of indigenous communities hold only 12 percent of congressional seats. The indigenous population has a more significant representation at the local government level.

**C. Functioning of Government:** 5 / 12

Despite efforts to combat corruption, serious problems remain. Vice President Baldetti has been linked to several high-profile scandals and has purchased expensive homes with unexplained wealth. President Pérez has also been linked to unexplained wealth, including a luxury property in Zaragoza. In September 2014, President Pérez asked Minister of Health Jorge Villavicencio to resign and also announced that criminal charges would follow on the grounds that Villavicencio had mismanaged funds.

In May 2013, former president Alfonso Portillo (2000–04) was extradited to the United States, where he had been indicted in 2010 for allegedly embezzling state funds while in office and laundering the money through Guatemalan, European, and U.S. banks. He pleaded guilty in March 2014 and was sentenced to nearly six years in prison.

Although a Law against Corruption was passed in 2012, only three cases had made it to the courts as of September 2014. Guatemala was ranked 115 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. According to a recent Latin American Public Opinion Project (LAPOP) study, in 2014 approximately 20 percent of respondents reported that they were victims of corruption.

**CIVIL LIBERTIES:** 31 / 60 (-1)**D. Freedom of Expression and Belief:** 12 / 16

While the constitution protects freedom of speech, journalists often face threats and practice self-censorship when covering drug trafficking, corruption, organized crime, and human rights violations. Threats come from public officials, drug traffickers, individuals aligned with companies operating in indigenous communities, and local security forces.

In January 2014, President Pérez filed a criminal complaint against José Rubén Zamora Marroquín, the editor of *elPeriódico*, accusing him of coercion, blackmail, extortion, violating the constitution, and insulting the president. While the president later dropped the charges, the newspaper is still fighting more than 70 legal complaints and has been the target of 15 cyberattacks, mostly tied to its investigations of government corruption. In September, the government was accused of spying on the offices of *elPeriódico* after it issued a public response to an article that had not yet been published. The government maintains that it received the article anonymously.

According to the Observatory of Journalists, as of the end of September 2014, there had been 48 death threats and attacks against journalists, in many cases perpetrated by officials. In response, the Guatemalan Human Rights Ombudsman announced the creation of a specific unit designed to improve protection for journalists. In October, a man accused of three murders, including the 2013 killing of high-profile criminal attorney Lea de León, was convicted and sentenced to 90 years.

The press and most broadcast outlets are privately owned. Mexican businessman Remigio Ángel González owns a monopoly of broadcast television networks in Guatemala and has significant holdings in radio. Newspaper ownership is concentrated in the hands of business elites, and most papers have centrist or conservative editorial views. While the government is making an effort to improve the country's telecommunications infrastructure, internet access remains limited and the government is believed to conduct illegal online surveillance.

The constitution guarantees religious freedom. However, indigenous communities have faced discrimination for openly practicing the Mayan religion.

Although the government does not interfere with academic freedom, scholars have received death threats for questioning past human rights abuses or continuing injustices. The Guatemalan government allegedly interfered with the academic autonomy of the Latin American Faculty of Social Sciences (FLACSO) in June, when it reportedly circumvented FLACSO's selection process and attempted to replace the current director with a government-chosen appointee.

**E. Associational and Organizational Rights:** 6 / 12

The constitution guarantees freedom of assembly, though police frequently threaten force and have at times used violence against protesters. In September 2014, citizens organized protests nationwide in favor of the passage of a comprehensive rural development law. An ensuing confrontation with officials led to five protesters injured; two others were arrested.

The constitution guarantees freedom of association, and a variety of nongovernmental organizations (NGOs) operate in Guatemala, though they face significant obstacles. According to the Human Rights Defenders Protection Unit in Guatemala, a domestic NGO, attacks against human rights defenders rose from 305 in 2012 to 568 during the first eight months of 2013, with 18 human rights defenders killed as of November 2013 as compared to a total of 13 killed in all of 2012. In July 2014, the government canceled the temporary residence of two volunteers with Peace Brigades International without providing any rationale for its decision.

In August 2014, more than 1,500 police officers occupied the Q'eqchi' communities of Cobán, Chisec, and Raxruhá following a nonviolent resistance movement in protest against the proposed Santa Rita hydroelectric dam, which threatens the integrity of ancestral Q'eqchi' territory and was approved without community consultation—a key feature of the Guatemalan Peace Agreement on Identity and Rights of Indigenous Peoples. Three Q'eqchi' villagers were killed, five were detained, and more than 60 were injured in the police raid.

Community protests and violent clashes have also accompanied the construction of a Productos Mineros Limited cement plant. Following 11 deaths, the government placed the municipality of San Juan Sacatepéquez under heightened security in September for a period of 44 days. According to the government, armed men murdered eight residents of Pajoques in retaliation for their support of the cement plant and a proposed highway. Six individuals have been arrested, and 30 more are wanted in connection with the crimes. The owner of Productos Mineros Limited is a major financial supporter of President Pérez and the PP.

As of the end of 2014, a colonel and eight soldiers were awaiting trial for the May 2012 deaths of seven demonstrators at Cuatro Caminos during clashes between government forces and indigenous people. The Public Ministry and defense lawyers are currently debating the charges that should be brought against the soldiers.

Guatemala is home to a vigorous labor movement, but workers are frequently denied the right to organize and face mass firings and blacklisting, especially in export-processing zones. Trade union members are also subject to intimidation, violence, and murder, particularly in rural areas during land disputes. According to the International Trade Union Confederation, Guatemala is the most dangerous country in the world for trade unionists. In September, the U.S. trade representative requested that an arbitration panel meet to determine whether Guatemala has broken its commitment to protect workers. If found guilty, the country could be fined up to \$15 million annually or could be denied trade benefits.

#### **F. Rule of Law: 5 / 16 (-1)**

The judiciary is hobbled by corruption, inefficiency, capacity shortages, and the intimidation of judges and prosecutors. In February 2014, the Constitutional Court (CC) ruled that Attorney General Claudia Paz y Paz's term would end seven months early due to a technicality. In June, Paz y Paz was ordered not to leave the country, and her bank accounts were frozen. Many observers believe that the campaign against Paz y Paz is retribution for her attempts to prosecute Guatemala's political elite for criminal activity. Paz y Paz was instrumental in convicting former general Ríos Montt of genocide. Guatemala's new attorney general, Thelma Esperanza Aldana, took office in May following a process in which Paz y Paz, the second-highest-ranked candidate, did not make the final list presented to President Pérez. Aldana has been championed by both the president and friends of Ríos Montt, and her independence has been questioned. In April 2014, Yassmin Barrios, the judge who presided over Ríos Montt's 2013 trial, was suspended and fined \$650.

The selection processes for magistrates of the Supreme Court and the Appeals Court in fall 2014 were rife with irregularities and controversy. In October, appeals court magistrate Claudia Escobar Mejía presented evidence to the International Commission against Impunity in Guatemala (CICIG)—an international investigating team under Guatemalan law—that PP congressman Gudy Rivera had pressured her to rule in favor of Vice President Baldetti, against the TSE, in exchange for Escobar's September reelection to the court. Escobar publicly denounced irregularities in the selection process that benefited the ruling PP, and resigned from office in protest. She allegedly faced reprisal as other judges ordered

a review of her courtroom. Meanwhile, the CC suspended the results of September court elections a few days later, following demands from 12 other judges for an examination of the selection process, including allegedly inappropriate selection criteria and failure to verify candidates' background information. However, in November the CC rejected all appeals and allowed the newly elected judges to take their seats.

Witnesses and judicial-sector workers continue to be threatened and, in some cases, murdered. According to a 2013 report from the CICIG, impunity levels have decreased from 93 percent to 70 percent since the commission's inception in 2007. A June 2014 study by the Chile-based Centro de Estudios de Justicia de las Americas recognized improvements in the Public Ministry's criminal prosecution system, including an increase in the number of cases resolved without going to trial and greater levels of accountability and transparency. During the first six months of the year, more than 8,000 sentences for violent crimes were issued, many for crimes against women.

Police continue to be accused of torture, extortion, kidnapping, extrajudicial killings, and drug-related crimes, although several notable prosecutions took place in 2014. Four police officers were arrested in September for their connection to a kidnapping network.

Prison conditions are harsh, and facilities are overcrowded and rife with gang- and drug-related violence and corruption. According to Guatemala's National Economic Research Center, as of early June, 17,942 people were imprisoned in a system designed to hold 6,412 people. Of those imprisoned, 49 percent are awaiting trial. In September, the military was deployed to reinforce security at the country's 22 prisons. Prisoners, including Byron Lima Oliva, who is serving time for his involvement in the murder of Bishop Juan Gerardi, have been known to come and go from prison without authorization. Byron Lima was arrested in September on charges related to organized crime and money laundering after building an empire behind bars. The director general and former deputy director of the penitentiary system were also arrested for their involvement. Lima has been connected to several high-ranking officials in the governing PP.

Although homicides have decreased by approximately one-third since 2009, Guatemala remains one of the most violent countries in Latin America. Violence related to the transport of drugs between South America and the United States has spilled over the border from Mexico, with rival Mexican and Guatemalan gangs battling for territory. These groups have operated with impunity in the northern jungles, which serve as a storage and transit hub for cocaine. The Pérez administration has responded to this situation by expanding the military's role in fighting crime, including creating special task forces to investigate kidnappings, robberies, extortion, and homicides, and building five military bases along well-known drug trafficking routes.

Citizens continue to take the law into their own hands. According to the Guatemala-based Mutual Support Group, lynching increased in 2013, with 47 people killed.

Perpetrators of past human rights atrocities, especially those during the 1960–96 civil war, are being prosecuted. The trial of Ríos Montt—whose May 2013 conviction for genocide was overturned by the CC 10 days after it was issued—is scheduled to resume in 2015, a delay that has prompted criticism from international human rights groups. In July 2014, former resistance commander Fermín Felipe Solano Barillas was sentenced to 90 years in prison after being found guilty of homicide and crimes against humanity, including the 1988 massacre of 22 civilians in the village of El Aguacate, Chimaltenango. The Court for High-Risk Crimes ruled that there was sufficient evidence to open a trial against two members of the army for the sexual and domestic slavery of Q'eqchi' women during the civil war.

Indigenous communities suffer from especially high rates of poverty, illiteracy, and infant mortality. Indigenous women are particularly marginalized. Discrimination against

the Mayan community is a major concern. In August 2013, Pérez announced the creation of a cabinet position dedicated to indigenous peoples.

In recent years, the government has approved the eviction of indigenous groups to make way for mining, hydroelectric, and other development projects. In October 2014, the government agreed to pay the equivalent of \$155 million to residents of 33 indigenous communities who were evicted or killed during construction of the Chixoy dam in 1978.

Members of the LGBT (lesbian, gay, bisexual, and transgender) community are not covered under antidiscrimination laws, and continue to face discrimination, violence, and police abuse. According to the Human Rights Ombudsman, people suffering from AIDS also face discrimination.

#### G. Personal Autonomy and Individual Rights: 8 / 16

Nonstate actors including gangs and organized crime threaten freedom of travel, residence, and employment. Private businesses continue to experience high rates of contraband smuggling and extortion by these groups. As of mid-August 2014, gangs had killed more than 700 people who refused to pay extortion money. Property rights and economic freedom rarely extend beyond those Guatemalans with wealth and political connections.

The constitution prohibits discrimination based on gender, though gender inequalities persist in practice. Sexual harassment in the workplace is not penalized. Young women who migrate to the capital for work are especially vulnerable to harassment and inhumane labor conditions. Physical and sexual violence against women and children, including domestic violence, remain widespread, with perpetrators rarely prosecuted. Women are underrepresented in government posts and hold just 13 percent of the seats in Congress.

Guatemala has one of the highest rates of child labor in the Americas. The government does not fully comply with the minimum standards for eliminating trafficking, but according to the U.S. State Department it is making efforts to do so, including launching a program to provide specialized services for trafficking victims. The kidnapping of children for illegal adoption remains a concern, as does the trafficking of women and children for labor and sexual slavery.

## Guinea

**Political Rights Rating:** 5

**Civil Liberties Rating:** 5

**Freedom Rating:** 5.0

**Freedom Status:** Partly Free

**Electoral Democracy:** No

**Population:** 11,579,000

**Capital:** Conakry

#### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	7,5,NF	7,6,NF	5,5,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF

#### INTRODUCTION

Guinea was seized for much of the year by an epidemic of the Ebola virus that began in December 2013 in the country's southeast and soon spread to neighboring countries in West Africa. The president, initially skeptical about the disease's seriousness, declared a national public health emergency in August, and the government has been actively fighting the out-

break since then. The epidemic stoked fear and suspicion among Guineans, and attacks and threats against health workers occurred throughout the year. Relations between citizens and government have been strained as well. Direct talks over electoral rules between the ruling and opposition parties have stalled, and presidential polls originally scheduled for 2015 face the possibility of delays.

While corruption remains pervasive, the government took important steps toward resolving the country's most severe bribery scandal in years, suspending the mining license awarded to BSG Resources by former Guinean president Lansana Conté. The courts remain underresourced and overburdened, however, and scant progress was made on the long overdue adjudication of atrocities committed by state security forces after a 2008 coup.

Freedom of movement and the free exercise of religion suffered somewhat as a result of the Ebola epidemic, though the government has maintained that some restrictions are necessary to curtail further spread of the virus.

**POLITICAL RIGHTS:** 17 / 40

**A. Electoral Process:** 6 / 12

The president is elected by popular vote for up to two five-year terms. The legislature was dissolved in 2008 amid a coup precipitated by the death of Conté. The leader of the coup, Captain Moussa Dadis Camara, was shot and seriously injured in late 2009 by a member of his own guard following the violent repression of an opposition rally, in which security forces killed more than 150 people and raped and beat hundreds of others. A political accord facilitated a return to civilian rule in 2010. The new constitution that was adopted as part of the political transition established a number of independent entities to secure democratic rights, including the National Electoral Commission (CENI), a national human rights body, and a constitutional court.

In a presidential election held later in 2010, longtime opposition leader 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) in a runoff vote, 52.5 percent to 47.5 percent. Most domestic and international observers validated the election, and Diallo eventually accepted the results.

Of the 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. The first parliamentary elections since the 2008 coup were held in September 2013. The months preceding the elections were marred by violence, ethnic and religious tensions, and disputes over the rules governing the polls. Recurrent protests resulted in more than 50 deaths between January and September. The RPG won a total of 53 seats, the opposition UFDG won 37 seats, the Union of Republican Forces (UFR) won 10, and a dozen smaller parties divided the remainder. In October 2013, a coalition of opposition parties declined to participate in further vote counting and called for the results of the elections to be annulled. The CENI admitted to irregularities, but nevertheless defended the validity of the results. The newly elected legislators took office in January 2014.

Presidential elections are planned for 2015, but the ongoing Ebola crisis has raised the prospect of delays. Many Guineans believe the epidemic is merely a pretext for Condé to postpone the polls; others believe the virus is a conspiracy orchestrated by France and multinational mining firms to keep Guinea weak and dependent. Opposition parties accuse the government of renegeing on a July 2013 political pact designed to govern the conduct of elections. Talks between the government and opposition on electoral preparations were held in July, but quickly stalled and had yet to resume by year's end.

**B. Political Pluralism and Participation: 8 / 16**

The main political parties are the RPG and the UFDG. More than 130 parties are registered, most of which have clear ethnic or regional bases. Relations between the RPG and opposition parties are strained, and recent incidents have inflamed tensions. In June, amid the ongoing dispute over electoral planning, the opposition withdrew from the National Assembly and launched street protests when the government cancelled a previously authorized UFR meeting. Opposition figure Amadou Oury Diallo was murdered in September in Conakry in what the UFDG described as a political assassination. Meanwhile, Condé accused his opponents of attempting to incite a military coup after opposition-affiliated websites spread rumors that the president had fallen seriously ill.

**C. Functioning of Government: 3 / 12**

Corruption is rife, but the government has won praise for its proactive response to a scandal that erupted in 2013 over former president Conté's decision to award a mining license worth billions of dollars to BSG Resources, a company owned by Israeli diamond magnate Beny Steinmetz. The U.S. Federal Bureau of Investigation (FBI) launched an investigation into the deal in 2013 due to its possible violation of the U.S. Foreign Corrupt Practices Act, and a French national pleaded guilty in March 2014 to attempted obstruction of a grand jury probe into the deal. In January 2014, Swiss authorities, who were already assisting Guinea in its investigation, announced that they had opened a criminal probe into the matter. A Guinean government inquiry published its findings in April, condemning the deal and recommending that BSG's rights to the vast, untapped Simandou iron-ore mine be cancelled. The company, which denied all corruption charges, appealed the decision in August to an international tribunal, the International Centre for the Settlement of Investment Disputes, and asked that Guinea's plans to auction the concession be postponed. Separately, Guinea was declared in full compliance with the Extractive Industry Transparency Initiative in July.

**CIVIL LIBERTIES: 24 / 40****D. Freedom of Expression and Belief: 9 / 16**

The 2010 constitution guarantees media freedom. In 2010, the interim legislature passed two new media laws: one decriminalized press offenses and more clearly defined defamation provisions, while the other created a new media regulatory body. Attacks on the press persist, but the government has shown increasing political will to reprimand (if not punish) perpetrators. In July 2014, the managing editor of *Le Fouineur* magazine was assaulted by members of the gendarmerie while reporting on an eviction in Conakry; the perpetrators were quickly arrested. In September, the potential risks to journalists of panic over the Ebola epidemic were highlighted when three journalists, along with five other members of a public-health delegation, were killed by villagers as they tried to disseminate information about the virus.

There are more than 200 newspapers in Guinea, though most have small circulations. While the state controls the national radio station and the only television broadcaster, there are more than 30 radio stations. Due to the high illiteracy rate, most of the population accesses information through radio; internet access remains limited to urban areas.

Religious rights are respected in practice, although there have been rare cases of discrimination against non-Muslims in government employment, as well as restrictions on Muslims' freedom to convert to other religions. Religious practice was somewhat curtailed by Ebola-related warnings against traditional burial rituals, which involve physical contact



with the bodies of the dead and thus exacerbate the risk of contagion. Health workers have described these warnings as necessary to prevent further spread of the virus.

Academic freedom has been hampered to some degree by government influence over hiring and curriculum content.

#### **E. Associational and Organizational Rights: 6 / 12**

Freedom of assembly is enshrined in the constitution but often repressed in practice. Clashes between protesters and state security forces were routine in the months prior to the 2013 parliamentary elections, resulting in dozens of deaths and hundreds of injuries. Freedom of association is generally respected.

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. Nonetheless, unions remain active. The national transport union struck in April 2014 to protest racketeering at roadblocks by state security forces and other obstacles they faced.

#### **F. Rule of Law: 4 / 16**

The judicial system has demonstrated some degree of independence since 2010, and important steps were taken in 2014 to strengthen the capacity of the courts. The efforts of a new justice minister, appointed in January, were widely praised, and a High Judicial Council was created in July. Still, the courts remain understaffed and underfunded, and have been slow to prosecute high-profile criminal cases—most prominently, the massacre of opposition protesters at Conakry stadium in 2009. The courts have interviewed almost 400 victims of the massacre since proceedings began, but despite evidence of abuses committed by dozens of members of the security forces, only eight people had been charged as of September 2014. A lack of political and financial support has stymied progress in the investigations.

Security forces continue to engage in arbitrary arrests, torture of detainees, and extrajudicial executions. Riots erupted in Conakry in March when members of the gendarmerie killed a civilian. Prison conditions remain harsh and are sometimes life threatening.

The Ebola crisis has strained Guinea's security sector, and fear and government mismanagement have aggravated tensions between citizens and the state, especially in the Southeast, where the epidemic originated. In August 2014, residents of Nzerekore, the country's second largest city, rioted when health workers attempted to spray a market with disinfectant. In September, a mob attacked a public health delegation sent to a remote southeastern village to disseminate information about the virus, killing eight delegates. While this attack was atypical in its scale, health workers and government officials have been frequently threatened with violence since the crisis began. Residents of the village went on hunger strike in November to protest the presence of soldiers who had been stationed in their community in the wake of the killings.

Antidiscrimination laws do not protect LGBT (lesbian, gay, bisexual, and transgender) people. Same-sex sexual activity is a criminal offense that can be punished with up to three years in prison, and although this law is rarely enforced, LGBT people have been arrested on lesser charges.

#### **G. Personal Autonomy and Individual Rights: 5 / 16**

Freedom of movement—long hindered by rampant crime and ubiquitous security checkpoints—was further restricted by Condé's August 13 declaration of a national public health emergency in response to the Ebola epidemic. Condé announced emergency mea-

asures including stricter security checkpoints and the establishment of mandatory quarantines to be enforced by health workers and state security forces. Also in August, the government closed the country's land borders with Liberia and Sierra Leone, the other two countries most affected by the Ebola epidemic. The epidemic came on the heels of a severe measles outbreak in Guinea in January, which led to waves of (voluntary) internal displacement as the infection spread to half of the country's 33 districts.

Private business activity is hampered by corruption and political instability, among other factors. A centralized Agency for the Promotion of Private Investments aims to make the registration process faster and less expensive. Meanwhile, the Ebola epidemic brought some economic activity to a near-standstill, with exports of fruits and vegetables down 90 percent and container traffic at Conakry port reduced by a third.

Societal discrimination against women is pervasive. Rape and sexual harassment are common but underreported due to fears of stigmatization. While women have legal access to land, credit, and business, they are disadvantaged by inheritance laws and the traditional justice system. Guinean law allows husbands to forbid their wives from working. Female genital mutilation is nearly ubiquitous, affecting up to 96 percent of all girls and women in the country.

## Guinea-Bissau

**Political Rights Rating:** 5

**Population:** 1,746,000

**Civil Liberties Rating:** 5

**Capital:** Bissau

**Freedom Rating:** 5.0

**Freedom Status:** Partly Free

**Electoral Democracy:** No

**Status Change:** Guinea-Bissau's political rights rating improved from 6 to 5, and its status improved from Not Free to Partly Free, because the 2014 elections—the first since a 2012 coup—were deemed free and fair by international and national observers, and the opposition was able to compete and increase its participation in government.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	3,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	6,5,NF	6,5,NF	5,5,PF

### INTRODUCTION

After several delays, legislative and presidential elections were held in Guinea-Bissau in April 2014 for the first time since a military coup in 2012. A number of new parties competed, and the elections resulted in a victory for the African Party for the Independence of Guinea-Bissau and Cabo Verde (PAIGC), which secured control of the National People's Assembly and the presidency. In September, the president dismissed António Indjai, the man who had led the 2012 coup, from his position as head of the armed forces.

Corruption remains a major problem, bolstered by Guinea-Bissau's prominent role in international drug trafficking and by the government's limited resources to combat it. The international community, encouraged by the elections, has renewed its commitment to support Guinea-Bissau in fighting crime and corruption, modernizing its military, and improving the economy.

**POLITICAL RIGHTS:** 17 / 40 (+8)**A. Electoral Process:** 8 / 12 (+5)

Under the constitution, the 102 members of the National People's Assembly are elected by popular vote for four-year terms. The president is elected through a two-round system of voting for a term of five years.

In January 2014, political parties and the military agreed to extend the deadline for voter registration, which had been delayed by technical and logistical issues. This decision led to another delay in holding national elections, which were rescheduled from March to April 2014. The elections had initially been set for November 2013 but were postponed due to financial and planning difficulties.

A total of 13 candidates competed in the presidential election. In the first round, José Mário Vaz of PAIGC won 40.98 percent of the vote, while independent Nuno Gomes Nabiam followed with 24.79 percent. In the second round held in May, Vaz took the presidency by a landslide, winning 61.9 percent of the vote to Nabiam's 38.08 percent.

Fifteen parties competed in the legislative elections. PAIGC took 55 seats in the legislative elections and was allocated two additional seats for diaspora representation, bringing its total to 57 seats. The Party of Social Renewal (PRS) secured 41 seats, the Party for Democratic Convergence (PDC) took two seats, and the Party for a New Democracy (PND) and the Union for Change (UM) won one seat each. Domingos Simões Pereira became prime minister.

Monitoring groups and local human rights organizations reported some instances of intimidation or beatings of election officials and candidates in the election period. One PRS candidate for the legislature was reportedly kidnapped by unknown armed assailants. Voting was otherwise relatively peaceful and transparent, and the elections were considered free and fair by international observers.

The Supreme Court is empowered to verify the candidacy of applicants in presidential and legislative elections, and is also responsible for handling appeals stemming from elections. In March 2014, Guinea-Bissau's attorney general had issued a formal request to the court calling for the rejection of Vaz's candidacy. The attorney general accused him of embezzling more than \$11.2 million given by Angola as a support grant to Guinea-Bissau when Vaz served as finance minister. The Supreme Court verified his candidacy despite the request.

Death, military coups, or civil war have interrupted the mandate of every elected president in the 40 years since Guinea-Bissau's independence.

**B. Political Pluralism and Participation:** 8 / 16 (+3)

Dozens of political parties are active in Guinea-Bissau, and 13 of them competed in the 2014 legislative elections. The two largest parties are PAIGC and the PRS. Smaller parties such as the PCD are competitive but institutionally weak. In November 2014, Nabiam established a new party, the United People's Assembly–Democratic Party of Guinea-Bissau.

The limited capacity of the security and justice sectors leads to a lack of effective civilian oversight over the defense and security forces, which has frequently threatened the political process and the functioning of state institutions. The country's 2014 elections, held two years after a military coup, marked a significant improvement in democratic governance. In September 2014, the president dismissed former coup leader Indjai from his position as head of the armed forces, further reducing the role of the military in governance. The new head of the armed forces, Biaguê Nan Tan, publicly declared his intention to instill a commitment to constitutional order within the military.

**C. Functioning of Government:** 1 / 12

Although the election of legislators and a president in 2014 marked a positive step toward accountability, a number of institutional challenges to governance remained. Throughout the year, multiple ministers removed officials who had been appointed during the transitional government, in some cases replacing them with individuals who had held power or similar positions at the time of the coup.

A Senegalese rebel group, the Movement of Democratic Forces of Casamance (MFDC), has a presence in the northern parts of Guinea-Bissau. A group of men believed to be MFDC members ambushed a convoy transporting the interior minister in November. The minister resigned shortly after the incident.

Weak governance, a strained economy, and widespread poverty have created an environment conducive to bureaucratic and large-scale corruption through all levels of the government and the military. Guinea-Bissau was ranked 161 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

The government elected in 2014 has voiced commitment to fighting corruption and increasing transparency. In September, Prime Minister Pereira announced that he would disclose his assets, and required all members of the government to do the same. Officials also announced plans to revive the Ethics Commission, a body charged with monitoring the compliance of legislators and other public servants with various ethical requirements.

**CIVIL LIBERTIES:** 23 / 60**D. Freedom of Expression and Belief:** 10 / 16

Although the constitution provides for freedoms of speech and the press, these freedoms are often restricted. Journalists regularly face harassment and intimidation. According to the president of the local journalists' union, political candidates seeking coverage have offered payment to reporters who do not have the financial resources to cover campaign activities. There are no reports that the government restricts access to the internet, but lack of infrastructure greatly limits penetration.

Religious freedom is legally protected and usually respected in practice. Academic freedom is similarly guaranteed and generally upheld.

**E. Associational and Organizational Rights:** 5 / 12

In general, the government does not interfere with the freedom of assembly as long as protesters secure the necessary authorizations. Nongovernmental organizations (NGOs) were subject to harassment after the 2012 coup, but many have since become more vocal in their opposition to the transitional government, human rights abuses, and increased economic and social insecurity.

Workers are allowed to form and join independent trade unions, but few work in the wage-earning formal sector. The right to strike is protected, and government workers frequently exercise this right. Teachers, public officials, health care providers, dockworkers, and workers from a number of other sectors organized strikes throughout the year 2014.

**F. Rule of Law:** 3 / 16

Judges and magistrates are poorly trained, irregularly paid, and highly susceptible to corruption and political pressure. There are essentially no resources to conduct criminal investigations, and none of the country's few formal detention facilities are equipped to handle high-risk prisoners. Weak capacity contributes to lack of accountability, a culture of impunity, and widespread insecurity.

Violence and homicides continue to pose serious problems. In September 2014, the ministry of internal affairs declared a zero tolerance policy for violence in Guinea-Bissau. The announcement followed an attack by private citizens on a police officer in Bissau, and an incident in which a police officer was involved in the beating of a man in São Paulo who eventually died.

Because of its weak institutions and porous borders, Guinea-Bissau has become a major transit point for cartels trafficking illegal narcotics to Europe. The armed forces and some state entities have been linked to drug trafficking, according to the UN Office for Drugs and Crime (UNODC).

In September 2014, the president issued a decree pardoning six members of the military, including Army Captain Pansau Intchama, who in 2013 had been convicted of plotting against the coup regime.

No laws prohibit same-sex sexual activity, but social taboos and discrimination against LGBT (lesbian, gay, bisexual, and transgender) people persist.

#### **G. Personal Autonomy and Individual Rights: 5 / 16**

Illegal exploitation of timber and fish, which increased following the 2012 coup, has caused extensive environmental damage in Guinea-Bissau. During an extraordinary session in 2013, the National People's Assembly requested the government to urgently address the rapid depletion of the few remaining forests and related ecosystems in the country.

Women face significant traditional and societal discrimination, despite some legal protections. They generally do not receive equal pay for equal work, have fewer opportunities in education and employment, and face some restrictions in inheritance and ownership matters. A 2011 law banned female genital mutilation and established penalties of up to five years in prison for violators, but the practice continues. Domestic violence also remains a problem; the parliament passed a law in 2013 that criminalized domestic violence and established support centers for women. Many victims do not press charges due to mistrust of the police or courts. Forced marriages are still common. Trafficking in persons, especially children, is a serious problem, although there is some NGO activity to combat the practice and return trafficked persons to their homes.

## **Guyana**

**Political Rights:** 2

**Population:** 745,000

**Civil Liberties:** 3

**Capital:** Georgetown

**Freedom Rating:** 2.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F

#### **INTRODUCTION**

In November 2014, Guyana faced a political crisis. President Donald Ramotar suspended the National Assembly in order to avoid a no-confidence vote. Ramotar's People's Progressive Party/Civic (PPP/C) had won the most seats in the 2011 elections but was

overtaken by a coalition with a one-seat majority, which caused parliamentary gridlock and weak governance before the suspension. No new elections had been called by year's end.

**POLITICAL RIGHTS:** 30 / 40 (-1)

**A. Electoral Process:** 11 / 12

Guyana's 1980 constitution provides for a strong president and a 65-seat National Assembly, with members elected every five years. The president appoints four additional, nonvoting members. The leader of the party with a plurality of parliamentary seats becomes president for a five-year term.

In November 2011 elections, the PPP/C captured 32 seats, while the newly established Partnership For National Unity (APNU) took 26 seats, and the Alliance For Change (AFC) won 7 seats. PPP/C leader Donald Ramotar became president in December. However, the APNU and the AFC formed a ruling coalition with a one-seat majority. A Commonwealth Observer Group noted that, despite some minor issues, the elections represented progress in strengthening Guyana's democratic processes.

The slim ruling majority led to stalemate in the National Assembly, with little legislative progress being made. Some observers noted that President Ramotar's role became limited to being largely ceremonial. This changed when he faced a no-confidence vote and prorogued the legislature in late 2014.

**B. Political Pluralism and Participation:** 13 / 16

Guyanese politics are dominated by a tense split between descendants of indentured workers from India, known as Indo-Guyanese, who generally back the PPP/C, and Afro-Guyanese, who traditionally supported the People's National Congress Reform (PNCR) party. The PNCR grew out of the People's National Congress, which had ruled Guyana autocratically in the quarter century after independence in 1966. Some Guyanese began voting across racial lines, especially since the 2006 elections and the establishment of the multiracial AFC. The PPP/C's victory in 2011 marked its fifth straight win, but the AFC made further gains.

The small indigenous population has some political representation, including a minister of Amerindian affairs.

**C. Functioning of Government:** 6 / 12 (-1)

In November 2014, President Ramotar suspended the National Assembly to prevent a no-confidence vote. He was able to do so under his constitutional authority to disband the legislature for up to six months. However, in the absence of a legislature, Ramotar was able to govern alone. The National Assembly remained disbanded at year's end.

Guyana is rife with corruption, and was Guyana was ranked 124 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. The country is a transit point for South American cocaine destined for North America and Europe. Counternarcotics efforts are undermined by corruption that reaches high levels of the government. The informal economy is driven primarily by drug proceeds, which may equal between 40 and 60 percent of formal economic activity.

Opposition leaders have called for an anticorruption commission for many years, but little progress has been made. In March 2014, the Organization of American States (OAS) called on Guyana to develop an anticorruption strategy. In 2013, the OAS had recommended the establishment of an articulated anticorruption strategy, better coordination between police and the Office of Public Prosecutions, and more financial and human resource investments in several government oversight bodies. The government's

unwillingness to implement or enforce anticorruption laws has resulted in the withdrawal of international banks from Guyana.

**CIVIL LIBERTIES: 41 / 60****D. Freedom of Expression and Belief: 15 / 16**

Although freedom of the press is generally respected, an uneasy tension between the state and the media persists. Several independent newspapers operate freely, including the daily *Stabroek News* and *Kaieteur News*. However, non-PPP/C party leaders complain that they lack access to state media. The first private radio station began broadcasting in 2012. Government officials have used libel lawsuits to suppress criticism. In October 2014, *Kaieteur News* published a written transcript of an alleged recorded phone call made by Anil Nandlall, Guyana's attorney general, to one of the paper's senior reporters in which he threatened deadly repercussions if the paper continued its critical reporting of the government.

Guyanese generally enjoy freedom of religion, and the government does not restrict academic freedom.

**E. Associational and Organizational Rights: 10 / 12**

The government largely respects freedoms of assembly and association. While police have shot at political protesters in the past, there were no notable crackdowns in 2014.

The right to form labor unions is generally upheld, and unions are well organized. However, employers are not required to recognize unions in former state enterprises.

**F. Rule of Law: 7 / 16**

The judicial system is independent, but due process is undermined by shortages of staff and funds. In 2005, Guyana adopted the Trinidad-based Caribbean Court of Justice as its highest appellate court.

The Guyana Defence Force and the national Guyana Police Force are under civilian control. Prisons are overcrowded, and conditions are poor.

Violent crime continues to rise. Between January and July 2014, 10 percent more murders had occurred than in the same period in the previous year. Armed robberies increased by 16 percent.

Racial polarization has had an impact on law enforcement. Although Afro-Guyanese have historically dominated the police force, they have also raised concerns about police brutality against their population. Corruption among the police is widely reported.

The nine indigenous groups in Guyana face challenges in accessing state resources, especially in education and health care.

"Sodomy" is punishable with a maximum sentence of life in prison, and cross-dressing is criminalized for both men and women. Police routinely intimidate gay men. In January 2014, a man was sodomized by members of the police force.

**G. Personal Autonomy and Individual Rights: 9 / 16**

Violence against women, including domestic abuse, is widespread, with one out of every six women reporting physical abuse in the past year. Rape often goes unreported and is rarely prosecuted. The Guyana Human Rights Association has charged that the legal system's treatment of victims of sexual violence is intentionally humiliating. The 2010 Sexual Offenses Act makes rape gender-neutral and expanded the definition to include spousal rape and coercion, and child abuse. Guyana permits elective abortion.

# Haiti

**Political Rights:** 5

**Population:** 10,753,000

**Civil Liberties:** 5

**Capital:** Port-au-Prince

**Freedom Rating:** 5.0

**Freedom Status:** Partly Free

**Electoral Democracy:** No

**Ratings Change:** Haiti's political rights rating declined from 4 to 5 due to its failure to hold constitutionally mandated parliamentary and municipal elections for three years, use of the judicial system to persecute political opponents and human rights defenders, and tolerance of violence against media that are critical of the government.

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	7,6,NF	4,5,PF	4,5,PF	4,5,PF	4,5,PF	4,5,PF	4,5,PF	4,5,PF	4,5,PF	5,5,PF

## INTRODUCTION

Legislative and municipal elections due in 2011 and 2013 were delayed for another year in 2014, causing Haiti to descend toward political crisis. As Haitians took to the streets in protest, Prime Minister Laurent Lamothe resigned in December at the recommendation of a presidential commission.

The double homicide of human rights defender Daniel Dorsainvil and his wife in February and the fruitless police investigation deepened fear among activists. The government made some moves to improve its capacity to respond to rights violations, but in practice enjoyment of civil liberties did not markedly improve. However, an appellate court did reinstate human rights charges against former dictator Jean-Claude Duvalier, and the case continues against his regime despite his death in October.

The great economic insecurity of the majority of the Haitian population is one of the main contributors to Haitians' inability to enforce their individual rights. The vast majority of the population lives in extreme poverty, with 76 percent of people earning less than \$2 per day.

**POLITICAL RIGHTS:** 17 / 40 (-1)

**A. Electoral Process:** 4 / 12

Haiti's constitution provides for a president directly elected for a five-year term, a bicameral parliament composed of a 30-member Senate that serves six-year terms and a 99-member Chamber of Deputies that serves four-year terms, and a prime minister appointed by the president and approved by the parliament. Presidential and parliamentary elections held in 2010 were marred by reports of fraud, voter intimidation, violations of electoral laws, illegal exclusion of political parties and candidates, low voter turnout, and problems with the composition of the electoral council. Following a dispute over first-round results, musician Michel Martelly won the presidential election in a 2011 second round compromised by 23 percent voter turnout. After parliamentary runoff elections, the *Inité* coalition of Martelly's predecessor, René Prével, held 46 seats in the lower house and 6 of the 11 Senate seats at stake. Smaller parties divided the remainder.

Midterm parliamentary and municipal elections constitutionally required in 2011 and 2013 had yet to take place by the end of 2014. The resulting vacancies have crippled the



Senate, which has struggled to obtain a quorum since one-third of its seats expired in 2012. The terms of another one-third of the Senate and all 99 members of the House of Deputies were set to expire in January 2015. Nationwide demonstrations and international pressure prompted a last-minute agreement on December 29 between the president, parliament, and Superior Council of Judicial Power (CSPJ) to avert the crisis and extend the mandate of parliamentarians for an additional few months.

According to the constitution, elections must be organized by a Permanent Electoral Council that has never been fully realized in practice. Constitutional amendments adopted in 2012 reformed the council appointment process. Discrepancies between the published constitutional amendments and those that had been ratified, as well as subsequent irregularities in appointments to the new council, resulted in a political impasse.

In March 2014, President Martelly and some political parties, lawmakers, and members of civil society signed the El Rancho Accord, which proposed to hold elections on October 26, create a Provisional Electoral Council (CEP), and approve necessary amendments to the 2013 Electoral Law. The accord was not approved by the Senate, and was seen as a maneuver by Martelly to circumvent the legislature. Under the constitution, a CEP must be chosen from representatives of the public sector and civil society organizations; however, the accord proposes appointment by the three branches of government. With one-third of Senate terms expired and given the executive branch's close ties with the CSPJ, the process favors the executive branch.

Despite the lack of parliamentary approval, President Martelly signed a presidential decree in June setting the elections for October 26 and confirming a CEP. The CEP has since been reshuffled but still does not conform to constitutional requirements. In August, the CEP announced that elections would not be held on October 26. No new date was confirmed.

Amid growing public pressure, Prime Minister Lamothe resigned in December and Martelly released around 20 political prisoners per recommendations from a Consultative Commission he convened appointed to address the country's political stalemate. Martelly's nominee to replace Lamothe, Evans Paul, had not been approved by the parliament at year's end. The commission also recommended a new, constitutional CEP.

#### **B. Political Pluralism & Participation: 8 / 16 (-1)**

As overdue elections approached, leaders of the political opposition faced increased judicial persecution. In August, an investigation involving 10-year-old money-laundering and drug-trafficking charges was launched against former president Jean-Bertrand Aristide, who heads Haiti's most popular political party, Fanmi Lavalas. Lavalas was one of 16 political parties arbitrarily excluded from the 2010 election. The 2014 investigation targeted many Lavalas members and was carried out by Judge Lamarre Bélizaire. When Martelly appointed him, Bélizaire did not meet Haiti's requirement for judges to have five years of legal experience and has been disbarred by the Port-au-Prince Bar Association for 10 years for his illegal pursuit of political dissidents. In September, the presidential security detail for Aristide and his family was removed.

Attorney André Michel, an outspoken leader of the Assembly of Progressive National Democrats (RDNP)—one of several political parties that have denounced the president's handling of election procedures—was detained in 2013 following harassment and death threats. Michel had brought corruption claims against President Martelly's wife and son. In August 2014, Judge Bélizaire indicted Michel and his two clients for murder without any formal investigation. Rony Timothée and Biron Ogidé, both leaders of the opposition organization FOPARK, were arrested in October during a demonstration, and Judge Bélizaire was appointed to their case. Timothée, Ogidé, Michel, and Michel's two clients

were all exonerated by an appeals court in December per recommendations of the Consultative Commission.

Insufficient investments in state capacity have continued to hinder the state from effectively asserting a central role in development, resulting in donor countries and international organizations wielding significant influence over policy making. The UN Stabilization Mission in Haiti (MINUSTAH) has been in the country since 2004; the UN Security Council voted to renew the mission for an additional year in October 2014. MINUSTAH faces growing opposition from the Haitian people, as it is increasingly perceived as an occupying force.

**C. Functioning of Government: 5 / 12**

Delayed elections, corruption allegations, and lack of judicial independence resulted in staggering political strife between the executive and legislative branches and impaired governance in 2014. The Martelly administration increased the budget and geographic reach of the national anticorruption unit (ULCC) in 2013, and new anticorruption and money-laundering laws were enacted in May 2014. The ULCC reportedly recovered \$2 million in contraband in 2012 and 2013, and planned to train 125 new customs agents. However, corruption allegations persisted due to the weakness of the justice system, poor collaboration among government agencies, and lack of autonomy. Haiti was ranked 161 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES: 24 / 60 (-1)**

**D. Freedom of Expression & Belief: 10 / 16**

The constitution guarantees freedom of expression, but press freedom is constrained by the feeble judiciary and the inability of police to adequately protect journalists from threats and violence. In face of a literacy rate of 48.7 percent and no daily newspapers printed in Haitian Creole, radio is the main source of information. Internet access is similarly hampered.

Media and other observers have expressed concern about government interference with freedom of the press. In April, the minister of communication denounced "certain press" that he said wanted to tarnish the image of members of the government and pollute the political climate. Police threatened some journalists during the protests sparked by the election delay.

The government generally respects religious and academic freedoms. However, when violations do occur, those persecuted for their views have few protections.

**E. Associational and Organizational Rights: 4 / 12 (-1)**

The 1987 constitution guarantees freedoms of assembly and association, though these rights are often not respected in practice. Antigovernment demonstrations increased in 2014 in response to delayed elections, alleged corruption, and persecution of government dissidents; protesters were frequently met with police violence. Harassment of, threats against, and illegal arrests of human rights defenders and political dissidents escalated during the year. In February, Daniel Dorsainvil, general coordinator of a coalition of eight Haitian human rights organizations (POHDH), and his wife were murdered. The police investigation has been haphazard, though the government insists the double homicide was unrelated to Dorsainvil's work. In April, Pierre Espérance, executive director of the human rights organization RNDDH (a member of POHDH), received a letter containing death threats and a bullet. Several members of KOFAVIV, a women's rights organization, were threatened and harassed beginning in March. In August, members of the women's rights organization GADES received threats after supporting an underage boy who was raped by a police officer.

The ability to unionize is protected under the law, though the union movement in Haiti is weak and lacks collective bargaining power. The right to strike is severely limited and workers frequently face harassment and other repercussions for organizing. Josué Mérielien, coordinator of a national teacher's union, was summoned to court after his union declined to sign an agreement to end a strike in January. Retaliatory revocations are common, especially in the public sector and garment industry, creating fear among workers.

**F. Rule of Law: 4 / 16**

The newly appointed CSPJ, tasked with promoting independence of the judiciary, struggled to address politically motivated judicial appointments and interference in judicial proceedings in 2014. As of May, the mandate of 81 judges across Haiti had not been renewed as the CSJP had recommended, often because authorities put forward other candidates. In October the government removed three judges, promoted one, and nominated another without the consent of the CSPJ, which is charged with these functions.

The judicial system is underresourced, inefficient, and frail, and is burdened by a large backlog of cases, outdated legal codes, and poor facilities. Official court business is conducted primarily in French rather than Creole, rendering proceedings only marginally comprehensible to many of those involved. Police are regularly accused of abusing suspects and detainees, and impunity continues to be a problem. The ponderous legal system has little credibility in the public eye and guarantees lengthy pretrial detentions in inhumane conditions; more than 70 percent of the prison population have not been charged.

The government has created a number of committees to enforce individual rights and increased the budget of the Office of Citizen Protection, Haiti's ombudsman. The police force continues to operate with a large degree of impunity. Any judicial proceedings or warrants against police officers must first go through the Ministry of Justice, and no arrest of a police officer can be undertaken without prior authorization from the minister.

In February, an appellate court reinstated crimes against humanity charges against Duvalier, which had been dismissed in 2012. Despite Duvalier's death in October 2014, the court of appeals continues to pursue charges against his regime. Since Martelly took office, the case has been characterized by multiple delays and political interference.

Despite the government's failure to address discrimination and violence against LGBT (lesbian, gay, bisexual, and transgender) individuals, the LGBT rights movement is gaining momentum.

**G. Personal Autonomy and Individual Rights: 6 / 16**

A combination of relocations, forced evictions, and reclassifications has resulted in a significant decline in the internally displaced population living in camps set up after the devastating 2010 earthquake, though as of December 2014 80,000 people were still displaced. Forced evictions are often carried out without prior notice and with police or other government participation. Several eviction attempts in 2014 were violent, involving burning of tents, beatings, and shootings.

Spotty record keeping at the national level and corruption in the enforcement process have long resulted in severe inconsistencies in property rights enforcement; those with political and economic connections frequently rely on extrajudicial means of enforcement. Government efforts to spur investment are often at the expense of other rights. For example, Jean Mathulnes Lamy was detained without trial for 10 months following his opposition in February 2014 to a tourist development plan that would displace residents on Île-à-Vache, a small island off Haiti's south coast. The police force on the island quadrupled in size in 2014, and police visited community organizers' homes with arrest warrants.

Widespread violence against women has received increasing attention since the 2010 earthquake. While impunity is still pervasive, efforts of the Ministry of Women, grassroots women's groups, and legal organizations have helped improve the response to sexual violence, including more effective prosecutions and the drafting of new laws that empower victims. A long-awaited antitrafficking law was promulgated in June 2014.

## Honduras

**Political Rights Rating:** 4

**Population:** 8,200,000

**Civil Liberties Rating:** 4

**Capital:** Tegucigalpa

**Freedom Rating:** 4.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	3,3,PF	3,3,PF	3,3,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF

### INTRODUCTION

President Juan Orlando Hernández began his term in January 2014 by restructuring the cabinet and government ministries in an attempt to partially address the country's growing public deficit. Civil rights continued to erode in Honduras in 2014, as Congress passed a secrecy law that limits public access to government documents. Violence and intimidation against journalists increased, and the crisis over land for palm plantations in Bajo Aguán continued.

Honduras again had one of the highest homicide rates in the world as drug traffickers, organized criminals, and street gangs preyed upon society, often in collusion with authorities. Approximately 500 children were killed in the first six months of 2014, a crisis that was underscored by a record number of unaccompanied minors fleeing the country to escape violence.

**POLITICAL RIGHTS:** 20 / 40

**A. Electoral Process:** 7 / 12

The president is elected by popular vote for a single four-year term. The leading candidate is only required to win a plurality; there is no runoff system. Members of the 128-seat, unicameral National Congress are also elected for four-year terms using proportional representation by department.

General elections held in November 2013 were the first since the controversial 2009 elections, which were overseen by an interim government following the coup that removed former president José Manuel Zelaya from office. In 2013, Hernández of the National Party (PN) won 36.8 percent of the vote in a field of eight candidates for president. Xiomara Castro of the Liberation and Refoundation Party (LIBRE) won 28.8 percent, followed by Liberal Party (PL) candidate Mauricio Villeda with 20 percent and Salvador Nasralla of the Anti-Corruption Party (PAC) with 14 percent. In the concurrent legislative elections, the PN won 47 seats, LIBRE won 39, the PL won 26, and the PAC won 13 seats; the Innovation and Unity Party, Democratic Unification Party, and Christian Democrats each won 1 seat.

Election observers noted a number of irregularities, including the harassment of international observers by immigration officials, vote buying, problems with voter rolls,

and potential fraud in the transmission of tally sheets to the country's electoral body, the Supreme Electoral Tribunal (TSE). More than a dozen LIBRE activists and candidates were murdered during the campaign season. Castro and the LIBRE party contested the results and demanded a recount, which the TSE partially conducted; in the end, nearly all complaints were rejected and the TSE certified Hernández's victory.

**B. Political Pluralism and Participation:** 9 / 16

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, the PAC, and the Patriotic Alliance Party (ALIANZA) all participated in elections for the first time, winning a significant share of the vote and disrupting the dominance of the PL and the PN.

In May 2014, military police used tear gas and batons against LIBRE leaders inside the congressional hall when supporters of former president Zelaya, a member of parliament, tried to force their way in during a protest.

After decades of military rule, the military remains powerful in Honduras. President Hernández's recent appointments of military officials to civilian posts, many related to security, underscores the continued influence.

Minorities are underrepresented in Honduras's political system. No representatives of the Garifuna people were elected to Congress in 2013; one English-speaking Afro-Honduran and one Misquito person won seats. No election materials were printed in indigenous languages. In 2014, the Ministry for Indigenous Peoples and Afro-Hondurans was folded into the Ministry for Social and Community Development, a move criticized by supporters of these communities.

**C. Functioning of Government:** 4 / 12

In 2014, the Hernández administration eliminated five cabinet-level ministries and created seven umbrella ministries in an effort to cut costs. The restructuring reduced the number of ministers from 38 to 15, which critics have argued concentrates power in too few hands.

Corruption remains a serious problem. According to a recent Latin American Public Opinion Project (LAPOP) survey, 23 percent of Hondurans were victims of corruption in 2014. Honduras was ranked 126 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

The January 2014 approval of the Law on Classification of Public Documents, which allows information on public security and defense to be kept secret for up to 25 years, undermined transparency. Days after the law was approved, the legislature temporarily suspended it following protests by domestic and international rights groups. Despite the outcry, which included criticism that the legislation limits prospects for the investigation and prosecution of corruption, the law was reaffirmed in March.

In September, Mario Zelaya, former head of the Honduran Institute of Social Security (IHSS), and several other IHSS officials were arrested on charges related to the misappropriation of more than \$300 million in public funds. The arrests followed revelations that Mario Catarino Rivas hospital in San Pedro Sula was being run by a criminal organization. President Hernández deployed military police to restore control of the hospital.

**CIVIL LIBERTIES:** 29 / 60 (-2)

**D. Freedom of Expression and Belief:** 10 / 16 (-1)

Since the 2009 coup, authorities have systematically violated the constitution's press freedom guarantees. Numerous radio and television stations reported continued harassment

in 2014, including police surveillance, assaults, threats, blocked transmissions, power outages, and government harassment of journalists. Dina Meza, an independent reporter, has been subject to stalking and surveillance since protesting the conviction of Julio Ernesto Alvarado, director of Radio Globo. Alvarado was sentenced to 16 months in prison and banned from work as a journalist in December 2013.

Honduras is considered one of the most dangerous countries in the world for journalists, with eight killed in 2014, up from three in 2013. The impunity rate in cases of murdered journalists is 95 percent. In 2014, legislation was introduced to create a council to protect journalists, human rights workers, and others working in high-risk fields.

Media ownership is concentrated in the hands of a few powerful business interests. Internet use is generally unrestricted. Freedom of religion is broadly respected.

Academic freedom has been under increasing threat since the 2009 coup, as teachers' unions have been targeted by state violence and repression. Educators were also subject to extortion by gang members, who controlled all or parts of schools in some areas. Scholars have faced pressure to support the privatization of the national university. In March 2014, the government launched the Guardians of the Homeland program, which it described as an educational program targeting at-risk youth. Led by the Honduran armed forces, the program has provided civic and religious education to some 25,000 children. Critics, however, have argued that it violates the rights of children by militarizing youth and promoting violence.

#### **E. Associational and Organizational Rights: 6 / 12**

Constitutional guarantees of freedoms of assembly and association have not been consistently upheld. Violence and threats against protesters are continual problems. In 2013, police used tear gas against indigenous protesters, mostly from the Lenca community, of the Agua Zarca dam project. The next day, Lenca leader Berta Cáceres was arrested on charges that were ultimately dismissed in 2014. The military killed Lenca leader Tomás García in 2013 during a protest against Agua Zarca, and indigenous activist Justo Sorto was murdered in January 2014. The 2006 Citizen Participation Law protects the role of civil society groups and individuals in the democratic process. However, human rights defenders and political activists continued to face significant threats in 2014, including harassment, surveillance, and detentions, as well as the murder of a number of coup opponents.

In January 2014, the Unit for Registering and Monitoring Civil Associations revoked the status of approximately 4,800 nongovernmental organizations (NGOs) for failing to provide the government with annual reports on their finances and programs. The status of an additional 5,400 NGOs was revoked in March. Some NGOs have suggested the move was intended to silence criticism. After widespread pressure from civil society representatives, the Hernández administration rescinded the resolution shortly thereafter.

Labor unions are well organized and can strike, though labor actions often result in clashes with security forces. Threats against union leaders and blacklisting of employees who sought to form unions remained problems. In 2014, the International Labour Organization agreed to send an assessment team to Honduras to evaluate union rights violations, including violations of the right to strike, unpaid wages, and wrongful dismissals.

#### **F. Rule of Law: 5 / 16**

Congress and business elites exert excessive influence over the Honduran judiciary, including the Supreme Court and its decisions. Judges are removed from their posts arbitrarily and a number of legal professionals have been killed in recent years. In 2012, Congress violated the constitution by voting to remove four of the five justices in the Supreme Court's constitutional chamber after it ruled several laws unconstitutional. In January 2013,

Congress passed the laws that had been struck down, as well as legislation aimed at asserting Congress's supremacy by allowing it to remove any elected official. It also passed laws restricting the ability of judges in the Supreme Court's constitutional chamber to participate in deliberations of the full court should they fail to reach a unanimous decision, and removed the right of citizens to challenge the constitutionality of laws.

Army officers have been found guilty of involvement in drug trafficking and other crimes. The police force is highly corrupt, and officers engage in criminal activities including drug trafficking and extortion. Police officers have committed extrajudicial killings, arbitrary arrests, and illegal searches. In August 2013, four police officers were convicted in the killing of two men. In January 2014, Congress abolished the Commission to Reform Public Security, which had been charged with establishing procedures for national police reform.

According to the government, approximately 80 percent of crimes committed in Honduras are never reported, and police investigate only 4 percent of reported crimes. The vast majority of inmates are still awaiting trial. Prison conditions are harsh, the facilities are notoriously overcrowded, and the state routinely permits prisoners to be in charge of disciplining other inmates. As of September 2014, six lawyers had been murdered since the start of the year.

Although there is an official human rights ombudsman, critics claim that the work of the office is politicized. The ombudsman not only supported and justified the 2009 coup, but also publicly declared his opposition to the Truth and Reconciliation Commission set up to examine the coup and rights abuses in its aftermath.

In 2014, Honduras continued to have one of the highest murder rates in the world, though at the close of the year, the National University reported a reduction in the homicide rate to approximately 69 murders per 100,000 inhabitants. Discrepancies in homicide data between the Violence Observatory of the National Autonomous University of Honduras and a new data collection agency managed by the police resulted in allegations that the police were manipulating homicide rates. Most murders are attributed to organized crime, including transnational youth gangs and Mexican drug-trafficking syndicates. The government has made membership in a gang punishable by up to 12 years in prison. Hundreds of juveniles have reportedly been killed in "social cleansing" campaigns.

The government continued to rely on the military to fight crime in 2014. In December, Hernández appointed an active army general, Julian Pacheco Tinoco, as security minister in an effort to control violence. Critics contend that too much power is being concentrated in the hands of the military.

Discrimination against the indigenous and Afro-Honduran populations is widespread, as are poverty and socioeconomic exclusion.

The LGBT (lesbian, gay, bisexual, and transgender) community faces discrimination, harassment, and physical threats. A 2005 constitutional amendment prohibits same-sex marriage and same-sex adoption. Rights groups report that at least 178 LGBT activists and individuals have been murdered since the 2009 coup. Since 2011, a special unit in the attorney general's office has been in charge of investigating crimes against the LGBT community, and the police has a Sexual Diversity Unit. However, according to a 2014 study conducted by a coalition of human rights groups, police officers and gang members carry out most of the violence against members of the LGBT community.

#### **G. Personal Autonomy and Individual Rights: 8 / 16 (-1)**

Honduras's ongoing violence and impunity have reduced personal autonomy for the average citizen. Those living in particularly violent neighborhoods may be forced to abandon their homes and businesses. Children have been fleeing the country to avoid forced recruitment into gangs.

The conflict over fertile land where lucrative palm plantations are located in the Bajo Aguán region in northern Honduras persisted in 2014, with clashes among peasants, landowners' private security forces, and state forces. More than 50 people, mostly landless peasants, have died in the conflict since 2009. A 2013 report implicated military death squads in some of the killings. In May 2014, military, police, and private security guards forcibly evicted two communities. The same month, Cerrito Lindo activist Orlando Orelana, whose community had been involved in a land dispute with a local company, and the mayor of Iriona, where illegal trafficking and logging occur, were both murdered in separate incidents.

Indigenous and Afro-Honduran residents have faced various abuses at the hands of property developers and their allies in recent years, including corrupt titling processes and acts of violence. The clearing of land for clandestine airstrips used in the drug trade has increased pressure on indigenous groups in remote areas of the country. In July 2014, Miriam Miranda, coordinator of the Honduran Black Fraternal Organization, and about 20 other members of the Garifuna community were kidnapped in Vallecito after they discovered that traffickers were rebuilding a secret runway. Traffickers and organized crime syndicates are also engaged in illegal mining and deforestation. In 2014 the Inter-American Court of Human Rights began hearing a case brought by the Garifuna Punta Piedra community, which alleges that the government violated their land.

Violence against women is a serious problem, and femicide has risen dramatically in recent years. These murders, like most homicides in Honduras, go unpunished, despite the fact that femicide was added as a crime to the penal code in 2013. Women also remain vulnerable to exploitation by employers, particularly in the low-wage *maquiladora* (assembly plant) export sector. Following the 2013 elections, 35 of 128 seats in Congress were held by women; only 22 of 298 mayoralties were held by women.

Child labor is a problem in rural areas and in the informal economy. Honduras is both a source and transit country for human trafficking, and women and children are particularly vulnerable to sex trafficking. A 2012 antitrafficking law established new penalties for forced labor and prostitution of adults. Honduras was placed on the Tier 2 Watch List in the U.S. Department of State's 2014 *Trafficking in Persons Report*, which noted increased law enforcement efforts but also cited problems with data collection and heavy reliance on civil society to provide victims' services.

## Hungary

**Political Rights Rating:** 2↓

**Civil Liberties Rating:** 2

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Ratings Change:** Hungary's political rights rating declined from 1 to 2 due to an election campaign that demonstrated the diminished space for fair competition given legislative and other advantages accrued by the ruling party.

**Population:** 9,893,000

**Capital:** Budapest

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,2,F	1,2,F	1,2,F	2,2,F



**INTRODUCTION**

Three elections in 2014 confirmed and strengthened the dominance of the Young Democrats-Hungarian Civic Union (Fidesz) party of Prime Minister Viktor Orbán. The Fidesz-led coalition triumphed at legislative elections in April, retaining the two-thirds parliamentary majority required to alter the constitution drafted by Fidesz legislators in 2011. In May, Fidesz won a decisive victory in the European Parliament elections. And in October, Orbán's party retained control of all county assemblies and all but one of Hungary's seven largest cities.

The ruling coalition continued to use its two-thirds parliamentary majority to push through laws in 2014, including a new advertising tax on media that elicited criticism from the European Commission and international media watchdogs. In late October, demonstrations by 100,000 protesters in Budapest and ten other Hungarian cities prompted the government to announce the temporary withdrawal of a planned internet tax.

Throughout the year, Orbán provoked international controversy with statements and actions seemingly calculated to demonstrate Hungary's imperviousness to European political peer pressure. Days before the parliamentary elections in April, Hungary finalized a €10 billion (\$11 billion) 30-year loan agreement with Russia to rebuild Hungary's Paks Nuclear Power Plant. Citing the example of "successful" states like China and Russia, in August Orbán gave a speech declaring his intention to build "an illiberal state" that "does not deny foundational values of liberalism, [of] freedom" but that also "does not make this ideology a central element of state organization." Responding to public backlash, the prime minister later clarified that Hungary's membership in the European Union (EU) and the North Atlantic Treaty Organization remains "unquestionable."

Nevertheless, relations between the Orbán government and its European and transatlantic allies were strained at year's end. In September, Hungary cut off its reexports of gas to Ukraine. On October 1, the EU warned that Hungary risks falling back into the excessive deficit procedure, which can lead to the blocking of aid money, if it fails to cut debt.

**POLITICAL RIGHTS:** 32 / 40 (-4)

**A. Electoral Process:** 9 / 12 (-3)

Voters elect representatives every four years to a 199-seat, unicameral National Assembly under a mixed system of proportional and direct representation. The National Assembly elects both the president and the prime minister. The president's duties are mainly ceremonial, but he can influence appointments and return legislation for further consideration before signing it into law.

A December 2011 electoral law redrew parliamentary districts and changed the seat-allocation formula. The redistricting was ostensibly designed to reduce the overall number of lawmakers and mitigate wide variation in the size of constituencies. The reforms also gave ethnic Hungarians living abroad easier access to citizenship and the right to vote. In January 2013, the Constitutional Court struck down several elements of the election law on substantive grounds, though some elements of the voided law later reappeared as part of the controversial and wide-ranging omnibus constitutional amendment passed in March 2013 and an additional constitutional amendment one month later.

An unprecedented 17 parties or alliances attempted to chip away at Fidesz's two-thirds parliamentary majority in legislative elections on April 6, 2014. Throughout the rancorous campaign, opposition parties criticized recent changes to electoral legislation, including rules that facilitated the creation of instant parties, splitting the antigovernment vote; alleged gerrymandering in the ruling party's favor; and the government's heavy influence over state television and radio. Most of these grievances were echoed by critical

assessments from international transparency watchdogs and the Organization for Security and Co-operation in Europe (OSCE)'s election monitoring delegation, which also pointed to strong government influence over media and advertising outlets and grossly unequal financial resources. In March, a team of anticorruption watchdogs accused Fidesz and its smaller coalition partner, the Christian Democratic People's Party, of spending more than twice the legal limit on their campaigns.

The National Election Council (NEC) consists of seven members proposed by the president and elected for nine-year terms by the parliament; a maximum of one temporary NEC member proposed by each competing party; and five commissioners appointed by national minority lists, whose votes are limited to minority issues. According to OSCE election observers, decisions by the NEC during the national parliamentary campaign were inconsistent, often resulting in the rejection of complaints without effective consideration of claims.

Monitors also suggested that the dual system for foreign voters, under which new citizens who have never lived in the country can register and vote more easily than expatriate Hungarians living abroad, "undermine[s] the principle of equal suffrage." For domestic voters, the new system for minority voting requires advanced registration, allowing voting for only one candidate.

Fidesz won the April 2014 parliamentary election with 45 percent of the vote, capturing exactly two-thirds (133) of seats. Unity—a new coalition of five leftist parties—won 38 seats. The radical-nationalist and Euroskeptic Movement for a Better Hungary (Jobbik) captured 23 seats, while the green-liberal Politics Can Be Different party won just 5 seats. None of the remaining contenders broke the 5 percent threshold for representation in parliament.

In June, the parliament adopted legislation for elections to the Budapest City Council that critics claimed were aimed at disadvantaging the fragmented left. In local and municipal elections on October 12, Fidesz won control of all county assemblies and all but one of Hungary's seven largest cities. The leftist coalition fell behind Jobbik in a number of cities.

#### **B. Political Pluralism and Participation:** 15 / 16

Fidesz has achieved political dominance both through its manipulation of the playing field as well as genuine popularity. Jobbik is now the second-most popular party, replacing the center-left Hungarian Socialist Party (MSZP), which has been plagued by infighting. A large number of smaller parties compete in elections.

In late March, a popular blog published data furnished by the national treasury that detailed official state budget allocations to all political parties. The list revealed millions of dollars in total funding to small, very recently formed parties. This fueled accusations that Fidesz was encouraging the creation of "camouflage parties" in order to split the opposition vote. Six parties that received fewer than 10,000 votes received between \$700,000 and \$2,100,000 each in public funding. Some of the microparties had ambiguous names, including an unaffiliated Unity Party and one named Together 2014.

Hungary's constitution guarantees the right of ethnic minorities to form self-governing bodies, and all 13 recognized minorities have done so. Despite their large population, Roma hold just four seats in the current National Assembly. In October, Orbán appointed the Roma community's national leader to a government position.

#### **C. Functioning of Government:** 8 / 12 (-1)

Corruption remains a notable problem in Hungary, which ranked 47 out of 175 countries and territories surveyed in the 2014 Corruption Perceptions Index by Transparency International (TI). Using its supermajority, the Fidesz-led coalition has appointed allies to lead state agencies with anticorruption roles. A 2012 TI study reported rampant collusion

between the public sector and privileged private businesses as well as nontransparent campaign spending by both Fidesz and MSzP.

In October 2014, media reported that the U.S. State Department had refused entry to several Hungarians on the basis of corrupt activity. Although no officials were named in the press statement, the head of Hungary's tax authority sued the U.S. embassy's chargé d'affaires for libel.

The lack of an appropriate public spending database presents an obstacle to the transparency of government spending. In 2013, the parliament reduced the scope of publicly available information under the country's Freedom of Information Act.

**CIVIL LIBERTIES:** 50 / 60 (-2)

**D. Freedom of Expression and Belief:** 14 / 16 (-1)

International press freedom organizations assert that Hungary's laws do not adequately protect media independence. A provision of the new civil code that went into effect on March 15 allows criticism of public figures only if it is of legitimate public interest, did not harm human dignity, and is "necessary and proportionate." The Constitutional Court had previously ruled that the provision violates the rights to freedom of speech and a free press.

Since 2011, media outlets must register with the National Media and Infocommunications Authority (NMHH), which can revoke licenses for infractions. A Media Council under the NMHH can close outlets or impose fines of up to \$950,000 for failure to register or for airing of content that incites hatred. Fidesz, with its parliamentary supermajority, controls appointments to the Media Council, whose members serve nine-year terms.

In June 2014 the Supreme Court ruled in favor of the NMHH in a lawsuit against commercial television station ATV, which had described Jobbik as a "far-right" party—a term the party rejects. In January 2014 a higher court overruled the conviction of renowned historian Laszlo Karsai for damaging Jobbik's reputation when he called it a neo-Nazi party in an ATV broadcast in 2012.

While foreign ownership of Hungarian media is extensive, domestic ownership is largely concentrated in the hands of Fidesz allies. The government has withdrawn most advertising from independent media since the 2010 elections. Anecdotal evidence indicates that private companies also withhold advertising from independent media to avoid losing government contracts. In October 2014, Dániel Papp, cofounder of Jobbik, was officially placed in charge of all news content at the MTVA media fund, which is responsible for the management of all public media.

In May 2014, the Constitutional Court ruled that website operators are responsible for any comments to blog posts or news commentary that may violate media law. Critics warned that this would lead to increased self-censorship and restrictions on public comments on the part of site administrators.

In early June, the editor-in-chief of *Origo*, an online news portal critical of the government, was forced to resign after publication of a story on the alleged misuse of public funds by the state secretary at the Office of the Prime Minister. Another 30 *Origo* journalists resigned to protest the dismissal.

In October, after the government announced plans to levy a tax on internet service providers (ISPs) for every gigabyte of data traffic, tens of thousands of protesters gathered in Budapest and at least 10 other cities. The demonstrations continued until the government officially withdrew the proposal (in its current form) on October 31.

Revisions to the criminal code that took effect in 2013 require ISPs to block content deemed illegal by a court order. Websites hosting illegal content are placed on a nonpublic

“blacklist” operated by the NMHH. The government may take action if ISPs fail to heed the blocking orders.

The constitution guarantees religious freedom and provides for the separation of church and state. Adherents of all religions are generally free to worship. Since a 2013 constitutional amendment, religious communities have the same legal standing as recognized churches. However, a two-thirds parliamentary majority must approve the right of any religious community or church to receive tax and other benefits reserved for “accepted churches.”

Anti-Semitism remains a problem in Hungary, particularly among far-right groups. People within the government have honored fascist historical figures, though the ruling party generally distances itself from the strongly xenophobic statements and actions of groups like Jobbik.

The state generally does not restrict academic freedom. However, a gradual overhaul of the public education system has raised concerns about excessive government influence on school curricula, and legislation adopted in June 2014 has the potential to reduce the autonomy of universities. The government began centralizing public education in 2011, ostensibly with the aim of improving and standardizing education. At the end of 2013, the parliament nationalized the schoolbook market and limited elementary school teachers’ choice to two books per subject and class, a move that outraged many teachers, publishers, and education specialists. Amendments passed in 2014 to the Law on Higher Education empower the prime minister to appoint deputy rectors responsible for managing universities’ finances. They also allow an award bestowed by the state to take the place of a doctorate in qualifying individuals for the position of rector.

#### **E. Associational and Organizational Rights:** 11 / 12 (–1)

The constitution provides for freedoms of assembly and association, and the government generally respects these rights in practice, though some crackdowns have taken place in recent years.

State funding to nongovernmental organizations (NGOs) and other civil society groups is distributed through the National Cooperation Fund (NEA), which is governed by a nine-member council consisting overwhelmingly of government-elected or -appointed members. In 2014, the government appeared to retaliate against critical NGOs by launching a far-reaching investigation into the funding that several hundred of them had received via the Norway Grants, a charitable foundation bankrolled by the Norwegian government. In June, the Government Control Office reportedly confiscated piles of documents and numerous computers from three groups chosen to operate Norway Grant funds in Hungary. In September, a special police unit from the National Bureau of Investigation searched the offices of two NGOs involved in the disbursal of Norway Grant money, citing suspected mismanagement of funds and illegal financial activities. In addition, the National Tax and Customs Administration suspended the tax number of the four organizations responsible for the distribution of Norway Grants in Hungary. In a speech in July 2014, Orbán called NGOs “paid political activists attempting to assert foreign interests in Hungary.”

The government recognizes workers’ rights to form associations, strike, and petition public authorities. Trade unions represent less than 30 percent of the workforce.

#### **F. Rule of Law:** 11 / 16

Judicial independence has become a concern. The Constitutional Court has struck down a number of key laws passed since 2010, though some were voted into the constitution in

2013. However, a 2013 amendment prohibits the Constitutional Court from examining the substantive constitutionality of future proposed constitutional amendments and strips its right to refer in its rulings to legal decisions made prior to January 2012, when the current constitution came into effect. In defiance of the latter restriction, the court's judges began citing their past rulings as early as June 2013. By 2014, the government had appointed 11 out of 15 Constitutional Court judges.

Prisons are generally approaching Western European standards, though overcrowding, inadequate medical care, and poor sanitation remain problems. Inmates do not have access to independent medical staff to assess abuse allegations. The 2011 constitution introduced the possibility of life sentences without parole, which conflict with the International Covenant on Civil and Political Rights. Under an amendment adopted in November 2014, inmates serving life sentences may apply for parole after 40 years in prison.

Hungary has taken a number of steps to improve monitoring of Romany legal rights and treatment, but Roma, who form Hungary's largest ethnic minority, still face widespread discrimination and poverty. Romany students continue to be segregated and improperly placed in schools for children with mental disabilities. In 2014, the Roma Press Center and five civil rights groups signed an initiative accusing police officers, especially in northeastern Hungary, of fining Roma delinquents more often than non-Roma suspects. National Police Chief Károly Papp denied the allegations.

#### **G. Personal Autonomy and Individual Rights: 14 / 16**

Hungarian citizens enjoy freedom of travel and choice of residence, employment, and institution of higher education. Citizens have the right to own property and establish private businesses. Cronyism remains a serious concern, however. Critics of recent sectoral taxes see them as efforts by the state to drive out foreign businesses, or take them over. In December 2014, the parliament adopted a law forcing large or corporate-owned retailers to close on Sundays while small or family-owned shops may remain open.

Women possess the same legal rights as men, but they face employment discrimination and tend to be underrepresented in high-level business and government positions. Women hold only 20 of 199 seats in the National Assembly, the lowest percentage in Europe. The right to life from conception is protected under the 2011 constitution, but access to abortions remained largely unrestricted in 2014.

A 2013 Human Rights Watch report documented domestic violence in Hungary, claiming that insufficient legal protections as well as problems in the implementation of existing laws further endanger female survivors of domestic violence. Hungary is a transit point, source, and destination for trafficked persons, including women trafficked for prostitution.

Same-sex couples can legally register their domestic partnerships. However, the 2011 constitution enshrines the concept of marriage as a union between a man and a woman and fails to directly prohibit discrimination based on sexual orientation. In May 2014, the Constitutional Court ruled that common law partners who raise children should be explicitly granted access to the same family benefits as married couples. A corresponding amendment was made to the budget bill for 2015. A separate law on same-sex partnerships remained in effect at the end of 2014.

# Iceland

**Political Rights Rating:** 1

**Population:** 328,000

**Civil Liberties Rating:** 1

**Capital:** Reykjavík

**Freedom Rating:** 1

**Freedom Status:** Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

## INTRODUCTION

A number of major political and economic developments marked the year 2014 in Iceland. Municipal elections in May heralded a change in political party leadership, with the exit of Reykjavík mayor Jón Gnarr and his Best Party, and the return of the Social Democratic Alliance (SDA) in coalition with Bright Future, the Left-Green Movement (VG), and the Pirate Party.

The issue of Iceland's relationship with the European Union (EU) was a cause of contention throughout the year, particularly after officials declined to hold a referendum about the potential withdrawal of the country's application for EU membership.

Iceland continued to contend with the consequences of its 2008 financial crash, in which a major credit crisis forced the government to nationalize three large banks. Iceland's special prosecutor for economic crimes, Ólafur Hauksson, continued to pursue several financial fraud investigations in 2014 into major banks and individuals suspected of criminal acts related to the crash.

**POLITICAL RIGHTS:** 39 / 40 (–1)

**A. Electoral Process:** 12 / 12

The Icelandic constitution, adopted in 1944, vests power in a president, a prime minister, the 63-seat unicameral legislature (the Althingi), and a judiciary. The Althingi, arguably the world's oldest parliament, was established in approximately 930 AD. The largely ceremonial president is directly elected for a four-year term, and the prime minister is appointed by the president. President Ólafur Ragnar Grímsson was elected to his fifth term in 2012, defeating independent journalist Thóra Arnórsdóttir.

The legislature is elected for four-year terms but can be dissolved for early elections under certain circumstances. In the 2013 parliamentary elections, an SDA-VG center-left coalition lost half the seats it held in the Althingi—the biggest loss of seats by a governing coalition since Iceland's independence in 1944. Opposition to unpopular austerity measures, to taxation levels, and to EU ascension negotiations, as well as high levels of personal debt, were major voter concerns during the election campaign. The Althingi now comprises the Progressive Party and the Independence Party, with 19 seats each, as well as the SDA with 9 seats, the Left-Green Movement with 7, and two new parties—Bright Future and the Pirate Party—with 6 and 3 seats, respectively. Sigmundur Davíð Gunnlaugsson, the leader of the Progressive Party, serves as prime minister.

In May 2014, municipal elections were held in Reykjavík. Keeping a public promise announced in 2013, the comedian-turned-mayor Gnarr did not run for reelection and, following the conclusion of the vote, disbanded his Best Party. The SDA, which won the

most seats in the capital's city council, entered into a coalition with Bright Future, VG, and the Pirate Party.

**B. Political Pluralism and Participation: 16/ 16**

Three major political parties and three smaller parties are represented in the Althingi. The center-right Independence Party dominated Icelandic politics until 2009, when Jóhanna Sigurðardóttir's center-left SDA-VG coalition won a majority, but a center-right alliance comprised of the Progressive Party and the Independence Party retook the parliament in 2013.

The banking crisis of 2008 spawned several new political parties and movements, and the 2013 parliamentary elections were contested by 15 political parties. By comparison, seven parties had competed in the 2009 elections. In its five years of political activity, the Best Party proved to be one of the most successful new parties, along with its sister party in the Althingi, Bright Future. Both developed coherent, left-leaning agendas.

Foreigners can vote in municipal elections if they have been residents for at least five years, or three years if they are citizens of Scandinavian countries.

**C. Functioning of Government: 11 / 12 (-1)**

In January 2014, Gunnlaugsson announced plans to submit to the parliament a resolution to withdraw Iceland's application for EU membership. The approval of the resolution by the governing parties in February sparked public demonstrations, and a petition was launched to call for a public vote. No official decision had been made on the matter at year's end.

Corruption is not a pervasive problem in Iceland, which was ranked 12 out of 175 countries surveyed in Transparency International's 2014 Corruption Perceptions Index. However, the country has experienced a number of fraud scandals in recent years. Despite substantial cuts to its budget in 2014, a special prosecutor's office tasked with investigating and prosecuting financial crimes continued to pursue dozens of cases of alleged fraud, including many related to the 2008 financial crisis. In November, a Reykjavík court sentenced Sigurjon Arnason, the former chief executive of Landsbanki—one of the largest banks that failed in the financial crisis—to twelve months in prison, nine of them suspended. He was convicted of manipulating share prices and deceiving investors. Arnason's case followed several others in recent years, including the convictions of 15 prominent bank managers in 2013; the 2012 conviction of former prime minister Geir Haarde of negligence; and the 2012 conviction of Baldur Guðlaugsson, former undersecretary of the Ministry of Finance, for insider trading.

A political scandal involving Minister of the Interior Hanna Birna Kristjánsdóttir led to her resignation in 2014. The scandal began in 2013 with a leaked memo from the ministry with information about Tony Omos, a Nigerian asylum seeker whose potential deportation had sparked protests across Iceland. The memo had alleged that authorities suspected Omos of criminal behavior, which the media construed as an attempt to influence his asylum case. Kristjánsdóttir's personal assistant admitted to leaking the memo and was convicted of a breach of confidentiality following a state investigation.

Kristjánsdóttir herself faced allegations of attempting to interfere with the investigation and was called before the Parliamentary Constitutional and Supervisory Committee in July; local media had accused her of influencing the work of the Reykjavík police chief, who resigned in the midst of the investigation. Media also reported allegations that the minister had attempted to intimidate journalists covering the case. Kristjánsdóttir resigned from the ministry in November, and the case was ongoing at year's end. Ólöf Nordal replaced Kristjánsdóttir in December.

**CIVIL LIBERTIES:** 60/ 60**D. Freedom of Expression and Belief:** 16 / 16

The constitution guarantees freedom of speech and of the press. In 2010, the parliament unanimously passed the Icelandic Modern Media Initiative, which mandates the establishment of stringent free speech and press freedom laws and focuses on the protection of investigative journalists and media outlets. Iceland's wide range of print publications includes both independent and party-affiliated newspapers. The autonomous Icelandic National Broadcasting Service competes with private radio and television stations. Private media ownership is concentrated, with the Norðurljós (Northern Lights) Corporation controlling most private television and radio outlets and two of the three national newspapers. Internet access is unrestricted.

The constitution provides for freedom of religion, with equal protection under the law for different religions groups. 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. A long-planned mosque in a suburb of Reykjavík gained attention in the May 2014 municipal elections when leading Progressive Party candidate Sveinbjörg Birna Sveinbjörnsdóttir stated her support for ending the use of public lands for the building. Permission to construct the mosque was requested in 1999 but only granted in 2013. There are approximately 840 Muslims living in Iceland. A poll published in October 2014 by an independent market research company showed that 42 percent of Icelanders opposed the construction of the mosque.

A 2008 law requires the teaching of theology in grades 1 through 10. Academic freedom is respected, and the education system is free of excessive political involvement.

**E. Associational and Organizational Rights:** 12 / 12

Freedoms of association and peaceful assembly are generally upheld. Protests took place in 2014 in reaction to a parliamentary proposal to withdraw Iceland's application to join the EU, and thousands of demonstrators assembled in Reykjavík without violence or undue interference. Many nongovernmental organizations operate freely and enjoy extensive government cooperation.

The labor movement is robust, with more than 80 percent of all eligible workers belonging to unions. All unions have the right to strike. There were no significant strikes in 2014.

**F. Rule of Law:** 16 / 16

The judiciary is independent. The law does not provide for trial by jury, but many trials and appeals use panels of several judges. The constitution states that all people shall be treated equally before the law, regardless of sex, religion, ethnic origin, race, or other status. Prison conditions generally meet international standards. The Act on Foreigners was amended in 2004 to allow home searches without warrants in cases of suspected immigration fraud, among other changes.

**G. Personal Autonomy and Individual Rights:** 16 / 16

Women enjoy equal rights, and more than 80 percent of women participate in the workforce. Iceland topped the World Economic Forum's 2014 ratings on gender equality. Following the 2013 elections, women hold 40 percent of seats in the Althingi. In 2009, Sigurðardóttir became Iceland's first female prime minister and the world's first openly lesbian head of government. However, a pay gap exists between men and women despite laws designed to prevent disparities.



The parliament unanimously passed a law legalizing same-sex marriage in 2010, and a 2006 law established full and equal rights for same-sex couples on 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 to transgender people, and to guarantee relevant health care.

The Althingi passed a law criminalizing human trafficking in 2009.

## India

**Political Rights Rating:** 2

**Population:** 1,296,245,000

**Civil Liberties Rating:** 3

**Capital:** New Delhi

**Freedom Rating:** 2.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

*Note:* The numerical ratings and status listed above do not reflect conditions in Indian-controlled Kashmir, which is examined in a separate report.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F

### INTRODUCTION

India held parliamentary (Lok Sabha) elections in nine phases from April 7 to May 12, 2014, with a turnout of some 554 million voters, or 66 percent. Narendra Modi, a three-term chief minister from the western state of Gujarat, led his right-leaning Bharatiya Janata Party (BJP) and its National Democratic Alliance (NDA) coalition to a decisive victory over the ruling United Progressive Alliance (UPA), headed by Congress Party standard-bearer Rahul Gandhi. The BJP's success marked the first time a single party won a majority of seats in the Lok Sabha since 1984. Modi formed a government as prime minister on May 26.

Modi had been a controversial figure due to his performance as chief minister during the 2002 Gujarat riots, in which more than 1,000 Muslims were killed. A Hindu nationalist, he was accused of complicity in the bloodshed, and some feared communal violence during the 2014 election campaign. There was evidence of a BJP strategy of communal polarization in Uttar Pradesh and Assam states in 2013 and 2014, respectively; divisive speeches by politicians including Modi and his Uttar Pradesh campaign chief Amit Shah, who was promoted to national BJP party president after the elections, were blamed for fueling or capitalizing on deadly communal clashes. Also during the year, censorship of books and social media was a growing concern.

**POLITICAL RIGHTS:** 35 / 40 (+1)

**A. Electoral Process:** 12 / 12 (+1)

Under the supervision of the Election Commission of India, elections have generally been free and fair. Members of the lower house of Parliament, the 545-seat Lok Sabha (House of the People), are directly elected in single-member constituencies for five-year terms, except for two appointed members representing Indians of European descent. The Lok Sabha determines the leadership and composition of the government. Most members of the less powerful 250-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. Executive power is vested in a prime minister and cabinet. The president, who plays a largely symbolic role but possesses some important powers, is chosen for a five-year term by state and national lawmakers.

In the 2014 Lok Sabha elections, the BJP won 282 seats and its NDA coalition won 336, ensuring a stable majority for the new government. The incumbent Congress Party and its UPA coalition won just 44 and 60 seats, respectively. Modi was sworn in as prime minister, succeeding Manmohan Singh of Congress, who had been in office since 2004. The power transfer was peaceful, as had been the case since independence.

The elections, conducted with electronic voting machines, were broadly free and fair. However, there were some complaints of violence or “booth capturing”—in which party cadres take control of a polling station and stuff ballots—in West Bengal, Bihar, and areas of insurgency such as Chhattisgarh, Odisha, Jharkhand, and states in the northeast. Where complaints of booth capturing or other technical issues were found to hold merit, the Election Commission carried out repeat polling.

At the state level, assembly elections were held concurrently with the parliamentary elections in Andhra Pradesh, Telangana, Arunachal Pradesh, Odisha, and Sikkim. State elections were held in Haryana and Maharashtra in October, and in Jharkhand in November and December. These were conducted by the federal Election Commission and were generally seen as free and fair.

#### **B. Political Pluralism and Participation:** 14 / 16

India hosts a dynamic multiparty system. The Congress Party ruled at the federal level for nearly all of the first 50 years of independence, but the BJP became a major factor in Parliament in the 1990s and led a governing coalition from 1998 to 2004. Also during the 1990s, a pattern of single-party governments gave way to ruling coalitions involving large numbers of parties. The change stemmed in part from the rise of new parties that held power and legislative seats in a single state or region. In 2014, the two main national parties won only about 50 percent of the vote combined.

Political participation is affected to a certain degree by insurgent violence in some areas, powerful economic interests, and ongoing practical disadvantages for some marginalized segments of the population. Nevertheless, women, religious and ethnic minorities, and the poor vote in large numbers. There is some representation for historically marginalized groups. The new BJP government included one Muslim cabinet minister, for minority affairs, and only one of 151 ministers in BJP-ruled states following the spring elections was a Muslim. Twenty-two Muslims were elected to the Lok Sabha. Quotas for the chamber ensure that 84 and 47 seats are reserved for the so-called scheduled castes and scheduled tribes, respectively.

#### **C. Functioning of Government:** 9 / 12

Political corruption has a negative effect on government efficiency and economic performance. India was ranked 85 out of 175 countries and territories surveyed in Transparency International’s 2014 Corruption Perceptions Index. Though politicians and civil servants at all levels are regularly caught accepting bribes or engaging in other corrupt behavior, a great deal of corruption goes unnoticed and unpunished. This is particularly the case in the energy and construction sectors and in state infrastructure projects more broadly.

Domestic and international pressure has led to legislation to address corruption. Following years of large-scale civic mobilization by Anna Hazare and other activists, Parliament passed the Lok Pal and Lokayuktas Act, which the president signed in January 2014. The

law creates independent government bodies tasked with receiving complaints of corruption against public servants or politicians, investigating the claims, and pursuing convictions through the courts. At the federal level, the new institution is called Lok Pal, and the law requires states to set up their own anticorruption bodies called Lokayuktas within one year. The act builds on prior legislation such as the 2005 Right to Information Act, which is widely used to improve transparency and expose corrupt activities. However, there are questions about its enforcement. Since 2008 at least 29 right to information activists have been murdered and 164 have been assaulted or harassed.

**CIVIL LIBERTIES:** 43 / 60

**D. Freedom of Expression and Belief:** 13 / 16

The private media are vigorous and diverse. Investigations and scrutiny of politicians make the news media one of the most important components of India's democracy. Nevertheless, revelations of close relationships between politicians, business executives, lobbyists, and some leading media personalities have dented public confidence in the press in recent years. In the period surrounding the 2014 Lok Sabha elections, large media owners reportedly put pressure on journalists in order to avoid the political consequences of publishing critical stories on major parties and politicians. While the state continues to dominate the radio and private stations are not allowed to air news content, the television and print sectors have expanded considerably over the past decade, with many new outlets targeting specific regional or linguistic audiences.

Internet access is largely unrestricted, though officials periodically implement overbroad blocks on supposedly offensive content to prevent unrest. Section 66A of the 2000 Information Technology Act criminalizes the sending of offensive messages by computer, and this has been interpreted in a way that allows for censorship of critical commentary on political parties and specific politicians. For example, in the month after the 2014 elections, at least 18 people were reportedly arrested and questioned for anti-Modi posts on online forums such as Twitter and Facebook; such measures had no obvious chilling effect among the broader population. A nationwide Central Monitoring System launched in 2013 will allow authorities to intercept any digital communication in real time. The surveillance does not require judicial oversight, and India does not have a privacy law to protect citizens in case of abuse.

The government has used security laws, criminal defamation legislation, hate-speech laws, and contempt-of-court charges to curb critical voices on social media as well as traditional media platforms. Hindu groups have also mobilized to suppress books that are critical of Hindu or Hindu nationalism. The most prominent example in 2014 was a publisher's withdrawal—in response to a lawsuit—of U.S. academic Wendy Doniger's book *The Hindus: An Alternative History*. Attempts of this kind appear to be on the rise.

Freedom of religion is constitutionally guaranteed and generally respected in practice. However, legislation in several Hindu-majority 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. Hindus make up more than 80 percent of the population, but the state is secular. An array of Hindu nationalist organizations and some local media outlets promote antiminority views.

Academic freedom is generally robust, though intimidation of professors and institutions over political and religious issues sometimes occurs. Scholars and activists accused of sympathizing with Maoist insurgents have faced pressure from authorities and alleged torture by police.

**E. Associational and Organizational Rights:** 11 / 12

There are some restrictions on freedoms of assembly and association. Section 144 of the criminal procedure code empowers the authorities to restrict free assembly and impose curfews whenever “immediate prevention or speedy remedy” is required. State laws based on this standard are often abused to limit the holding of meetings and assemblies. Nevertheless, protest events take place regularly.

Human rights organizations operate freely, but they continue to face threats, legal harassment, excessive police force, and occasionally lethal violence. While India is home to a strong civil society sector and academic community, foreign monitors and journalists are at times denied visas to conduct research trips in the country on human rights and other topics. Under certain circumstances, the Foreign Contributions (Regulation) Act permits the federal government to deny nongovernmental organizations access to foreign funding. The government has been accused of abusing this power to target political opponents.

While workers in the formal economy regularly exercise their rights to bargain collectively and strike, the Essential Services Maintenance Act has enabled the government to ban certain strikes.

**F. Rule of Law:** 9 / 16

The judiciary is independent of the executive branch. Judges have displayed considerable activism in response to public interest litigation matters. However, in recent years some judges have initiated contempt-of-court cases against activists and journalists who expose judicial corruption or question verdicts. Contempt-of-court laws were reformed in 2006 to make truth a defense with respect to allegations against judges, provided the information is in the public and national interest. The lower levels of the judiciary in particular have been rife with corruption, and most citizens have great difficulty securing justice through the courts. The system is severely backlogged and understaffed, leading to lengthy pretrial detention for a large number of suspects, many of whom remain in jail beyond the duration of any sentence they might receive if convicted. Two-thirds of the country’s approximately 412,000 prisoners were on or awaiting trial at the end of 2013.

Police torture, abuse, and corruption are entrenched in the law enforcement system. The police also suffer long shifts and understaffing in relation to the size of the population. Citizens frequently face substantial obstacles, including demands for bribes, in getting the police to file a First Information Report, which is necessary to trigger an investigation of an alleged crime. Custodial rape of female detainees continues to be a problem, as does routine abuse of ordinary prisoners, particularly minorities and members of the lower castes. According to the Working Group on Human Rights in India and the United Nations, 14,231 people died in police custody between 2001 and 2010, and approximately 1.8 million people are victims of police torture every year. This is likely an underestimate, since it only includes cases registered with the National Human Rights Commission (NHRC).

The NHRC is headed by a retired Supreme Court judge and handles roughly 8,000 complaints each year. While it monitors abuses, initiates investigations, makes independent assessments, and conducts training sessions for the police and others, its recommendations are often not implemented and it has few enforcement powers. The commission also lacks jurisdiction over the armed forces, one of the principal agents of abuse in several parts of the country, further hampering its effectiveness. The NHRC nevertheless makes a substantial contribution to accountability by submitting reports to international bodies such as the UN Human Rights Council, often contradicting the government’s account of its performance.

Security forces operating in the context of regional insurgencies continue to be implicated in extrajudicial killings, rape, torture, arbitrary detention, kidnappings, and destruction of homes. The criminal procedure code requires the government to approve the prosecution of security force members, but approval is rarely granted, leading to impunity. The Armed Forces Special Powers Act grants security forces broad authority to arrest, detain, and use force against suspects in restive areas; civil society organizations and multiple UN human rights bodies have called for the act to be repealed. A number of other security laws allow detention without charge or based on vaguely worded offenses.

The Maoist insurgency in several parts of India is of serious concern. Deaths related to this left-wing extremism peaked in 2010 with 1,180 across India. The South Asia Terrorism Portal (SATP) documented 314 related fatalities—including 128 civilians—in 2014. Among other abuses, the rebels have allegedly imposed illegal taxes, seized food and 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 by the Maoists. Security forces responding to the threat, including paramilitary troops and police, have also been accused of serious human rights abuses. 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—attack security forces and engage in intertribal violence. Such fighters have been implicated in numerous bombings, killings, abductions, and rapes of civilians, and they operate extensive extortion networks. The number of deaths related to the northeastern insurgencies increased from 252 in 2013 to 465 in 2014, according to the SATP. Recent levels represent a substantial reduction compared with the more than 1,000 killed in 2007 and 2008.

The criminal justice system fails to provide equal protection to marginalized groups. Muslims, who make up 13 percent of the population, are underrepresented in the security forces as well as in the foreign and intelligence services. Particularly in rural India, informal 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 lower castes.

The constitution bars discrimination based on caste, and laws set aside quotas in education, government jobs, and seats in elective offices for historically underprivileged scheduled tribes, scheduled castes (Dalits), and groups categorized by the government as “other backward classes.” However, members of the lower castes and minorities continue to face routine discrimination and violence. Dalits are often denied access to land and other public amenities, are abused by landlords and police, and work in miserable conditions.

A landmark 2009 decision by the Delhi High Court decriminalized consensual sex between adult men in private. However, a panel of the Supreme Court reversed that ruling in December 2013, finding that an act of Parliament would be required to change the code. Attempts to secure a reconsideration by the Supreme Court made little progress in 2014. Widespread discrimination against LGBT (lesbian, gay, bisexual, and transgender) people continues in practice, including violence and harassment in some cases, though the Supreme Court recognized transgender people as a third gender in April 2014.

#### **G. Personal Autonomy and Individual Rights: 10 / 16**

Freedom of movement is hampered in some parts of the country by insurgent violence or communal tensions. 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. A 2013 law provided increased rights to people threatened with displacement for industrial and infrastructure projects, but critics said it included arbitrary rules and went too far in restricting development, and the Modi government was considering amendments in late 2014.

Female chief ministers head a number of states, and the Congress Party is led by a woman: Sonia Gandhi.

Rape, harassment, and other transgressions against women are serious problems, and lower-caste and tribal women are particularly vulnerable. The fatal gang rape of a woman on a Delhi bus in December 2012 caused mass demonstrations and prompted the government to enact significant legal reforms, but egregious cases continued to emerge in 2014, leading to calls for further action. Despite criminalization and hundreds of convictions each year, dowry demands continue. According to India's most recent National Family Health Survey report, covering the years 2005 and 2006, 37 percent of married women between ages 15 and 49 have experienced physical or sexual violence at the hands of their husbands. A 2014 study indicated that the risk is especially high for women who are more educated or earn more than their husbands. A 2006 law banned dowry-related harassment, widened the definition of domestic violence to include emotional or verbal abuse, and criminalized spousal rape. However, reports indicate that enforcement is poor.

Muslim personal laws and traditional Hindu practices discriminate against women in terms of inheritance, adoption, and property rights. The malign neglect of female children after birth remains a concern, as does the banned but growing use of prenatal sex-determination tests to selectively abort female fetuses.

Article 23 of 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. Children are also banned from working in potentially hazardous industries, though in practice the law is routinely flouted.

## Indonesia

**Political Rights Rating:** 2

**Civil Liberties Rating:** 4

**Freedom Rating:** 3.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Population:** 251,452,000

**Capital:** Jakarta

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	2,3,PF	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,4,PF	2,4,PF

### INTRODUCTION

Simultaneous parliamentary elections were held in April 2014 for national, provincial, and district level parliaments, and presidential elections took place in July, all amid sporadic election-related violence and limited voting irregularities. The Democratic Party of Struggle (PDI-P) returned to power. Golkar, the party of former president Suharto, came in second, but won fewer seats than in the past. The Democrat Party (PD) of outgoing president Susilo Bambang Yudhoyono (also known as SBY) lost a significant number of seats.

Jakarta governor Joko Widodo (Jokowi) from the PDI-P won the presidential contest against Great Indonesia Movement (Gerindra) candidate and former general Prabowo Subianto. Taking office in October, Jokowi was a relative newcomer to the national political scene.

In September, Indonesia's outgoing national parliament voted to pass an election law that rolled back significant democratic reforms that had been instituted since the authoritarian years of Suharto. The new law ended regional direct elections for administrative heads (governor, district chief, and mayor), returning to indirect election by local assemblies. While the law was defended on the grounds of saving money and reducing vote buying, most political observers agree it aims to increase the power of established parties, strengthen legislative control over the executive branch, and make it more difficult for political figures outside of the traditional elite to gain office. SBY issued two government regulations in October that negated the new law; however, the new parliament must vote to retain the regulations or to reinstate the law. The new parliament, which is comprised of a large proportion of parties that defended the new law, is expected to vote on the matter in early 2015.

In July, the parliament passed an amendment to the 2009 Legislative Institutions Law that, among other things, reduces the power of law enforcement agencies to investigate lawmakers by requiring the written approval of the president or the parliament's Honorary Council.

**POLITICAL RIGHTS:** 30 / 40

**A. Electoral Process:** 10 / 12 (–1)

Elections in Indonesia are considered to be free and fair by independent monitoring groups. The House of Representatives (DPR), with 560 seats, is the main parliamentary chamber. The 132-member House of Regional Representatives (DPD) is responsible for monitoring laws related to regional autonomy. A 2013 Constitutional Court ruling allows the DPD to propose bills on that subject and the relationship between central and local governments, in addition to reviewing legislation and making recommendations. Presidents and vice presidents can serve up to two five-year terms, and all legislators serve five-year terms.

Voters for the DPR can select either a party list or an individual candidate, but candidates are seated based on the number of direct votes they receive. The PDI-P returned to power after April 2014 elections with 19 percent of the vote, and increased its total number of seats by 15. Golkar won 15 percent of the vote, losing 15 seats. Gerindra gained 12 percent of the vote and 47 new seats. The PD received 10 percent of the vote, and lost 87 seats. Three of the five Islamic parties—the National Mandate Party, National Awakening Party, and United Development Party—increased their total vote share by 23 seats. The Prosperous Justice Party lost 17 seats.

In Aceh, a power struggle between two political parties whose members were once part of the Free Aceh Movement led to shootings, grenade attacks, and destruction of property. In Papua, voter list inflation and ballot stuffing resulted in a voter turnout of 99 percent in more than half of the districts. In addition, the “noken” system of voting, in which community leaders engage in bloc voting for their communities, was used despite a decision by the Election Commission against it; the Constitutional Court had upheld the noken system in deference to customary law in both 2009 and 2012 judicial reviews.

Jokowi won the July presidential election with approximately 53 percent of the vote. Prabowo contested the results, but the Constitutional Court rejected his case in September. The ruling was an important sign of the court's neutrality. Corruption, collusion, and nepotism have dogged efforts to reform Indonesia since the fall of Suharto, and Jokowi's popularity was due in part to his clean reputation and his relative distance from entrenched elites.

Only the parties or coalitions that gain 20 percent of DPR seats or 25 percent of the popular vote may field presidential candidates, though this will change for the next elections, when presidential and parliamentary elections will be held simultaneously based on a January 2014 Constitutional Court ruling.

The 2014 law ending regional direct elections was widely unpopular. Direct elections for provincial and district leaders began in 2005, often leading to tensions between the central government and local authorities. In June 2014, former Constitutional Court chief justice Akil Mochtar received a life sentence for corruption and money laundering related to his role in fixing rulings on contested district elections. Local direct elections are extremely costly and have led to electoral fatigue and increased local conflict. However, direct elections also allow local leaders who are not part of existing national elite to gain office, such as Jokowi.

In May 2014, the Constitutional Court affirmed that military and police personnel will continue to be barred from voting in future presidential elections.

Under a 2012 law, the hereditary sultan of Yogyakarta is the region's unelected governor. The position is nonpartisan, and the sultan is subject to a verification process with minimum requirements—such as education—every five years beginning in 2016. The prince of Paku Alaman is similarly deputy governor of the region.

#### **B. Political Pluralism and Participation: 14 / 16 (+1)**

The right to organize political parties is respected in Indonesia, though in recent years the election laws have been amended to favor large parties by restricting eligibility for parties to run for parliament or to field a presidential candidate. In 2013, only 12 parties passed verification processes for the 2014 elections, down from 48 in 1999; in addition, three parties may only compete in the autonomous region of Aceh under the 2005 peace agreement.

One new national party, Partai NasDem, competed in the 2014 elections. Gerindra and Partai Hati Nurani Rakyat (Hanura) competed for the first time in 2009.

Some local governments have discriminated against minorities by restricting access to national identification cards, birth certificates, marriage licenses, and other bureaucratic necessities, limiting their political rights and electoral opportunities. The former deputy governor of Jakarta, Basuki Tjahaja Purnama (known popularly as “Ahok”), was installed as Jakarta governor in November 2014. Ahok is ethnic Chinese Christian; his appointment has been called a milestone for Indonesia, where religious intolerance has increased in recent years and those of Chinese descent have historically been viewed negatively. Despite official and unofficial prejudice against his Shia branch of Islam, Jalaludin Rakhmat won a seat in the DPR representing PDI-P in West Java.

#### **C. Functioning of Government: 6 / 12**

Elected officials and legislative representatives determine the policies of the government, but corruption remains endemic, including in the parliament and the police. Indonesia was ranked 107 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

It is estimated that more than half of the 524 local leaders have been named corruption suspects. Among other high-profile cases during 2014, Rudi Rubiandini, the head of a special government task force to manage Indonesia's upstream oil and gas activities, was sentenced to seven years in April for accepting a bribe related to energy contracts. In May, Religious Affairs Minister Suryadharma Ali was charged with graft related to pilgrimage funds.

A 2009 anticorruption law diluted the authority and independence of both the Corruption Eradication Commission (KPK) and the Anticorruption Court (Tipikor), allowing the



creation of regional corruption courts. Acquittals are common in regular regional courts, and those who are convicted often receive light sentences or benefit from mass pardons. In April 2014, two regional ad hoc anticorruption court judges were sentenced to five years for receiving kickbacks related to procurement violations by a former provincial parliament speaker.

Civil society groups are able to comment on and influence pending policies or legislation. For example, the 2014 Constitutional Court ruling paving the way for simultaneous presidential and parliamentary elections was a result of a judicial review request filed by a coalition of civil society members and organizations. However, government transparency is limited by obstacles such as a 2011 law that criminalizes the leaking of state secrets to the public.

**CIVIL LIBERTIES:** 34 / 60

**D. Freedom of Expression and Belief:** 12 / 16

Indonesia hosts a vibrant and diverse media environment, though press freedom is hampered by a number of legal and regulatory restrictions. Stringent though unevenly enforced licensing rules mean that thousands of television and radio stations operate illegally. Foreign journalists are not authorized to travel to the restive provinces of Papua and West Papua without special permission: two French journalists were detained in August 2014 for violating their tourist visas while filming a documentary about human rights in Papua; they were sentenced to 2.5 months in prison. In addition, treason and blasphemy laws are routinely used to limit freedom of expression by minority groups and separatists. In September 2014, the national police chief threatened to charge a criminologist with defamation if he did not issue a public apology for stating during a television interview that the police force was corrupt; the criminologist issued the apology soon after. Reporters often practice self-censorship to avoid running afoul of civil and criminal libel laws. In addition, reporters sometimes face violence and intimidation, which in many cases goes unpunished.

Censorship and self-censorship of books and films for allegedly obscene or blasphemous content are fairly common. In February, the military and police, encouraged by members of the hardline Islamic Defenders Front, forced the closure of a book discussion at a local university in the city of Surabaya on a historical Indonesian leftist leader. In September, the *Jakarta Post* was accused of blasphemy for printing a cartoon allegedly insulting Islam.

The 2008 Law on Electronic Information and Transactions extended libel and other restrictions to the internet and online media, criminalizing the distribution or accessibility of information or documents that are “contrary to the moral norms of Indonesia” or related to gambling, blackmail, or defamation. In February 2014, a blogger was sentenced to one year in jail for a Twitter comment implying a lawmaker who was part of a banking scandal was involved in corruption. In September, the mayor of Bandung reported a Twitter account holder to the police for comments allegedly insulting to the city. In October, a Facebook user was arrested for making allegedly slanderous comments about her husband’s boss; her trial was ongoing at the end of 2014.

Indonesia officially recognizes Islam, Protestantism, Roman Catholicism, Hinduism, Buddhism, and Confucianism. Individuals have the option of leaving the religion section of their national identity cards blank, but those who do face discrimination. In July, Religious Affairs Minister Lukman Hakim Saifuddin affirmed that Baha’i is a religion rather than a sect. Atheism is not accepted, and the criminal code contains provisions against blasphemy, penalizing those who “distort” or “misrepresent” official faiths.

A 2013 Human Rights Watch report noted the repeated failure of the national and local governments to protect religious minorities, including failing to investigate violence

and exhibiting prosecutorial bias. Protestant congregations have struggled to secure local permission to build churches in parts of Java, even when authorized by the Supreme Court. In May, a Catholic prayer group was attacked at a private home in Yogyakarta; the homeowner and a journalist covering the attack were injured. Violence and intimidation against Ahmadiyya, an Islamic sect with approximately 400,000 Indonesian followers, continued in 2014, and the central government continues to tolerate discrimination by local governments. In May, an Ahmadiyyah mosque was sealed in Bekasi. The Shiite Muslim minority has also suffered violence and intimidation, including forced conversion. A report by the National Human Rights Commission cited nearly two times the number of human rights complaints in 2014 as compared with 2013.

In recent years, hardline Islamist groups such as the Islamic Defenders Front have engaged in raids and extrajudicial enforcement of Sharia (Islamic) bylaws, and pressured local governments to close churches and non-Sunni mosques. Their violent activities are not supported by large Islamic organizations, but they often have the support of high-ranking government officials. Security forces have been criticized for tacitly aiding them by ignoring their abuses. In November 2014, newly installed Jakarta governor Ahok requested the Islamic Defenders Front be banned after several violent incidents in the capital; the request was pending with the Justice Ministry at year's end.

Academic freedom in Indonesia is generally respected.

#### **E. Associational and Organizational Rights: 8 / 12**

Freedom of assembly is usually upheld, and peaceful protests are common in the capital. A 2010 regulation allows national police to use live ammunition to quell situations of "anarchic violence." In May 2014, police opened fire on civilians throwing rocks at a police station in Papua, severely injuring three. In December, police shot five high school students and injured 17 others in Papua who were protesting an incident between military personnel and local residents; an investigation is ongoing.

Authorities have restricted the right to assembly in regions of conflict. Flag-raising ceremonies and independence rallies in Papua are routinely disbanded, often violently, and participants have been tried for treason. In April, leaders of student protests in Papua were detained and allegedly beaten while in police custody. In February, the Surabaya police refused to issue a permit for a book discussion about an Indonesian communist leader. Communism is banned in Indonesia, and the organizers were accused, though not charged, with being members of the Indonesian Communist Party.

Indonesia hosts a strong and active array of civil society organizations, but some human rights groups are subject to government monitoring and interference. Independence activists in Papua and the Maluku Islands, and labor and political activists in Java and Sulawesi, remain targets for human rights abuses. No high-level official has been convicted for any serious human rights violation since the fall of Suharto. Under the 2013 law on mass organizations, which covers all civic and religious nongovernmental organizations (NGOs), the government can dissolve organizations that do not espouse the national ideology of Pancasila. Organizations cannot commit blasphemy or advocate non-Pancasila ideologies, including Marxism-Leninism, atheism, and communism. The law also circumscribed the types of activities associations can undertake, required all organizations to register with the government and submit to regular reviews of their activities, and allowed the government to dissolve noncompliant organizations. Foreign groups are forbidden from activities that disrupt the stability and integrity of the country or its diplomatic relations.

Workers can join independent unions, bargain collectively, and with the exception of civil servants, stage strikes. The labor movement is generally fragmented, though labor laws

include generous strike provisions. Some unions have resorted to violence in their negotiations with employers, and labor-related demonstrations are widespread. Approximately 10 percent of workers in the formal economy—which accounts for one-sixth of the total economy—belong to unions.

**F. Rule of Law: 5 / 16**

The judiciary, particularly the Constitutional Court, has demonstrated its independence in some cases, but the court system remains plagued by corruption and other weaknesses. The revelation of the role of former Constitutional Court chief justice Akil Mochtar in fixing local elections was a blow to public confidence in legal institutions. Low salaries for judicial officials and impunity for illegal activity perpetuate the problems of bribery, forced confessions, and military and government interference in court proceedings at all levels.

Security forces in general remain rife with corruption and other abuses, and personnel regularly go unpunished or receive light sentences for human rights violations. Information garnered through torture is permissible in Indonesian courts, and torture carried out by law enforcement officers is not a criminal offense. In a 2014 report, KontraS (Commission for the Disappeared and Victims of Violence) noted a steady increase in the number of torture victims between 2010 and 2014, and documented 108 instances of torture between June 2013 and June 2014. Approximately half of the recorded instances of torture took place in police stations.

Poor prison governance is compounded by endemic overcrowding. Prison riots and protests over lack of services have led to numerous jailbreaks.

The military has in the past enjoyed relative impunity for criminal activities and human rights abuses, though internal reform efforts and public pressure have led to some improvements. While cases for nonmilitary crimes are supposed to be tried in civilian courts, in practice they are not. In November 2014, pilot Pollycarpus Budihari Priyanto was released on parole after serving only 6 of 14 years for the murder of human rights activist Munir Said Thalib on a flight from Singapore to Jakarta in 2004. Pollycarpus is considered the fall guy for an intelligence operation.

Since the 1950s, separatists have waged a low-grade insurgency in the provinces of Papua and West Papua, where the central government's exploitation of natural resources has stirred resentment and separatist action and there is a large military presence; casualty estimates vary significantly, with some as high as 500,000 deaths since the conflict began. Confrontations between security forces and protesters are common, as are extrajudicial killings, tribal conflict, and violence related to labor disputes at foreign-operated mines and other resource extraction enterprises. Torture by police and the military is also regularly cited, with most torture victims civilians rather than active participants in armed resistance. Members of the security forces continue to enjoy relative impunity for abuses. Government and military officials often accuse human rights activists of being part of the separatist movement, and visits by foreigners, particularly journalists, are highly restricted. According to the organization Papuans Behind Bars, as of December there were 66 political prisoners jailed in Papua.

A number of districts have issued local ordinances based on Sharia that in many cases are unconstitutional, contradict Indonesia's international human rights commitments, or are difficult to enforce due to lack of clarity. In March 2014, the governor of Gorontalo passed a law requiring civil servants to pray every Friday in order to discourage adultery. A draft regulation requiring that Sharia law apply to non-Muslims was under review in Aceh at year's end. The new law also bans all sexual relations outside of marriage. Local regulations unrelated to Sharia have been criticized for violating constitutional protections as well.

Ethnic Chinese, who make up less than 3 percent of the population but are resented by some for reputedly holding much of the country's wealth, continue to face harassment. LGBT (lesbian, gay, bisexual, and transgender) people face widespread discrimination, and gay-themed events have encountered resistance or even collusion with local religious authorities and militias on the part of local officials. Many local bylaws criminalize both same-sex sexual conduct and identifying as LGBT, and a 2008 antipornography law labels same-sex sexual acts as "deviant." Transgender people are routinely arrested and sent for counseling.

Refugee applicants to the UN High Commissioner for Refugees office in Jakarta must wait as much as two years to be interviewed to determine their status after initial registration, during which they must cover their own expenses. Indonesia does not offer asylum seekers or refugees rights to work or to receive social protection, though some support is provided by the International Organization for Migration. As of January 2014, approximately 7,000 asylum seekers awaited status determination. Detention centers are overcrowded and lack support for vulnerable individuals, such as children and minorities.

#### **G. Personal Autonomy and Individual Rights: 9 / 16**

Freedom of travel and choice of residence, employment, and higher education are generally respected. However, the ability to obtain private business licenses and public employment is often limited by the need for bribes or other inducements. Corruption also affects businesses' daily operations and routine interactions with the state bureaucracy.

Property rights are threatened by mining and logging activity on communal land and state appropriation of land claimed by indigenous groups, particularly in Kalimantan. In 2013, the Constitutional Court ruled that indigenous people have the right to manage "customary forest" lands they inhabit; administrative follow-up has yet to implement the change, so the government continues to grant concessions to extractive industries on the land.

Discrimination against women persists, particularly in the workplace. A 2008 law states that 30 percent of a political party's candidates and board members must be women. In 2014, 94 women (approximately 17 percent) were elected to the 560-seat DPR, a slight decrease from the previous term; women comprise approximately 16 percent of regional bodies.

Abortion is illegal except to save a woman's life or in instances of rape; a regulation that came into effect in August 2014 requires that abortion in the case of rape must take place within 40 days. National legislation deems rape a criminal offense, but adults over 15 years of age must have corroboration and witnesses for rape charges; spousal rape is covered under domestic violence legislation. Sharia-based ordinances in a number of districts infringe on women's constitutional rights. Women applying to work for the national police must undergo virginity tests.

A draft Gender Equality Bill stalled in parliament in 2013 due to objections that it contradicted Sharia on issues such as inheritance and allowed interreligious marriage; the draft does not include same-sex marriage in its definition of marriage. In September, a petition was filed to the Constitutional Court for a judicial review of existing laws preventing interreligious marriage. A draft national criminal code under consideration in 2014 would ban adultery and cohabitation by unmarried couples.

Trafficking of women and children for prostitution and forced labor continues. A 2011 immigration law criminalized human trafficking, but a significant business in smuggling people operates through Indonesia. In January 2014, a smuggler was sentenced to seven years for his role in transporting 200 Afghans and Pakistanis to Australia, 90 of whom died when their boat sank.

# Iran

**Political Rights Rating:** 6

**Population:** 77,356,000

**Civil Liberties Rating:** 6

**Capital:** Tehran

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF

## INTRODUCTION

President Hassan Rouhani marked a year in office in August 2014 amid a power struggle with his influential conservative opponents, who object to social and cultural reforms and any easing of state repression. Rouhani's calls for increased civil liberties, a reduction of state intervention in private lives, and greater access to information came under attack from hard-liners who control key state institutions. The president's rhetoric and a few positive steps by his government failed to result in a significant improvement in the human rights situation, which has been deteriorating since a brutal 2009 crackdown following the disputed reelection of former president Mahmoud Ahmadinejad.

Executions, including public hangings, continued at an alarming rate in 2014. Among those put to death were members of Iran's Arab minority, a man accused of heresy, and several people convicted for murders they allegedly committed when they were below the age of 18.

Freedom of expression remained under attack, and the authorities continued to disrupt the free flow of information. Some 35 journalists and dozens of activists and human rights lawyers remained behind bars, while new arrests and prison sentences for media workers and online activists were reported throughout the year.

**POLITICAL RIGHTS:** 7 / 40

**A. Electoral Process:** 3 / 12

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 of the 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 also monitors his work. However, in practice his decisions appear to go unchallenged by the assembly, whose proceedings are kept confidential.

Elections in Iran are not free and fair, according to international standards. The Guardian Council, controlled by conservatives, vets all candidates in parliamentary elections, presidential elections, and elections to the Assembly of Experts—a body of 86 clerics who are elected to eight-year terms by popular vote. The council has in the past rejected 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.

The president is the second-highest-ranking official in the Islamic Republic, though his powers are limited by the supreme leader and other unelected authorities. He is elected by popular vote for four years and can serve two consecutive terms.

Ahead of the 2012 elections to the 290-seat, unicameral parliament, the Guardian Council disqualified one-third of the registered candidates, including incumbent members, opposition reformists, and supporters of Ahmadinejad, who had increasingly clashed with supreme leader Ayatollah Ali Khamenei and rival conservative factions. Members of two leading reformist political groupings, the Islamic Participation Front and the Islamic Revolution Mujahedin Organization, as well as the Freedom Movement, were barred from taking part. Though there were no claims of systematic fraud, several sitting lawmakers accused the Islamic Revolutionary Guard Corps (IRGC) of rigging activities. The official results were seen as favoring the conservative supporters of the supreme leader.

In contrast to 2009, no major irregularities were reported in the 2013 presidential election. Ahead of the vote the Guardian Council disqualified more than 600 candidates, including former president Akbar Hashemi Rafsanjani and presidential aide Rahim Mashaei, apparently due to political infighting. Nearly all of the eight approved candidates, including Rouhani, were deemed close to Khamenei. Only one reformist candidate, who was widely seen as lacking both charisma and significant popular support, was allowed to run. In the run-up to the election, censorship increased, the government intensified its press crackdown, and authorities disrupted the free flow of information online by restricting the already slow speed of the internet. However, Rouhani's victory—with nearly 51 percent of the vote amid 72 percent turnout—appeared to reflect the choice of the voters.

In preparation for the 2013 presidential election, the parliament passed amendments to the election law that were largely viewed as designed to diminish the role of the executive branch in conducting elections. Under the law, a new executive board composed of representatives aligned with the supreme leader was charged with overseeing the Interior Ministry's administration of the balloting.

#### **B. Political Pluralism and Participation: 2 / 16**

Only political parties and factions loyal to the establishment and to the state ideology are permitted to operate. Reformist parties and politicians have come under increased pressure and state repression, especially since 2009. Iran's leading opposition figures—Mir Hussein Mousavi, his wife Zahra Rahnavard, and reformist cleric Mehdi Karroubi—have been under house arrest since February 2011 with no access to the outside world.

The parliament grants five seats to 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 presence remains weak. The Guardian Council bars women from running for president based on its interpretation of the constitution, and women's political participation in general is limited.

#### **C. Functioning of Government: 2 / 12**

The powers of the elected parliament are restricted by the unelected Guardian Council, which must approve all bills before they can become law. The council often rejects bills it deems un-Islamic. The parliament can also be limited and influenced by the supreme leader, who has final say in the Islamic Republic. 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.

Corruption remains endemic at all levels of the bureaucracy, despite regular calls by authorities to tackle the problem. Many state service providers engage in corrupt practices, including bribery, with impunity. Powerful actors involved in the economy, including the IRGC and bonyads (endowed foundations), are above scrutiny. In its 2014 Corruption Perception Index, Transparency International ranked Iran 136 out of 175 countries and territories.

**CIVIL LIBERTIES: 10 / 60****D. Freedom of Expression and Belief: 2 / 16**

Freedom of expression and access to information continue to be severely limited both online and offline. The state broadcasting company is tightly controlled by hard-liners and influenced by the country's 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. Journalists state that they are often forced to practice self-censorship when working on sensitive issues. Since Rouhani became president, several new dailies and magazines have been given publishing licenses, including a women's magazine run by prominent female editor Shahla Sherkat. At the same time, a number of publications and websites have been closed following orders by authorities. In September 2014, Sherkat was summoned to the Press Court for publishing pictures of women "considered as objects." Several journalists were arrested during the year, including *Washington Post* reporter Jason Rezaian and reformist journalist Seraj Mirdamadi. In February, a Tehran court shuttered the reformist daily *Aseman* (Sky) over an article that criticized the Islamic law of retribution. Satellite dishes continue to be banned, and Persian-language broadcasts from outside the country are regularly jammed, especially during politically sensitive times.

In a rare positive development, the government granted high-speed internet licenses to two major mobile operators in September 2014, despite hard-liner opposition. The government also permitted internet providers to increase bandwidth for home connections. However, tens of thousands of websites remain filtered, including news sites and social media, which have otherwise become a relatively free platform of expression for many Iranians. In the fall, authorities announced the arrest of 12 individuals for sharing jokes about the founder of the Islamic Republic, Ayatollah Ruhollah Khomeini, on social-media platforms, including Viber. The judiciary in September gave the government 30 days to block Viber and other instant-messaging applications that are popular among Iranians. Authorities also continue to target online activists. In July, a revolutionary court sentenced eight Facebook activists to prison for terms ranging from 8 to 21 years. The individuals were charged with acting against national security and insulting Iranian leaders.

Various forms of art and artists face restrictions in Iran. All books must be approved by the Ministry of Culture in order to receive a publishing license. Scores of books have been banned, while authors have been accused of subversion. Filmmakers also face censorship and official pressure. In May 2014, six young men and women who had been arrested over a music video posted on YouTube were reportedly forced to appear on state television and repent for their actions. They were later sentenced to suspended prison terms and floggings.

Iran is home to a majority Shi'ite Muslim population and Sunni, Baha'i, Christian, and Zoroastrian minorities. The constitution recognizes only Zoroastrians, Jews, and Christians as religious minorities, and they are relatively free to worship and perform their religious

obligations. Meanwhile, the regime cracks down on Muslims who do not agree with the state ideology and interpretation of Islam. Sunni Muslims complain that they have been prevented from building mosques in major cities and face employment discrimination for government jobs. According to an October 2014 report by the UN special rapporteur on the human rights situation in Iran, at least 150 Sunnis were in detention for their religious activities. In recent years, there has been increased pressure on the Sufi Muslim order Nematollahi Gonabadi, including destruction of their places of worship and the jailing of some of their members. Currently, at least nine Sufi dervishes are in Iranian prisons. 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; at least 136 Baha'is were in prison in 2014 due to their religious beliefs. The Baha'i International Community reported in April that the IRGC had been excavating and destroying a historic Baha'i cemetery in Shiraz. There is also an ongoing crackdown on Christian converts. In the past three years, a number of informal house churches have been raided and their pastors detained. Some of them reportedly face serious charges that carry the death penalty, including "spreading corruption on earth" and "enmity with God."

Academic freedom remains limited in Iran, despite attempts by Rouhani's government to ease the harsh repression universities have experienced since 2009. In 2014 about a dozen student associations that had been suspended under the previous administration were allowed to renew their work. Several new student groups also received permits to operate. However, Khamenei has warned that universities should not be turned into centers for political activities. In August, the conservative-dominated parliament impeached Minister of Science, Research, and Technology Reza Faraji-Dana, who had lifted some of the restrictions placed on universities and allowed more than 100 students who had been expelled over their political activism to resume their studies. Amnesty International estimates that hundreds of students have been prevented from continuing their studies for political reasons or because they belong to the Baha'i community. In March, a court sentenced student Maryam Shafiqpour to seven years in prison for "spreading propaganda" and "gathering and colluding" against the Iranian establishment. More than 10 student activists are in jail, including well-known activist Majid Tavakoli, who has reportedly been subjected to torture. The government has also worked to reduce the number of female students in medicine and other subjects in which women have outnumbered men.

#### **E. Associational and Organizational Rights: 1 / 12**

The constitution states that public demonstrations may be held under the condition that they are not "detrimental to the fundamental principle of Islam." In practice, only state-sanctioned demonstrations are permitted, while other gatherings, including several peaceful protests by women's rights activists, have in recent years been forcefully disrupted by security personnel, who have detained participants. In June 2014, a group of women who had attempted to watch a volleyball game and protest the ban on female spectators at a sports stadium in Tehran were dispersed by authorities, who briefly detained more than a dozen of them. One, British-Iranian citizen Ghoncheh Ghavami, was reportedly rearrested several days later and transferred to Evin prison.

Nongovernmental organizations that work on nonpolitical issues such as poverty are allowed to operate relatively freely. Other groups, especially those that have highlighted human rights violations, have been suppressed. They include the Center for Human Rights Defenders, which remains closed with several of its members in jail, and the Mourning Mothers of Iran group (Mothers of Laleh Park), which had been gathering in a Tehran park to bring attention to human rights abuses.



Iran does not permit the creation of labor unions; only state-sponsored labor councils are allowed. In recent years labor rights groups, including the Syndicate of Workers of Tehran and Suburbs Bus Company, have also come under pressure, and more than a dozen representatives have been sentenced to prison. On May 1, 2014, several labor activists were briefly detained in Tehran as they gathered to observe International Workers' Day.

**F. Rule of Law: 3 / 16**

The judicial system is used as a tool to silence critics and opposition members. The head of the judiciary is directly appointed by the supreme leader for a five-year term. Under the current head of the judiciary, Ayatollah Sadeq Larijani, human rights advocates and political activists have been subjected to unfair trials, and judges have reportedly been increasingly influenced by the security apparatus. In August 2014, Larijani was reinstated for a second term.

Iran, along with China, has the highest number of executions in the world, and the annual total, including public hangings, has increased under Larijani. Iran is one of the few countries that executes individuals for crimes they committed when they were less than 18 years old. According to the UN special rapporteur on the human rights situation in Iran, at least 852 individuals were executed between July 2013 and June 2014. In September 2014, psychologist Mohsen Amir-Aslani was reportedly hanged in a prison near the city of Karaj after being convicted of charges including heresy and insulting the prophet Jonah. Amir-Aslani had reportedly been offering a different interpretation of the Koran in his classes.

Lawyers taking up sensitive political cases have been jailed and banned from practicing, including prominent human rights lawyer Abdolfatah Soltani. A number of lawyers have been forced to leave the country to escape prosecution.

Activists are routinely arrested without warrants and held for indefinite periods of time without formal charges. They are denied access to legal counsel and prevented from any contact with the outside world. Many are later convicted on vague security charges in trials that sometimes last only a few minutes. Activists say they have been beaten during interrogation and subjected to psychological pressure, including threats that their relatives will be arrested. Many have been forced into false confessions dictated by their interrogators.

Parallel security bodies pressure activists and keep them in detention centers that are reportedly not under the control of the state prisons organization. Many activists have been held in solitary confinement for several months, in violation of Iranian laws. Some have been denied access to adequate medical care. Judges often set extremely high bails for the release of activists.

Security forces are seldom held responsible for human rights violations.

Ethnic minorities complain of various forms of discrimination, including restrictions on the use of their languages. Some of the provinces with large ethnic minorities remain underdeveloped. Activists campaigning for more ethnic rights and greater autonomy have come under pressure from authorities, and some have been jailed.

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. Members of the LGBT (lesbian, gay, bisexual, and transgender) community face harassment and discrimination, though the problem is underreported due to the criminalized and hidden nature of these groups in Iran.

**G. Personal Autonomy and Individual Rights: 4 / 16**

Freedom of movement is restricted, particularly for women and perceived opponents of the regime. Women are banned from certain public places, such as sports stadiums, and can obtain a passport to travel abroad only with the permission of their fathers or husbands.

Many journalists and activists have been prevented from leaving the country to attend international events, and in some cases their passports have been confiscated. In June 2014, prominent reformist journalist Mashaallah Shamsolvaezin was charged with “propaganda against the state” and banned from travelling. Shamsolvaezin had also been banned from leaving the country in 2009.

Iranians have the right to own property and establish private businesses. High housing costs are a major obstacle to adequate housing for the poorer segments of society. Bribery is said to be widespread in the business environment, including for registration and obtaining business licenses.

The government interferes in most aspects of citizens’ private lives. Home parties are often raided and citizens detained or fined for drinking alcohol or mingling with members of the opposite sex. Women are regularly harassed and detained by the police for not fully observing the obligatory Islamic dress code. In June 2014, the parliament described skin-tight leggings that have become popular among Iranian women as a threat to society. There is also pressure on young men over certain forms of dress or appearance, such as wearing pony tails or clothing deemed Western.

Women remain significantly underrepresented in politics and government, though Rouhani has appointed three women among his vice presidents. In addition, four women have been appointed as governors.

Women are denied equal rights in divorce, child custody, and inheritance. A woman’s testimony in court is given only 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.

## Iraq

**Political Rights Rating:** 6 ↓

**Population:** 35,111,000

**Civil Liberties Rating:** 6

**Capital:** Baghdad

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Ratings Change:** Iraq’s political rights rating declined from 5 to 6 due to the Islamic State militant group’s attempts to destroy Christian, Shiite, Yazidi, and other communities under its control, as well as attacks on Sunnis by state-sponsored Shiite militias.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	6,5,NF	6,6,NF	6,6,PF	6,6,NF	5,6,NF	5,6,NF	5,6,NF	6,6,NF	5,6,NF	6,6,NF

### INTRODUCTION

Iraq held competitive parliamentary elections in April 2014, and incumbent prime minister Nouri al-Maliki’s coalition emerged with a plurality. However, the voting took place in an atmosphere of widespread discontent among the Sunni minority and growing militancy in Sunni-dominated Anbar Province, fueled in part by a late 2013 government crackdown on Sunni protest camps. Many within the country’s Shiite parties were also dissatisfied with al-Maliki’s leadership, pointing to corruption, mismanagement of security and other issues, and an improper concentration of power in the prime minister’s office.

As contentious negotiations on a new government continued in June, the militant extremist group known as the Islamic State in Iraq and Greater Syria (ISIS) swept into northern Iraq from its base in Syria and took Mosul, one of Iraq's most populous cities. Soon thereafter, ISIS announced that it had formed an Islamic caliphate on the Iraqi and Syrian territory it controlled. The group proceeded to dismantle a swath of the border between Iraq and Syria, take over the functions of government, impose its harsh interpretation of Islamic law on Iraqis, change its name to the Islamic State (IS), and push toward the outskirts of Baghdad, seemingly in preparation for an attack on the capital.

The dramatic military reversal strengthened al-Maliki's political opponents, and he was ultimately forced to accept the nomination of Haidar al-Abadi, a member of his own party, as prime minister in August. Al-Abadi formed a new cabinet over the subsequent months, receiving broad support from the parliament.

Meanwhile, various forces mobilized to halt the IS advance, including the Iraqi security forces, Shiite militias, the Kurdish peshmerga, local resistance groups, Iranian government operatives, and a coalition of foreign air forces led by the United States. Battle lines had stabilized somewhat by year's end, with IS remaining dominant or competing for control in roughly a third of the country's territory, home to about one-quarter of the population. Elsewhere in Iraq, political violence and repression linked to the conflict increased. Shiite civilians were relentlessly targeted in terrorist bombings, and Sunni civilians suffered attacks and extrajudicial killings by Shiite militias.

**POLITICAL RIGHTS:** 11 / 40 (-1)

**A. Electoral Process:** 8 / 12 (+1)

Under the constitution, parliamentary elections should be held at least every four years. The parliament is a 328-seat lower house, the Council of Representatives. The Federal Council, an upper house designed to represent provincial interests, has never been formed. Members of the Council of Representatives are elected through multimember open lists for each province. Once seated after elections, the parliament elects a president, who then appoints the member nominated by the largest parliamentary bloc as prime minister. The prime minister forms a government with parliamentary support and assumes most executive power.

The number of parliamentary seats for each province is based on population estimates that are in dispute. The borders of Iraq's provinces are generally agreed upon, meaning there is no gerrymandering, but recent government proposals to form new provinces may open the possibility of electoral manipulation.

To improve the accuracy of voter lists ahead of the April 30, 2014, parliamentary elections, the Independent High Electoral Commission (IHEC) issued electronic voter cards and began the process of biometric voter registration; the effort continued after the voting. IHEC also responded aggressively to fraud, annulling returns from 300 polling stations and dismissing more than 1,000 electoral workers after investigating complaints. Further monitoring was provided by political parties, foreign and domestic media outlets, Iraqi nongovernmental organizations (NGOs), and international observers.

The April elections were considered successful given the challenge of political violence in the country. Several politicians were kidnapped or killed prior to the elections, and bombings targeted early voting. A reported 12 people, including two election officials, were killed during the voting period. Moreover, some polling stations in the northern provinces of Nineveh and Salaheddin and those in about a third of Anbar were kept closed due to insecurity. Despite this, voter turnout was about 62 percent.

Al-Maliki's Shiite-led State of Law coalition won 92 seats, making it the largest bloc in parliament and seeming to give al-Maliki, who had already served two four-year terms as prime minister, the right to try to form a government. A Shiite bloc associated with populist cleric Moqtada al-Sadr placed second with 34 seats, followed by a third Shiite coalition, Al-Muwatin, with 29 seats. A Sunni-led bloc, Muttahidoon, took about 23 seats; a secular nationalist coalition led by Ayad Allawi, Al-Wataniya, received 21; and the two leading Kurdish parties, the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), took 25 and 21 seats, respectively. The remainder was divided among several smaller parties.

Strong objections to a third al-Maliki term began to coalesce after the results were announced, and the debate intensified after IS occupied Mosul and the U.S. government indicated that greater military assistance was effectively contingent on al-Maliki stepping down. Al-Maliki threatened to take his case to the Iraqi Supreme Court, which was considered responsive to him, and briefly deployed troops in Baghdad. Ultimately, however, about half of the State of Law coalition withdrew support from al-Maliki and forced him, on August 14, to accept their nomination of al-Abadi as prime minister.

By October, al-Abadi had formed a government that enjoyed high levels of parliamentary support, even for his appointments to the contentious portfolios of defense and interior. This was a departure from the previous government, in which the prime minister's personal allies ran the security ministries without parliamentary approval. Al-Abadi's cabinet generally maintained the unwritten power-sharing agreements that apportion Iraq's top political jobs among the country's religious and ethnic communities. In July, lawmakers had elected Kurdish politician Fouad Massoum of the PUK to serve as Iraqi president, and Selim al-Jabouri of Muttahidoon was named speaker of parliament.

The autonomous Kurdistan Regional Government (KRG) in Iraq's North has its own flag, military (the peshmerga), language, and other institutions. Voters in the region elect their own president and 111-seat parliament, the Kurdish National Assembly, in a closed party-list proportional representation system in which all Kurdish provinces form one district.

The KRG held elections in September 2013. The KDP led with 38 seats, but the relatively new Gorran (Change) Movement placed second with 24, pushing the PUK to third with 18. Smaller factions and minority representatives made up the remainder. The complication of what had effectively been a long-standing KDP-PUK duopoly delayed the formation of a new cabinet until June 2014, with Gorran joining the government. Meanwhile, the PUK performed better in April, when Kurdish voters participated in the national parliamentary elections and, for the first time in eight years, elected members of their provincial councils.

## **B. Political Pluralism and Participation: 5 / 16**

Iraq's constitution guarantees the freedom to form and join political parties, apart from the dissolved Ba'ath party of the Saddam Hussein era, and Iraqis take advantage of these rights in large numbers. For the 2014 elections, IHEC registered more than 100 parties and coalitions, most of them political parties, and nearly 10,000 candidates participated.

Freedom to run for office is limited by the operation of a de-Ba'athification commission and by a "good conduct" requirement in Iraqi electoral law. With judicial approval, IHEC traditionally refers to this requirement to disqualify candidates facing, but not convicted of, criminal charges. A month before the 2014 elections, all nine IHEC commissioners resigned after the parliament attempted to prohibit such disqualifications, arguing that the commission was caught between judicial and parliamentary interpretations of "good conduct." Pressure from

the international community led them to rescind their resignations. Separately, the de-Ba'athification commission disqualified approximately 350 candidates. Candidates disqualified for any reason could appeal, and many won reinstatement.

Citizens' free political choices have been impaired by violence and intimidation from a variety of state and nonstate actors, interference by foreign powers, sharp ethnic and sectarian divisions, de facto ethnic and sectarian apportionment of key offices, and corruption, among other factors. Under al-Maliki, many Sunni politicians and parties faced increasing state persecution and exclusion from government and policymaking. A minimum of representation for the country's smaller ethnic and religious minorities is ensured by eight reserved seats in the parliament—five for Christians and one each for Yazidis, Sabean Mandaeans, and Shabaks—as well as 11 in the Kurdish legislature—five for Turkomans, five for Chaldean and Assyrian Christians, and one for Armenians. At least one-fourth of the seats in the Council of Representatives must go to women, and at least 30 percent of those in the Kurdish legislature must go to women.

Dysfunctional relations between Baghdad and the KRG grew worse for much of 2014, igniting a new round of debates about Kurdish independence. In March the KRG unilaterally announced that the Halabja district would be a new Iraqi province. In June, after the Iraqi army fled in the face of the IS offensive, the peshmerga moved into the disputed province of Kirkuk and nearby oil fields. Later in the year, over strong objections from Baghdad, the KRG took initial administrative steps to integrate Kirkuk. In December, however, the new Iraqi government and the KRG reached a long-awaited deal on sharing oil revenues, and relations improved further due to increasingly fruitful military cooperation between Iraqi forces and the peshmerga against IS.

### **C. Functioning of Government:** 1 / 12

The ability of elected leaders to govern effectively throughout the country has long been curtailed by insurgencies, rampant corruption, and the state's limited administrative capacity. In 2014, many observers argued that the government lost control over a large section of Iraqi territory because the military had been weakened under al-Maliki by the related problems of politicized appointments, incompetence, and graft.

Iraq was ranked 170 out of 175 in Transparency International's 2014 Corruption Perceptions Index. Voters cited concerns about corruption as an important issue in the April elections.

### **Discretionary Political Rights Question B:** -3 / 0 (-2)

During 2014, IS sought to deliberately change the religious composition of the territory of Iraq. Shiites, Christians, Yazidis, Shabaks, Sabeans, and Kaka'i fled IS-controlled areas in the face of mass killings, discriminatory "taxation," forced conversions, and the enslavement of women and girls. Many were stranded in villages or areas, such as Jabal Sinjar, that were surrounded by IS and faced severe food and water shortages. The property of displaced groups was destroyed or confiscated, as were their mosques, shrines, and churches.

### **CIVIL LIBERTIES:** 13 / 60

#### **D. Freedom of Expression and Belief:** 5 / 16

The constitution guarantees freedom of expression and of the media, subject to a requirement to respect public order and morality. However, few outlets in Iraq's relatively diverse media landscape are independent of political forces, and conditions for the press were particularly harsh during 2014. In January al-Maliki's government issued a wave of arrest warrants for journalists. In response to the IS invasion in June, the Iraqi authorities raided

the offices of Al-Baghdadiya television and pressured companies and officials in Egypt and Jordan to halt satellite broadcasts by Iraqi stations that were similarly critical of al-Maliki. The government also issued “mandatory guidelines” requiring favorable coverage of the Iraqi security forces, prohibited publicity about IS advances, and limited internet access in some contested areas.

Media freedom continued to suffer from the threat of libel suits and criminal charges brought by powerful figures. Journalists in the KRG faced those threats as well as more direct physical intimidation, leading to self-censorship on topics deemed sensitive by ruling elites. According to the Committee to Protect Journalists, at least five journalists were killed in Iraq during 2014, either in bombings or fighting involving IS. The militant group also attacked media offices and seized control of outlets in areas it occupied.

Iraq’s constitution guarantees freedom of belief, but the IS invasion and related sectarian conflict have been devastating to that right. In addition to seeking the eradication of Shiites and non-Muslim minorities, IS abused the religious freedom of Sunni and Sufi Muslims. Sunni religious leaders were killed for refusing to support the group, as were individual Sunnis judged to be in violation of its radical interpretation of Islamic law. IS fighters abducted Sufi leaders and their students and destroyed both Sufi and Sunni shrines and tombs, which it considers un-Islamic. IS suicide bombings and other terrorist attacks targeted Shiites as they worshiped in Baghdad and other government-controlled areas. Shiite militias also destroyed Sunni mosques in some districts and at times targeted Sunni worshippers.

Iraq’s Ministry of Higher Education took steps detrimental to academic freedom in 2014, for instance by attempting to interfere with curriculums at Sunni religious colleges. In the face of student protests, however, the ministry abandoned plans to create a physically and institutionally separate Baghdad University for Women. Cases of violence and disappearances were reported in universities across Iraq in 2014, but academic freedom suffered most where IS was active or in control. In June, students and faculty at Anbar University were briefly held hostage by militants, IS and government forces fought over the campus. In July it was reported that IS had destroyed all faculties at the University of Mosul except engineering, medicine, dentistry, and veterinary medicine. Teachers and professors of medicine who fled IS-occupied areas were threatened with confiscation of their property if they did not return. The group banned the teaching of history, literature, art, and music.

#### **E. Associational and Organizational Rights: 4 / 12**

Iraqis have a constitutional right to freedom of assembly, but this right is frequently restricted in practice. In late December 2013 the authorities quashed a Sunni protest movement centered in Anbar, arresting participants, bulldozing protest sites, and detaining parliament member and protest leader Ahmed al-Alwani on terrorism charges. His brother and five of his guards were killed as police raided his home. The crackdown and a related increase in local antigovernment sentiment encouraged IS to begin operating openly in Anbar in January.

NGOs enjoy a supportive legal environment, apart from a requirement to register with the government, and widespread acceptance within Iraqi society and culture. However, security concerns hamper their activity, and in 2014 IS targeted NGOs in areas under its control.

Existing labor laws do not protect against antiunion discrimination, and public-sector workers are barred from striking or engaging in trade union activity, a major restriction in Iraq’s state-dominated economy. The General Federation of Iraqi Workers is the only officially recognized union grouping. In January 2014 the parliament debated new trade union and labor laws, both of which would have brought Iraq closer to international standards. Workers rallied in support of a vote, but political disagreement and the lack of a quorum forced the bills to be tabled.

**F. Rule of Law: 0 / 16**

The Iraqi judiciary is subject to political manipulation, especially by the executive branch and in high-profile cases. Pressures by tribal and religious forces may also influence rulings, as does corruption. In response to criticism of its integrity, the judiciary in 2014 attempted to limit the prevalence of forged arrest orders and a reliance on secret informants in terrorism cases.

Detention without cause and mistreatment of Sunni detainees helped to spark the Sunni protest movement of 2013 and continues to fuel opposition to the Iraqi state. Accounts of the torture of detainees are consistent and credible. During the IS invasion, government forces appear to have summarily executed detainees in contested areas such as Mosul, Baquba, and Tal Afar. Separately, the legal system's frequent use of the death penalty with inadequate due process continued in 2014, prompting the United Nations to call for a moratorium. A total of 177 people were executed in 2013, and 60 had been put to death by the end of September 2014, with over 1,700 more on death row. Almost all were convicted under Iraq's 2005 antiterrorism law.

IS and affiliated militants carried out mass executions of captured government troops; terrorist bombings in civilian areas, particularly in Baghdad; and assassinations of Shiite leaders, among others. For example, in October a suicide bomber in the capital killed Ahmed al-Khafaji, a member of parliament and senior commander of the Shiite militant Badr Brigade, as well as at least 20 other people. As a result of the conflict, civilian deaths in Iraq rose dramatically in 2014. The British-based monitoring group Iraq Body Count documented more than 17,000 civilian deaths from violence, up from roughly 9,700 in 2013. The United Nations' count approached 10,200 in 2014, excluding embattled Anbar Province: an increase from 7,818 in 2013.

The rule of law suffered further in 2014 as a result of the participation of Shiite militias—such as the Badr Brigade, Kata'ib Hezbollah, and Asa'ib Ahl al-Haq—in the conflict with IS. These groups, swelled by new recruits and organized into what they and the Iraqi government referred to as “popular mobilization units,” often wore military-style uniforms and fought alongside state security forces. However, there were no mechanisms to hold them accountable for abuses, and they were allegedly involved in kidnappings, extortion, summary executions, and attacks on civilians, both near the front lines of the fight with IS and in the South.

Iraqi law does not specifically criminalize same-sex relations, but LGBT (lesbian, gay, bisexual, and transgender) people face a strong social stigma and the threat of violence. LGBT organizations do not operate openly.

**G. Personal Autonomy and Individual Rights: 4 / 16**

Freedom of movement, choice of residence, and property rights were all affected by the conflict with IS in 2014. An estimated 3 million Iraqis were internally displaced by late in the year, with many fleeing IS forces in Nineveh Province and taking refuge in Dohuk, the KRG province most accessible from Mosul. They joined over 200,000 Syrian refugees in the KRG, straining local and international resources.

Women face problems including early marriage, domestic violence, so-called honor killings, and both legal and customary discrimination in matters such as divorce, inheritance, and custody. Women have suffered enormously in areas under IS control. They have been forced to adopt the veil, limit their work and movement, and abide by strict gender segregation rules. Women who undertake any form of resistance to IS are at great risk, as evidenced by the case of human rights lawyer Sameera Salih Ali al-Nuaimy, who was tortured and executed by the

group in September. Yazidi and Christian women and girls face special threats; thousands were abducted and repeatedly raped or sold into sexual slavery by IS in 2014.

## Ireland

**Political Rights Rating:** 1

**Population:** 4,607,000

**Civil Liberties Rating:** 1

**Capital:** Dublin

**Freedom Rating:** 1

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

A number of legislative changes took place in Ireland in 2014. In October, the country passed a new freedom of information law, affirming and widening the public's ability to access information from government bodies. Also that month, the government established a new court of appeals to the judicial system, intended to ease the backlog of cases faced by the Supreme Court.

The Sinn Féin party's strong performance in both European Parliament (EP) and local elections in 2014 fueled speculation that the party was gaining momentum ahead of general elections in 2016.

**POLITICAL RIGHTS:** 39 / 40

**A. Electoral Process:** 12 / 12

The Irish Parliament (Oireachtas) consists of a lower house (the Dáil), whose 166 members are elected by proportional representation for five-year terms, and an upper house (the Seanad, or Senate) with 60 members, 11 appointed and 49 elected by various interest groups. The Senate is mainly a consultative body, with members serving five-year terms. The prime minister, or taoiseach, is chosen by Parliament. The president, whose functions are largely ceremonial, is directly elected for a seven-year term.

The most recent parliamentary elections took place in 2011. The Fine Gael party won 76 seats in the lower house and, lacking a majority, entered into a coalition with the Labour Party, which took 37 seats. The Fianna Fáil party captured only 20 seats. Sinn Féin won 14 seats, while independents and two smaller parties took the remaining seats. The Green Party failed to capture seats. Enda Kenny of Fine Gael was elected prime minister.

Ireland's Constitutional Convention concluded its work in February 2014 and issued several recommendations about the electoral system and social policies. Suggestions included reducing the voting age to 16, providing citizens with greater access to the presidential nomination and election process, and making various adjustments to the Dáil electoral procedures.

In the EP elections held in May 2014, Fine Gael won four seats, with Sinn Féin following with three, Fianna Fáil taking one, and independents capturing the remaining three. In local elections also held in May, Sinn Féin won 105 out of the 949 contested seats, a notable increase from the 54 out of 883 seats it had won in 2009. Sinn Féin followed in third place



behind Fianna Fáil and Fine Gael, which remained the leading parties at the local level, while Labour came in fourth, sustaining heavy electoral losses.

**B. Political Pluralism and Participation:** 16 / 16

Ireland's two largest parties—Fianna Fáil and Fine Gael—do not differ widely in ideology but represent opposing sides of the nation's 1922–23 civil war. Smaller parties include the Labour Party, Sinn Féin, and the Green Party. Fianna Fáil dominated politics after Ireland became independent, holding power for 61 out of 79 years before it was ousted in 2011 due to corruption scandals and the mismanagement of the 2008 economic crisis. Holding two-thirds of the seats, Enda Kenny's Fine Gael–Labour coalition currently holds the largest parliamentary majority in Ireland's history. In 2013, opinion polls indicated that popularity was shifting between Fianna Fáil and Fine Gael throughout the year. An October 2014 poll showed Sinn Féin and Fine Gael with comparable levels of support for the first time in Ireland's history.

**C. Functioning of Government:** 11 / 12

Corruption—including cronyism, political patronage, and illegal donations—is a recurring problem. After 15 years of hearings, the Mahon Tribunal released its final report in March 2012, finding that corruption had affected “every level of Irish political life.” A new anticorruption bill was proposed in 2014, aiming to increase penalties for politicians found guilty of corruption and ban them from holding office for up to 10 years. Ireland was ranked 17 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

In October, Ireland passed the Freedom of Information Act of 2014. Broader in scope than similar laws passed previously, the act extended the application of freedom of information responsibilities to all public bodies, with some exemptions.

**CIVIL LIBERTIES:** 58 / 60**D. Freedom of Expression and Belief:** 16 / 16

Irish media are free and independent, and print media present a variety of diverse viewpoints. The state may censor material deemed indecent or obscene. Dozens of news outlets have closed in recent years as a result of falling advertising revenue. In October 2014, the government announced intentions to hold a public referendum, likely in 2015, on a controversial provision of the 2009 Defamation Act that made blasphemy punishable by heavy fines. Internet access is unrestricted.

Freedom of religion is constitutionally guaranteed. Although the country is overwhelmingly Roman Catholic, 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 scandals linked to the clergy in the Catholic Church.

Academic freedom is respected. The Catholic Church operates approximately 90 percent of Ireland's schools. Most schools include religious education, although parents may exempt their children from it. The constitution requires equal funding for students requesting instruction in other faiths. There has been increasing public opposition in recent years to religious education in Irish schools.

**E. Associational and Organizational Rights:** 12 / 12

The rights of public assembly and demonstration are respected. Protests against government budget cuts and austerity measures continued in 2014. In October, tens of thousands of people demonstrated in Dublin against a plan to directly charge households for water usage.

In January, 79-year-old peace activist and writer Margaretta D'Arcy began a three-month prison sentence for trespassing in restricted areas during protests against the use of Shannon Airport by the U.S. military. D'Arcy's case sparked more protests, both against the use of the airport and against her incarceration.

Freedom of association is upheld, and nongovernmental organizations (NGOs) can operate freely. Labor unions operate without hindrance, and collective bargaining is legal and unrestricted.

**F. Rule of Law:** 15 / 16

Ireland has an independent judiciary and a legal system based on common law. A September 2014 study from the Council of Europe found Irish judges to be among the best-paid in Europe, despite recent salary decreases due to austerity measures. The report also noted that Ireland has fewer judges per capita than other European countries.

In October, the government established a new body—the Court of Appeals—to occupy a tier in the judicial system between the High Court and the Supreme Court. The new court, which was approved by a 2013 referendum, included nine judges and was intended to ease the Supreme Court's backlog.

Prison conditions are reportedly dangerous, unsanitary, and overcrowded. In October 2014, the government appointed Emily Logan as head of the Irish Human Rights and Equality Commission; Logan vowed to establish a timeline to reform the prison system.

The Provisional Irish Republican Army (IRA) disarmed in 2005 and is now outlawed after fighting for unification with Northern Ireland for 36 years. Several splinter groups have emerged over time. These groups occasionally engage in violent acts, but violence has moderated in recent years.

The Irish Travellers, a traditionally nomadic group of about 25,000 people, are not recognized as an ethnic minority and face discrimination in housing and hiring. Laws against discrimination based on sexual orientation exist, but some social stigma against LGBT (lesbian, gay, bisexual, and transgender) people persists in Ireland.

**G. Personal Autonomy and Individual Rights:** 15 / 16

Discrimination in the workplace on the basis of gender or sexual orientation is illegal in Ireland. However, gender inequality in wage persists, and women are underrepresented in the work place. Women represent 1 percent of the lower house of Parliament. A law passed in 2012 declared that political parties must impose gender quotas in future elections, and those who fail to do so will lose half of their annual state funding.

Abortion remains a contentious issue in Ireland. A groundbreaking new law went into effect in January 2014, allowing for limited abortion rights in cases where a woman's life is under threat, including from the risk of suicide. Although there have been calls for a national referendum to further expand access to abortion, the strength of Catholic traditions in the country has generated friction around the issue.

In 2010, the Civil Partnership and Certain Rights and Obligations of Cohabitants Act legally recognized same-sex couples, although it denied them some rights, such as adoption, that are awarded to heterosexual married couples. A long-delayed referendum on same-sex marriage is scheduled for 2015, with early polling in 2014 suggesting that there is considerable support for the extension of marriage rights to same-sex couples.

A 2009 report released by the Commission to Inquire into Child Abuse showed decades of widespread physical and emotional abuse against children in state institutions and by Catholic priests, as well as collusion to hide the abuse. In September 2014, Ireland adopted

an international declaration to help protect children online as part of the Global Alliance Against Online Child Sexual Abuse.

## Israel

**Political Rights Rating:** 1

**Population:** 8,208,000

[*Note:* There are an estimated 340,000 Israeli settlers in the West Bank, about 18,900 in the Golan Heights, and more than 196,000 in East Jerusalem.]

**Civil Liberties Rating:** 2

**Capital:** Jerusalem

**Freedom Rating:** 1.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

*Note:* The numerical ratings and status above reflect conditions within Israel itself. Separate reports examine the West Bank and the Gaza Strip.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F

### INTRODUCTION

Israeli-Palestinian peace talks broke off at the end of April 2014, with no agreement reached after nine months of U.S.-brokered negotiations. Escalating violence in June—including murders of Israeli and Palestinian civilians and rocket fire from Gaza—culminated in Operation Protective Edge, a 50-day conflict in July and August in which Israeli forces battled Hamas militants based in the Gaza Strip. The fighting killed some 2,200 people, nearly all of them in Gaza.

In December, growing policy differences within Israel's coalition government led Prime Minister Benjamin Netanyahu of the right-leaning Likud Party to dismiss cabinet ministers from the centrist Hatnuah and Yesh Atid parties and call for early elections. The voting was scheduled for March 2015.

**POLITICAL RIGHTS:** 36 / 40

**A. Electoral Process:** 12 / 12

A largely ceremonial president is elected by the 120-seat parliament, the Knesset, for seven-year terms. In June 2014, Reuven Rivlin of Likud was elected to replace outgoing president Shimon Peres, receiving 63 votes in a runoff against Meir Sheerit of Hatnuah.

The prime minister is usually the leader of the largest party in the Knesset, members of which are elected by party-list proportional representation for four-year terms. A low electoral threshold to win representation has favored niche parties and led to unstable coalitions. In March 2014 the Knesset raised the threshold from 2 to 3.25 percent, with opposition parties boycotting the vote. Arab parties in particular feared that the change might cause them to be excluded entirely. The legislation also limited the number of cabinet ministers to 19, including the prime minister; eliminated minister-without-portfolio positions; changed the no-confidence procedure so that opponents of a sitting government must simultaneously vote in a new one; and altered campaign-funding rules to deter party switching or splintering after elections.

Israeli elections are free and fair. In the January 2013 Knesset elections, incumbent prime minister Netanyahu's Likud–Yisrael Beitenu coalition led with 31 seats, followed by

the newly formed Yesh Atid (There Is a Future) party with 19, the Labor Party with 15, the right-wing Habayit Hayehudi (Jewish Home) with 12, the ultra-Orthodox parties Shas and United Torah Judaism with 11 and 7, respectively, and six smaller parties with 2 to 6 seats each. Netanyahu formed a governing coalition including Yesh Atid and Habayit Hayehudi, while excluding the two ultra-Orthodox parties.

**B. Political Pluralism and Participation: 14 / 16**

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. In July 2014, the Knesset Ethics Committee barred lawmaker Haneen Zoabi—a Palestinian citizen of Israel and member of the Balad party—from addressing the Knesset or parliamentary committees for six months, partly over remarks in which she argued that the abduction and murder of three Israeli teenagers in the West Bank in June was not an act of terrorism but a response to Israeli abuses.

Palestinian citizens of Israel enjoy equal political rights under the law but face some discrimination in practice. As of 2014 they held 12 seats in the 120-seat Knesset—though they constitute nearly 21 percent of the population. No Arab party has ever been formally included in a governing coalition, and Arabs generally do not serve in senior positions in government. Although Israeli identity cards have not classified residents by ethnicity since 2005, Jewish Israelis can often be identified by the inclusion of their Hebrew birth date. Calls to impose a loyalty oath have alienated Arab Israelis, though such proposals have been rejected to date.

After Israel annexed East Jerusalem in 1967, Arab residents were issued Israeli identity cards and given the option of obtaining Israeli citizenship, though most declined for political reasons. These noncitizens can vote in municipal as well as Palestinian Authority elections, and remain eligible to apply for Israeli citizenship. However, Israeli law strips noncitizens of their Jerusalem residency if they are away for more than three months. In March 2014, the Knesset passed a law with constitutional status declaring that any withdrawal from sovereign Israeli territory—including the Golan Heights and East Jerusalem, whose annexations are not recognized internationally—would require a referendum.

A 2003 law, renewed in 2013, denies citizenship and residency status to Palestinian residents of the West Bank or Gaza who are married to Israeli citizens. While the measure was criticized as blatantly discriminatory, supporters cited evidence that 14 percent of suicide bombers acquired Israeli identity cards via family reunification. A 2011 law allows the courts to revoke the citizenship of any Israeli convicted of spying, treason, or aiding the enemy.

Under the 1948 Law of Return, Jewish immigrants and their immediate families are granted Israeli citizenship and residence rights; other immigrants must apply for these rights.

**C. Functioning of Government: 10 / 12**

Corruption scandals in recent years have implicated several senior officials. Ehud Olmert resigned as prime minister in 2008 amid graft allegations, and was indicted in 2009. In July 2012, he was found not guilty in two major corruption cases, though he was convicted of breach of trust. In another case, Olmert was sentenced to six years in prison in May 2014 based on bribery charges dating to 2006. Separately, Yisrael Beitenu leader Avigdor Lieberman was indicted for fraud and breach of trust in December 2012, prompting his resignation as foreign minister. He was acquitted in November 2013, allowing him to return to his cabinet post.

Israel was ranked 37 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. The relative frequency of high-level cor-

ruption investigations is coupled with a strong societal intolerance for graft. Transparency International's 2013 Global Corruption Barometer survey showed that nearly all Israelis are willing to combat corruption and report violations.

**CIVIL LIBERTIES:** 45 / 60 (-1)

**D. Freedom of Expression and Belief:** 12 / 16

The Israeli media are vibrant and independent, and freely criticize government policy. All Israeli newspapers are privately owned, though ownership is concentrated among a small number of companies, some of which display a clear partisan bias. Internet access is widespread and unrestricted. The Israel Broadcasting Authority operates public radio and television services, and commercial broadcasts are widely available. Most Israelis subscribe to cable or satellite television. The diversity and editorial independence of both print and broadcast media have been threatened over the past several years by financial difficulties in the industry. Print articles on security matters are subject to a military censor, and while the scope of permissible reporting is generally broad, press freedom advocates have warned of more aggressive censorship in recent years. The Government Press Office has occasionally withheld press cards from journalists, especially Palestinians, to restrict them from entering Israel, citing security considerations.

Legislation passed in 2011 requires the state to fine or withdraw funds from local authorities and other state-funded groups that hold events commemorating the 1948 displacement of Palestinians—known as Al-Nakba (The Catastrophe)—on Israeli independence day; that support armed resistance or “racism” against Israel; or that desecrate national symbols. Also in 2011, the Knesset passed the Boycott Law, which 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, even without clear proof of financial damage. Court challenges to this law by civil rights groups were ongoing in 2014.

While Israel's founding documents define it as a “Jewish and democratic 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, though in 2012 a non-Orthodox rabbi won the right to receive state funding. In a milestone case in 2011, an Israeli Jew won the right to an identity card that excluded his Hebrew birth date. Nevertheless, in October 2013 the Supreme Court ruled against an appeal that would have allowed several individuals to have state-issued identity cards declare their “nationality” to be “Israeli” rather than “Jewish.”

Ultra-Orthodox Jews, or Haredim, were exempt from compulsory military service under the 2002 Tal Law, which expired in July 2012 after the High Court of Justice ruled it unconstitutional. In March 2014, the Knesset enacted a law to formally end the exemption, setting the goal of enlisting 5,200 Haredim per year by mid-2017.

Muslim and Christian religious authorities are occasionally discriminated against in resource allocation and upkeep of religious sites, though the state budget officially assigns funds according to need. A controversial law adopted in February 2014 distinguished between Christian and Muslim Arabs for the first time, for the ostensible purpose of expanding a public advisory council for the Equal Opportunity Employment Commission. Citing security concerns, Israel occasionally restricts Muslim worshippers' access to the Temple Mount, or Haram al-Sharif, in Jerusalem, including during a period in late 2014 amid clashes over increased visits to the site by Jews.

Repeatedly during 2012 and into 2013, Jewish women were arrested at the Western Wall for donning prayer shawls traditionally worn by men, in violation of rules set for the location

by ultra-Orthodox religious officials. The arrests ended after a district court ruled in 2013 that such prayer was legal. Negotiations on new rules for the area were ongoing in 2014.

Primary and secondary education is universal, though divided into multiple school systems (state, state-religious, Haredi, and Arab, the last of which uses the common curriculum but provides instruction in Arabic). In 2010, the government mandated the teaching of Arabic in all state schools. School quality is generally worse in mostly Arab municipalities, and Arab children have reportedly had difficulty registering at mostly Jewish schools. Periodic road closures and other security measures restrict access to Israeli universities for West Bank and Gaza residents. Israel's universities are open to all students based on merit, and have long been centers for dissent. In July 2014, a professor at Bar-Ilan University was publicly rebuked by his dean for sending an e-mail to his students expressing sympathy for victims on both sides of the Israel-Gaza conflict, a rebuke which drew objections from the Association for Civil Rights in Israel (ACRI). Similarly during the conflict, students at some universities, particularly Arab students, were reportedly subjected to monitoring and sanctions for social-media comments that were deemed offensive or extremist.

Arab Israelis more broadly faced societal and other pressure in response to their remarks on Operation Protective Edge, resulting in an infringement on open and free private discussion. Dozens were reportedly fired or disciplined by employers for views expressed on social media and elsewhere.

#### **E. Associational and Organizational Rights:** 10 / 12 (-1)

Israel has an active civil society, and demonstrations are widely permitted, though groups committed to the destruction of Israel are banned from demonstrating. Thousands of Israelis participated in social protests in 2012, following massive 2011 demonstrations over the cost of living. In 2014, protests against Operation Protective Edge resulted in dozens of arrests and interrogations, including of organizers who used social media to promote demonstrations.

A law that took effect in 2012 requires nongovernmental organizations (NGOs) to submit financial reports four times a year on support received from foreign government sources. A joint Likud-Habayit Hayehudi bill that was introduced in the Knesset in May 2014 would, if enacted, curtail foreign funding to Israeli NGOs; similar bills have previously been quashed.

Workers may join unions of their choice and have the right to strike and bargain collectively. Three-quarters of the workforce either belong to Histadrut, the national labor federation, or are covered by its social programs and bargaining agreements. Both sector-specific and general strikes are common, but they typically last less than 24 hours.

#### **F. Rule of Law:** 11 / 16

The judiciary is independent and regularly rules against the government. The Supreme Court hears direct petitions from citizens and Palestinian residents of the West Bank and Gaza Strip, and the state generally adheres to court rulings.

The Emergency Powers (Detention) Law of 1979 provides for indefinite administrative detention without trial. According to the human rights group B'Tselem, at the end of 2014, 5,528 Palestinians were in Israeli prisons (a small increase from the end of 2013), including 463 administrative detainees (a sharp increase from 150 a year earlier). A temporary order in effect since 2006 permits the detention of suspects accused of security offenses for 96 hours without judicial oversight, compared with 24 hours for other detainees. Israel outlawed the use of torture in 2000, but milder forms of coercion, including binding, kicking, slapping, and threatening violence against relatives, are permissible to extract security information. Hunger strikes by Palestinian detainees have become increasingly common.

According to Defence for Children International (DCI) Palestine, 152 Palestinian children were being held in Israeli detention at the end of 2014 (about the same as a year earlier), including 10 youths (down from 14) aged 12 to 15. Although Israeli military law prohibits children younger than 12 from being detained, some still were. DCI Palestine also reported that the military declined to open an investigation into any of the seven complaints the group lodged regarding treatment of Palestinian minors. Most are serving sentences of several weeks or months—handed down by a special 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. East Jerusalem Palestinian minors are tried in Israeli civil juvenile courts.

Although most of the fighting and deaths in the 2014 Israel-Hamas conflict took place inside the Gaza Strip, Gaza-based militants fired thousands of rockets into Israel and infiltrated Israeli territory in some cases. In the course of the 50-day conflict, 7 civilians—including a Thai national—were killed in Israel, and 66 Israeli soldiers were also killed.

Palestinian citizens of Israel tend to receive inferior education, housing, and social services. In addition to casual racism, there are occasional calls by government leaders to discriminate. For example, during the Israel-Hamas conflict in 2014, Foreign Minister Lieberman called on his Facebook page for a boycott of Arab-owned businesses that had joined in solidarity protests with the people of Gaza.

The state's Israel Land Authority owns 93 percent of the land; 13 percent of that is owned by the Jewish National Fund (JNF-KKL). In 2005, the Supreme Court and attorney general ruled against the JNF-KKL's marketing property only to Jews, while the Knesset made several unsuccessful attempts to override those rulings. In practice, the JNF-KKL continues its Jewish-only land-leasing policy, partly as a result of a land-swap arrangement put in place in 2005 with the Israel Land Authority. In September 2014 the Supreme Court rejected a petition by the Arab legal rights center Adalah to overturn 2011 legislation that would allow Jewish communities of up to 400 residents in the Negev and Galilee to exclude prospective residents based on "social suitability," meaning they could effectively bar non-Jews and other marginalized groups.

Aside from the Druze, Palestinian citizens of Israel are not drafted, though they may volunteer. Those who do not serve are ineligible for the associated benefits, including scholarships and housing loans. About 160,000 Bedouin live in the Negev region, most in dozens of towns and villages 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. A lack of bomb shelters puts them at additional risk in the context of shelling from Gaza.

Israel has sought to block asylum seekers and other migrants from Africa, erecting a fence along its border with Egypt in 2012 and 2013. Other policies are reportedly designed to encourage those already in the country—numbering up to 60,000, with the majority living in Israeli towns and cities—to return, even though most come from repressive states like Eritrea and Sudan. In December 2014, responding to court rulings against its 2012 Anti-Infiltration Law and subsequent amendments, the Knesset passed a revised version that calls for illegal migrants to be held for three months in a detention center, then up to 20 months in an "open facility" in the desert where head counts are required once daily. Although these terms were less severe than in the previous versions, the new law increased penalties for employers of illegal migrants. Asylum applications from Eritreans and Sudanese, when fully processed, are nearly always rejected. A June protest involving nearly 1,000 asylum seekers aimed to urge the government to dismantle the detention system and transfer their asylum requests to the United Nations for potential resettlement in third countries.

**G. Personal Autonomy and Individual Rights:** 11 / 16

Security measures can lead to entrance delays at some public places, though military checkpoints are restricted to the West Bank. By law, all citizens must carry national identification cards. The West Bank separation barrier restricts the movement of some East Jerusalem residents. Informal local rules that prevent driving on Jewish holidays can also hamper freedom of movement.

Women have achieved substantial parity at almost all levels of Israeli society. However, Arab women and religious Jewish women face some discrimination. Many ultra-Orthodox Jewish communities enforce gender separation. In 2012, the Supreme Court ruled against gender-segregated buses. However, many women still sit at the rear of buses on certain lines, and there are occasionally violent Haredi attacks on buses where the practice is not observed, along with attacks against women and girls deemed to be dressed immodestly. Marriages between Jews and non-Jews are not recognized by the state unless conducted abroad. A law passed in 2010 permits nonreligious civil unions, but they are restricted to cases where the individuals have no religion, and they are seldom used. A more comprehensive bill on civil unions was introduced by the Yesh Atid party in October 2013, and another proposal was submitted by several Labor lawmakers in June 2014.

Israel has recognized same-sex marriages conducted abroad since 2006, and a Tel Aviv family court granted the first same-sex divorce in December 2012. Nonbiological parents in same-sex partnerships are eligible for guardianship rights, and openly gay Israelis are permitted to serve in the military. The Israeli prison service permits same-sex conjugal visits.

Both the United Nations and the U.S. State Department have identified Israel as a top destination for trafficked women. The government has opened shelters for trafficking victims, and a 2006 law mandates prison terms of up to 20 years for perpetrators. Improvements in Israel's performance on the issue led the State Department to place the country in the top ranking, Tier 1, in its *Trafficking in Persons Report* since 2012.

Around 100,000 legal foreign workers enjoy wage protections, medical insurance, and guarantees against employer exploitation. A 2011 amendment to the Israel Entry Law restricts the number of times foreign workers can change employers and may limit them to working in a specific geographical area or field.

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## Italy

**Political Rights Rating:** 1

**Population:** 61,339,000

**Civil Liberties Rating:** 1

**Capital:** Rome

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,2,F	1,2,F	1,2,F	1,1,F	2,1,F	1,1,F	1,1,F

### INTRODUCTION

In February, Prime Minister Enrico Letta resigned amid tensions within the Democratic Party (PD). He was replaced by newly elected PD leader Matteo Renzi, who had been calling for thorough governmental reform. Renzi formed a government with members of the

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PD, Civic Choice, and the New Center Right–Union of the Center alliance. It is both the youngest and most gender-balanced Italian cabinet to date, and Renzi, who had not previously served in Parliament, became Italy's youngest-ever prime minister.

The new government announced plans to reduce spending and reform the labor market in order to counter the economic problems that had challenged its predecessors. In 2014, Italy's public debt remained above 130 percent of its gross domestic product, and the unemployment rate stood at 12.9 percent in December. In August, economic figures showed that Italy had entered its third recession since 2008.

**POLITICAL RIGHTS:** 36 / 40 (–1)

**A. Electoral Process:** 12 / 12

The bicameral Parliament consists of the 630-member Chamber of Deputies and the 315-member Senate; most members of both houses are popularly elected to five-year terms. The Parliament and regional representatives elect the president, whose role is largely ceremonial but sometimes politically influential, for a seven-year term. The president may appoint up to five senators for life. The president also appoints the prime minister, who is often, but not always, the leader of the largest party in the Chamber of Deputies. The prime minister proposes a Council of Ministers that needs to be confirmed by Parliament.

In general elections, most members of both houses are elected through closed party-list proportional systems, with thresholds that encourage political groups to form coalitions. A so-called majority bonus guarantees that whatever grouping emerges with the most votes at the national level will gain at least 340 of the seats in the lower house; in the upper house, victory in a given region ensures the winning party or coalition a 55 percent majority of that region's allotment of seats. The most recent parliamentary elections took place in February 2013 and were positively assessed by the Organization for Security and Co-operation in Europe (OSCE). The PD won the most votes and claimed 345 seats, including the majority bonus.

In March 2014, the Chamber of Deputies approved a new electoral law initiated by Renzi, which included provisions for fixed lists and higher electoral thresholds in order to promote accountability and simplify governance. The draft had yet to be considered by the Senate at year's end. Renzi also launched a process to replace elected provincial governments, long considered an excessive bureaucratic level, with a new management system based on appointments.

In August, the Senate approved a controversial draft plan to reform the Parliament. Part of a package of overarching constitutional change, the draft proposes abolishing perfect bicameralism by, among other measures, reducing the number of senators from 315 to 100 and shifting most of the power of legislative approval to the Chamber of Deputies. The Five-Star Movement, Left Ecology Freedom, and Northern League opposed the plan, as did some left-leaning members of Renzi's coalition. Critics say that the plan would enhance the influence of regional governments, which are often corrupt and rule by factionalism. Two rounds of approval in each house are necessary before the plan can be implemented.

**B. Political Pluralism and Participation:** 14 / 16 (–1)

The Italian party system is characterized by a high level of pluralism and political competition. However, its structure is very unstable since political coalitions easily change their compositions, and new political parties are often created. Throughout 2014, the PD continued to consolidate its role in facilitating parliamentary unity.

If passed, Renzi's electoral reforms would affect the Italian party system, as the threshold and new runoff provisions would allow a single party to gain seats more easily. Although critics allege that the system could allow one party to gain excessive power, proponents argue that it would reduce the complexity of coalition-building and the potential for

parliamentary gridlock. Renzi's reform plans received support from former prime minister Berlusconi, who remains influential through his Forza Italia party, the second-largest party in the Senate, despite a two-year ban on him holding public office.

In order to protect linguistic minorities, the electoral law stipulates that parties representing such groups can gain seats in the lower house if they obtain at least 20 percent of the vote in their constituency. In 2014, the German-speaking South Tyrolean People's Party had four representatives in the Chamber of Deputies and three in the Senate.

The children of non-European Union (EU) immigrants do not have the right to apply for citizenship until after 18 years of continuous residence; the right is forfeited if not exercised within a year. Naturalization laws stipulate that applicants must present valid birth certificates, thus excluding children of undocumented immigrants. Issues of concern to ethnic minorities play only a marginal role in national and local political agendas.

### **C. Functioning of Government:** 10 / 12

Italy experienced a series of high-level corruption scandals in 2014. In May, an investigation was launched into a group of former politicians and entrepreneurs accused of influencing procurement and construction contracts for Milan's Expo 2015 world's fair. In June, the mayor of Venice and more than 30 others, including current and former public officials, were arrested in a sweeping investigation into the acceptance of €25 million (\$34 million) in kickbacks and bribes from private companies in exchange for contracts to build the city's underwater barrier system. The mayor, accused of accepting illegal donations from the companies during his election campaign, resigned following his arrest.

Renzi responded to these cases by enhancing the powers of Italy's National Anticorruption Authority, allowing the body's president, Raffaele Cantone, to take charge of public works projects involved in corruption investigations, including Expo 2015. A magistrate distinguished for investigating organized crime and corruption, Cantone was appointed in March to lead the newly created agency, which was established through legislative efforts to strengthen national anticorruption mechanisms in 2012.

Italy continued to attack mafia organizations in 2014. During the 12 months ending in August, police arrested 1,779 mafia members and seized €4.1 billion (\$5.4 billion) in mafia assets.

Since 2011, Italy has been an active member of the Open Government Partnership. In this context, a 2013 legislative decree established greater transparency of information within public administration. Italy's 2014 Compliance Report of the Council of Europe's Group of States against Corruption (GRECO) registered modest progress in strengthening legal anticorruption mechanisms.

In 2013, Berlusconi was convicted on tax-fraud charges. In April 2014, his sentence of four years' imprisonment was reduced to one year of part-time community service out of consideration for his age; convicts over age 70 rarely serve time in prison in Italy. In July, Berlusconi was acquitted of charges of paying for sex with an underage prostitute.

### **CIVIL LIBERTIES:** 53 / 60

#### **D. Freedom of Expression and Belief:** 15 / 16

Freedom of expression and the press are constitutionally guaranteed. 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. Political party newspapers are supported by public funds; the others are financed by advertising and sales. Despite the rapid growth of the online news industry, traditional media still play a large role in news consumption. Although worse when then prime minister Berlusconi controlled up to 90 percent of the

country's broadcast media through state-owned outlets and his own private media holdings, media concentration remains a major concern. Internet access is generally unrestricted.

In September, the Senate approved a bill to abolish imprisonment as a punishment for defamation and limit financial penalties in criminal cases. However, media watchdogs have criticized the bill for not fully decriminalizing libel and failing to limit damages in civil cases, noting that its provisions fall short of European and international standards. The bill is pending a second round of parliamentary approval.

Religious freedom is constitutionally guaranteed and respected in practice. Although Roman Catholicism is the dominant faith and the state grants some privileges to the Catholic Church, there is no official religion. Agreements between the government and a number of religious groups have been signed, but an omnibus religious freedom bill has yet to be passed.

Italy's level of academic freedom is high. Freedom of private discussion is respected. A draft "internet bill of rights" was put up for consideration in October that would strengthen restrictions on personal data collection.

#### **E. Associational and Organizational Rights:** 12 / 12

Italian citizens are free to assemble, establish social and political associations, and organize demonstrations. The constitution recognizes the right to strike but places restrictions on strikes by those employed in essential services such as transport, sanitation, and health, as well as a number of self-employed professions, such as lawyers, doctors, and truck drivers. In December, the parliament passed the Jobs Act, a reform package meant to create flexibility in Italy's rigid labor market and combat unemployment. Two major labor unions called for a nationwide strike following the act's approval, protesting measures that ease restrictions on dismissing employees and weaken their right to protest unfair dismissal.

#### **F. Rule of Law:** 12 / 16

The judicial system is undermined by long trial delays and the influence of organized crime. A March 2014 report by the European Commission showed extremely high numbers of pending civil cases in proportion to Italy's population as compared to other EU countries. Italy also has one of the lowest numbers of judges per capita. The Renzi government announced its plan for judicial reform in August aiming to simplify civil law, improve management of judicial proceedings, and encourage the settlement of disputes outside court.

Italian prisons remain overcrowded, with more than 53,000 detainees held in facilities built for about 49,000, according to a December report by the Ministry of Justice. In January 2014, the European Court of Human Rights ruled that prison overcrowding had violated the rights of seven inmates in Italy. Before resigning in February, Letta rushed through a law targeting prison overcrowding that introduces early-release programs and alternatives to prison sentencing, which the Parliament approved in August.

Despite legal prohibitions against torture, there have been reports of excessive use of force by police, particularly against illegal immigrants. Italy is a major entry point for undocumented immigrants trying to reach Europe, and the government has been criticized for holding illegal immigrants in overcrowded and unhygienic conditions and denying them access to lawyers. In 2014, Italy faced increased migration by sea from the Middle East and North Africa. Mare Nostrum, a search-and-rescue program that has saved an estimated 150,000 migrants at sea since October 2013, ceased operations at the end of 2014, and the status of future sea rescue responsibilities is unclear. Immediate emergency services for arriving migrants have become routine, including medical treatment, food,

water, and temporary shelter. However, longer-term services such as asylum and housing are not easily accessible. In January, Parliament initiated a process for decriminalizing illegal entry into the country, voting to remove a law that subjects migrants to imprisonment and fines before deportation.

Although Italian law specifically bans discrimination on the basis of sexual orientation, there is no legal recognition of same-sex relationships, and same-sex couples may not adopt children together. In September 2013, the lower house passed a bill targeting anti-LGBT (lesbian, gay, bisexual, and transgender) discrimination; the Senate was still considering the bill at year's end. LGBT organizations say that the effectiveness of the bill, which extends protection against hate crimes and speech to LGBT individuals, has been undermined by broad free-speech exemptions for political and religious organizations.

#### **G. Personal Autonomy and Individual Rights: 14 / 16**

Italian citizens enjoy a high level of personal autonomy as well as freedom of residence, movement, and work. The right to education is guaranteed by the constitution.

Despite some recent improvements, the Heritage Foundation still rates Italy as a moderately free economy due to the perpetuation of structural problems that seriously undermine access to economic opportunities and resources. It also rates Italy's property rights protections as low for Europe, mainly because court proceedings are exceedingly slow, delaying enforcement against infringements.

Gender-based discrimination is prohibited by law. Women's political representation increased in 2013 in both the Chamber of Deputies (28 percent) and the Senate (27 percent). Female ministers comprise half of Renzi's cabinet. However, gender inequality remains widespread. According to the 2014 Global Gender Gap report, Italian women face severe obstacles in both labor force participation and wage equality. Violence against women continues to be a serious problem. In 2013, Italy ratified the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence.

## **Jamaica**

**Political Rights:** 2

**Population:** 2,712,000

**Civil Liberties:** 3

**Capital:** Kingston

**Freedom Ratings:** 2.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F

#### **INTRODUCTION**

In 2014, Jamaica continued to face slow economic growth in the face of persistent corruption, a major deterrent to both domestic commercial activity and foreign investment. Gang and vigilante violence remains a major problem in the country, as do abusive police practices. In February, the government appointed a commission to review the violent confrontations that took place between civilians and security forces in 2010 in Tivoli Gardens, a Kingston neighborhood, that led to a state of emergency and dozens of casualties.

**POLITICAL RIGHTS:** 34 / 40**A. Electoral Process:** 12 / 12

Jamaica's bicameral Parliament consists of the 63-member House of Representatives, elected for five years, and the 21-member Senate, with 13 senators appointed on the advice of the prime minister and 8 on the advice of the opposition leader. The leader of the party or coalition holding a majority in the House of Representatives is appointed as prime minister by the governor general, who represents the British monarch as head of state. The governor general is nominated by the prime minister and approved by the monarch.

In September 2011, Jamaica Labour Party (JLP) leader and prime minister Bruce Golding abruptly announced his resignation, a move widely interpreted to have stemmed from his involvement with alleged drug trafficker Christopher "Dudus" Coke, which had caused Golding to lose support within his own party and among the electorate. The following month, the JLP elected Minister of Education Andrew Holness to become Golding's successor as party leader and prime minister. Holness called for early general elections at the end of the year. On December 29, 2011, the People's National Party (PNP) captured 41 seats in Parliament, while the JLP took only 22. PNP chief Portia Simpson-Miller became prime minister in January 2012; she had previously held the position in 2006 and 2007.

**B. Political Pluralism and Participation:** 13 / 16

Jamaica achieved independence from Britain in 1962. Since then, power has alternated between the social democratic PNP and the more conservative JLP. In the 2007 elections, the JLP's majority victory in the House of Representatives ended 18 years in power for the PNP. Although a vast number of smaller parties are active, politics at the national level is dominated by these two parties, and no other groups hold seats in the House of Representatives.

Powerful criminal gangs in some urban neighborhoods maintain influence over voter turnout in return for political favors, which has called into question the legitimacy of election results in those areas. None of the major political parties identify on religious, ethnic, or cultural grounds.

**C. Functioning of Government:** 9 / 12

Corruption remains a serious problem in Jamaica. Long-standing relationships between elected representatives and organized crime, in which criminal gangs guaranteed votes in certain neighborhoods in exchange for protection, has been highlighted in recent years as the U.S. government pressed for the extradition of Coke, who was sentenced to 23 years in prison in 2012 following a lengthy investigative process. The gang Coke reputedly led, the Shower Posse, was based in Tivoli Gardens, an area of Kingston that Prime Minister Golding represented in the parliament. In September 2014, the minister of finance and planning called for the establishment of more robust anticorruption mechanisms, emphasizing that addressing corruption remains a national priority and is necessary for increasing public trust in government.

Government whistleblowers who object to official acts of waste, fraud, or abuse of power are not well protected by Jamaican law, as is required under the Inter-American Convention against Corruption. Implementation of the 2000 Corruption Prevention Act has been problematic. Opposition leaders have accused the government of connections to scams originating in Jamaica in which victims are told they have won the lottery, only to have their personal information stolen. The government has addressed the matter by amending a handful of laws, including the Evidence Act in 2012. Jamaica was ranked 85 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. An access to information law has been in effect in the country since 2004.

**CIVIL LIBERTIES:** 40 / 60**D. Freedom of Expression and Belief:** 15 / 16

The constitutional right to free expression is generally respected. While newspapers are independent and free from government control, circulation is generally low. Broadcast media are largely state owned but are open to pluralistic points of view. Journalists occasionally face intimidation in the run-up to elections. No attacks against journalists were reported in 2014, though both media workers and outlets occasionally face threats from state and nonstate actors. The government does not restrict access to the internet and is not known to engage in unlawful online surveillance.

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. The government does not generally hinder academic freedom.

**E. Associational and Organizational Rights:** 9 / 12

Freedoms of association and assembly are generally respected. In August, the JLP organized a demonstration in Kingston against fare hikes in the city's public transport. Hundreds demonstrated peacefully outside government buildings and were not disturbed by the police. Jamaica has a small but robust civil society and active community groups.

Approximately 20 percent of the workforce is unionized. Labor unions are politically influential and have the right to strike.

**F. Rule of Law:** 6 / 16

The judicial system is headed by the Supreme Court and includes a court of appeals and several magistrates' courts. The Trinidad-based Caribbean Court of Justice is the highest appellate court. A growing backlog of cases and a shortage of court staff at all levels continue to undermine the justice system.

Extrajudicial killings by police remain a major problem in Jamaica, accounting for 12 percent of murders each year, according to Amnesty International. While there were a large number of homicides by police in the first half of the year, the rate for all of 2014 was 100, considerably lower than the 258 registered in 2013; this was the first time that the annual number of homicides by police had fallen below 200 in more than a decade. Observers attributed the improvement to increasing accountability, as an independent commission began to more vigorously pursue cases of police violence in 2014. A high-profile case in August involved Mario Deane, a young man beaten to death after police admitted him to a cell with violent detainees. Three officers subsequently faced disciplinary action. Ill-treatment by prison guards has been reported, and conditions in detention centers and prisons are abysmal. Several new human rights projects have been initiated for the rehabilitation of prison inmates, to reduce impunity among the country's security forces, and to provide legal assistance to people who were not accorded their rights.

A Commission of Enquiry was finally appointed in February 2014 to provide an objective review of the state of emergency declared in 2010 in response to violence in Tivoli Gardens. At least 76 civilians were killed when police entered the neighborhood to arrest the drug-trafficking kingpin Coke and encountered armed resistance from his supporters. The commission began its work in December.

According to recent reports, children from abusive homes are routinely placed in police custody together with common criminals for periods of up to two weeks. Corporal punishment remained prevalent in many Jamaican schools in 2014.

Vigilante violence remains a common occurrence, as does gang activity, which has in recent years accounted for the majority of crimes in Jamaica. Kingston's insular "garrison"

communities remain the epicenter of most violence and serve as safe havens for gangs. Jamaica is a transit point for cocaine shipped from Colombia to U.S. markets, and much of the island's violence is the result of warfare between drug gangs known as posses. Contributing factors include the deportation of Jamaican-born criminals from the United States and an illegal weapons trade. In March 2014, the Jamaican government passed antigang legislation that makes membership in such groups illegal and criminalizes certain gang-related activities, such as recruiting.

Harassment of and violence against LGBT (lesbian, gay, bisexual, and transgender) people remains a major concern and is frequently ignored by the police. In 2014, Human Rights Watch reported that Jamaica is the most hostile environment in the Caribbean for LGBT people. Although Prime Minister Simpson-Miller indicated openness to the idea of appointing an LGBT cabinet minister, she did not do so in 2014. Furthermore, the government has not made attempts to repeal the country's anti-LGBT laws. Legislation against sodomy, which is punishable by 10 years in prison with hard labor, was challenged in court in 2014; however, the case was withdrawn in August after death threats were made against the claimant and his family.

#### **G. Personal Autonomy and Individual Rights: 10 / 16**

Legal protections for women are poorly enforced, and violence and discrimination remain widespread. A number of highly publicized rape cases of young girls have led to public protests and a renewed debate about prevention and punishment of the crime. Women are underrepresented in government, holding just seven seats in the House of Representatives.

## Japan

**Political Rights Rating:** 1

**Population:** 127,060,000

**Civil Liberties Rating:** 1

**Capital:** Tokyo

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	1,2,F	1,2,F	1,2,F	1,2F	1,2,F	1,2,F	1,2,F	1,2,F	1,1,F	1,1,F

#### **INTRODUCTION**

Battles with fiscal hawks in the Ministry of Finance and inside his own party led Prime Minister Shinzō Abe to dissolve the House of Representatives (HOR) and call for a controversial snap election in December 2014, two years ahead of schedule. Although his conservative coalition won its two-thirds majority and Abe was reelected, many analysts agree that structural reform under the prime minister's economic policy of "Abenomics" and legislation to implement an expanded role for Japan's self-defense forces could bog down the government in 2015.

Security policy changes proposed in July 2014 allow for the expansion of Japan's military reach, including previously restricted logistical support for U.S. forces engaged in military operations. This reinterpretation of Japan's post-World War II constitution led to large protests in the country.

**POLITICAL RIGHTS:** 39 / 40 (+2)**A. Electoral Process:** 12 / 12

Japan is a constitutional monarchy headed by the emperor of Japan, a ceremonial head of state who exercises diplomatic duties. Japan has a bicameral national legislature, the Diet. The lower house, or HOR, is made up of 480 members, each elected to a four-year term. The upper house, the House of Councillors (HOC), is comprised of 242 members who serve six-year terms, half of whom are up for election every three years.

The HOR is considered the more powerful of the two houses. It elects the prime minister, passes the budget and treaties, and holds the power to veto legislation passed by the HOC with a two-thirds majority. The HOR can be dissolved by the prime minister and his cabinet, as Abe did in November 2014. Postelection, the cabinet is also dissolved, and the HOR is charged with reappointing the prime minister, who, in turn, creates a new cabinet. HOC opposition has successfully curtailed HOR legislation in recent years, resulting in legislative stagnation and short-lived cabinets. The HOR can also pass a no-confidence resolution forcing the resignation of the cabinet.

Elections in Japan are free and fair. In 2013 elections for half of the HOC, the LDP captured control of the upper house, taking 65 of the 121 seats at stake for a new total of 135. Its coalition partner, New Kōmeitō (now Kōmeitō), won 11 seats for a total of 20. The leading opposition party, the Democratic Party of Japan (DPJ), took only 17 seats, leaving it with 59 of its previous 86 total. Five smaller parties and two independents also won seats.

Prime Minister Abe called for a controversial snap election of the HOR in December 2014. The LDP lost 3 seats but retained its two-thirds majority with a total 291 seats. Abe was reelected. The DJP won 73 seats, the newly formed Japan Innovation Party took 41 seats, LDP ally Kōmeitō won 35, the Japanese Communist Party secured 21, and the remaining seats were divided among smaller parties.

Many Japanese viewed the snap election as unnecessary and voter turnout reached a record low of 53 percent. Political observers largely considered the elections as an effort by Abe to renew the mandate for his increasingly unpopular economic reform policies, Abenomics, as well as to secure the next four years of power for the LDP.

**B. Political Pluralism and Participation:** 15 / 16

The LDP is a broad party whose members share a commitment to economic growth and free trade, but whose other political beliefs span from center to the far right. It has dominated Japanese politics since its creation in 1955, with the exception of two brief periods in 1993–94 and 2009–12. The second strongest party has been the centrist DPJ, which is largely defined by its opposition to the status quo and the entrenched LDP.

Japan has several other dynamic and durable political parties with seats in parliament: the Japan Innovation Party, a 2014 merger of the Japan Restoration Party and the Unity Party; Kōmeitō or Clean Government Party, which began as the political extension of a lay Buddhist movement and has been in coalition with the LDP since 1999; the Japanese Communist Party; the socially conservative Party for Future Generations (formed in 2014); the Social Democratic Party of Japan; and the environmental grassroots People's Life Party & Tarō Yamamoto and Friends.

**C. Functioning of Government:** 12 / 12 (+2)

Japanese bureaucrats have a strong degree of control over policy and use interministerial rivalries to manipulate political agendas.

Japan has a very low level of corruption in government as a whole. Previous corrupt practices in campaign finance, particularly in connection to the construction industry,



and political intervention in public works spending have been reduced through increased scrutiny, strict punishment of violators, and changes in intraparty factional dynamics and interparty relations. Petty bribery is very rare. Japan was ranked 15 out of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index.

The government in place in 2014 emphasized clear communication and transparency. The cabinet's decision to begin note taking at cabinet meetings and to release summaries within three weeks, while short of the full degree of openness demanded by advocates of transparent governance, marks a significant step toward greater accountability. In addition, the Act on the Protection of Specially Designated Secrets passed in late 2013 allows for nonclassified information to be automatically shared with the public.

**CIVIL LIBERTIES:** 55 / 60 (+2)

**D. Freedom of Expression and Belief:** 15 / 16 (+1)

Japan has a free and highly competitive media landscape. Under the traditional *kisha* (reporters') club system, institutions such as government ministries and corporate organizations restricted the release of news to those journalists and media outlets with membership in their club. This allowed sources to control which news outlets received information, limiting access by foreign and independent media. The effect was homogenization and dilution of coverage. In recent years, online media and weekly news magazines have begun challenging the daily papers' dominance of political reporting to reveal inside information.

The 2013 passage of the Act on the Protection of Specially Designated Secrets enacted strict punishments for leaking classified information and was highly unpopular with the media. However, it does not seem to have had any chilling effect on the media in general. The government does not restrict access to the internet.

Freedom of religion is mandated in Japan's constitution, and there are no substantial barriers to religious expression. Aside from the traditional religions of Buddhism and Shintoism, Japan is home to a small Christian minority, and is increasingly supportive of its Muslim community.

There are no restrictions on academic freedom in Japan, but education has long been a politically contested area and the focus of public debate and careful attention from civil society. Japan has no national curriculum or single official textbook, but the Ministry of Education's screening process has approved textbooks that whitewash Japan's history of imperialism and war atrocities, leading to controversy at home and abroad. The educational conservatism of the LDP and the Ministry of Education often clashes with the more left-leaning teachers' union. At the university level, there is wide diversity of views among faculty and active academic debate on a broad range of issues. Historical education about Japan's World War II practice of "comfort women"—variously called simple prostitution or sexual slavery—is a major focus of domestic debate, both at the secondary (because of the approval of a textbook manuscript that omits any mention) and the university levels.

Articles in the *Asahi Shimbun*, a major newspaper, dating from the early 1990s were retracted in 2014, and the author of those articles, now a university lecturer, was the target of a campaign by rightwing activists. Their demands that his contract not be renewed because falsehoods in his reporting had damaged the image of Japan generated strong pressure on the university administration. However, a transnational countercampaign centering on the issue of academic freedom prevailed and the contract was renewed.

The government does not restrict private discussion.

**E. Associational and Organizational Rights:** 11 / 12

Freedom of assembly is protected under the constitution. Protests, large and small, take place often, traditionally in the immediate area of the National Diet and the official residence of the prime minister. In June and July 2014, thousands protested the government's reinterpretation of the constitution and the role of the national self-defense forces. There were at least two reports of self-immolation by protesters opposed to the new military policy.

Nongovernmental organizations (NGOs) are legally recognized and protected under the 1999 Law to Promote Specified Nonprofit Activities, and they continue to thrive. NGOs formed in the wake of the March 2011 "triple disaster" of an earthquake, tsunami, and nuclear meltdown have allowed civil society to actively engage in recovery efforts and in the debate over future policies.

Labor unions have a history in Japan since the end of World War II, and the movement remains active. However, as most private sector unions are small and company-specific, the labor movement has never achieved the full political weight of its nationwide membership.

**F. Rule of Law:** 15 / 16

Japan's judiciary is independent and fair, and the rule of law prevails. In practice, the courts limit involvement in what they designate as political matters. Most famously, the courts have judged that the constitutionality of the self-defense forces should be left to elected representatives.

Japan still imposes the death penalty. Authorities have been pressured to improve treatment of prisoners since the passage of a law in 2007 meant to end abuse, but with little watchdog or whistleblower activity it is unclear to what degree actual conditions have improved.

Minority groups in Japan are increasingly overcoming social stigmas and demanding their full rights as guaranteed under the law. Under the previous DPJ government from 2009 to 2012, there was discussion of allowing non-Japanese permanent residents—principally the large ethnic Korean population—to participate in local elections, but there was been no progress on this issue in 2014.

Antidiscrimination laws do not cover sexual orientation or gender identity, and laws on rape and prostitution do not address same-sex activity. LGBT (lesbian, gay, bisexual, and transgender) people reportedly face social stigma and some cases of harassment.

**G. Personal Autonomy and Individual Rights:** 14 / 16 (+1)

Japanese are free to live, work, travel, and study where they wish. The Japanese economy is heavily regulated and private business is subject to bureaucratic restrictions, though not to an exceptional degree. The government actively encourages entrepreneurship. *Yakuza*—members of Japanese organized crime—are still present in Japan, but their economic influence has been vastly reduced outside of nightlife and construction (day labor). Several *gumi* (crime families) have sought to shift to mainstream businesses such as finance.

Women are granted equal rights under the law and are free to choose their roles and relationships, including reproductive choice. In practice, however, women continue to face outdated social norms and inequality in the workplace. It remains difficult for women to have a family and maintain a career at the same time, at least in white-collar professions. A cabinet reshuffle in September 2014 brought in a record-tying five women cabinet members, but their appointments were overshadowed when two female cabinet members resigned over minor campaign finance scandals in October.

Young Japanese suffer from a lack of stable, long-term employment opportunities. A traditionally rigid work culture and roles are becoming increasingly flexible.

# Jordan

**Political Rights:** 6

**Population:** 7,558,000

**Civil Liberties:** 5

**Capital:** Amman

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,4,PF	5,4,PF	5,4,PF	5,5,PF	6,5,PF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF

## INTRODUCTION

In 2014, Jordan continued to grapple with the economic, social, and security implications of the ongoing Syrian conflict. Public services and the national budget are under acute strain. With the help of the international community, additional refugee camps were established in Jordan to ease conditions in Zaatari, one of the largest camps in the world. In total, the UN Refugee Agency has identified more than 620,000 “persons of concern” in the country. While a number of Iraqi Christians have been settled in Jordan as well, the government denies entry to refugees of Palestinian origin, regardless of their citizenship.

The regional rise of jihadist groups has led to policies to tackle growing extremism within Jordan. Some 1,800 Jordanians have left to fight with the Islamic State (IS) militant group or with Jabhat al-Nusra. Imams have been banned for preaching pro-IS sermons, and returning jihadists have faced antiterrorism charges before the State Security Court (SSC).

**POLITICAL RIGHTS:** 11 / 40 (+1)

### A. Electoral Process: 2 / 12

King Abdullah II holds broad executive powers, appoints and dismisses the prime minister and cabinet, and may dissolve the bicameral National Assembly at his discretion. Prime Minister Abdullah Ensour and his 19-member cabinet were nominated by the parliament before their appointment. Legislative representatives in the Chamber of Deputies, or lower house, are elected through universal adult suffrage. The Senate is appointed by the king and constitutes the upper house. The central government appoints regional governors.

Parliamentary elections in 2013 were the first under the newly adopted Election Law in which voters cast two ballots. One vote is cast for a party list in which candidates are selected through proportional representation in a single nationwide constituency. Another candidate is selected through the old single nontransferable vote system based on local electoral districts. The Chamber of Deputies was expanded from 120 to 150 members, 27 of whom are selected through closed party lists. The Senate was also enlarged, to 75 seats.

In 2013, international observers noted instances of vote buying and criticized the electoral laws as unfair. Political campaigning was seen as noncompetitive and relatively absent in wide areas of the country due to the overall influence of tribal affiliations, a lack of financing, and boycotting by opposition groups. The elections were carried by East Bank tribal elites and independent businessmen loyal to the regime.

### B. Political Pluralism and Participation: 6 / 16

Jordanians are free to join political parties, though in practice, votes are cast along non-partisan, tribal lines. Changes to the Political Party Law in 2012 reduced many bureaucratic obstacles while increasing demographic and geographic requirements meant to ensure that

new political parties enjoy nationwide support. In a change from previous practice, the new law resulted in the election of 27 out of 150 deputies from nationwide party lists. However, flaws within the electoral law, gerrymandering, and the small role of the nationwide constituency are not conducive to genuine political competition. The Chamber of Deputies is heavily imbalanced in favor of rural districts, whose residents are generally of Transjordanian (East Bank) origin. Urban areas, where Palestinian-Jordanians and supporters of the Muslim Brotherhood are heavily concentrated, account for more than two-thirds of the population but less than one-third of deputies. The Brotherhood's Islamic Action Front (IAF), seen as the country's strongest party, boycotted the 2010 and 2013 parliamentary elections to protest inherent disadvantages in the system.

Christian and Circassian minorities are guaranteed nine and three seats, respectively.

### **C. Functioning of Government:** 3 / 12

Key powers and decision-making abilities are ultimately vested in the king. The Chamber of Deputies may approve, reject, or amend legislation proposed by the cabinet, but it cannot enact laws without the assent of the royally appointed Senate. King Abdullah is empowered to dismiss parliament as well as the prime minister and cabinet. The king can delay parliamentary elections for up to two years and may rule by royal decree during periods in which parliament is not in session. Civil society groups have complained about a lack of inclusion in policymaking, particularly in deliberations over the amendments to the Press and Publications Law. Disputes between parliamentarians have resulted in physical scuffles in years past.

The government has undertaken some efforts to combat widespread corruption. The National Integrity Commission was formed in December 2012 to investigate allegations, while the Privatization Review Committee, formed in January 2013, was tasked with reviewing the privatization of state-run enterprises that has led to scandals in the past. Prime Minister Ensour launched a five-year anticorruption strategy in June 2013. However, weak investigative journalism, limited access to information, and a lack of institutional checks and balances have prevented significant action. Jordan ranked 55 out of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index.

### **CIVIL LIBERTIES:** 25 / 60 (+1)

#### **D. Freedom of Expression and Belief:** 7 / 16

Freedom of expression is restricted by numerous laws that criminalize defamation, the denigration of government, and the incitement of sectarian strife. Traditional and online journalists have been arrested for criticizing the king, exposing corruption, and violating a vague requirement in the Press and Publications Law mandating media objectivity. The government pressures editors to control the media. Self-censorship is pervasive, particularly in reporting on the royal family, foreign leaders, and certain societal taboos.

Most broadcast news outlets remain under state control, but satellite dishes and the internet give residents access to foreign media. While there are dozens of private newspapers and magazines, the government has broad powers to close them and often engages in prepublication censorship of news stories. Almost all of the approximately 300 news websites blocked in June 2013 have since become unblocked after registering with the Ministry of Commerce and obtaining licenses from the Department of Press and Publications. One notable exception is the blog 7iber, which had refused to apply for a license out of protest. It operated using a mirror site after its principal web address was blocked, but the mirror was blocked in the summer of 2014, and it was taken to court for running an unlicensed operation. In December it obtained a license after appointing a new editor-in-chief in compliance with the law.

Islam is the state religion, but Christians are recognized as a religious minority and can worship freely. Baha'is and Druze are allowed to practice their faiths as well, though a lack of state recognition has resulted in de facto discrimination. The government monitors sermons at mosques, and preachers cannot practice without written government permission. Only state-appointed councils may issue religious edicts, and it is illegal to criticize these rulings. Political, sectarian, and extremist speech are outlawed at mosques under the Preaching and Guidance law, and several imams were banned for pro-IS sermons in October 2014.

Academic freedom is generally respected, and Jordanians openly discuss political developments within established red lines. However, there have been reports of a heavy intelligence presence on some university campuses, as well as some violent incidents.

#### **E. Associational and Organizational Rights: 4 / 12 (+1)**

Under recent changes to the Public Gatherings Law, prior permission is not required to stage a demonstration. Demonstrations have turned violent, such as in March 2014, when protesters gathered in front of parliament to call for the expulsion of the Israeli ambassador over the March 10 killing of a Jordanian-Palestinian judge at a Jordan-Palestine border crossing controlled by Israeli soldiers. Allegations of excessive force at the demonstration by Jordan's gendarmerie were not investigated, indicative of the overall environment of impunity. In June, black Islamic banners—often used by Salafists and jihadists—were raised in Maan, Jordan's poorest city, where residents were frustrated by police violence that had left 10 people dead. More protests against police killings took place in April.

Freedom of association is limited. The Ministry of Social Development has the authority to reject registration and foreign funding requests for nongovernmental organizations (NGOs) and can disband organizations it finds objectionable. NGOs supporting associations with political purposes are prohibited, and all board members must be vetted by state security. Nonetheless, many international NGOs operate freely in the country.

Workers have collective bargaining rights but must receive government permission to strike. More than 30 percent of the workforce is organized into 17 unions.

#### **F. Rule of Law: 6 / 16**

The judiciary is subject to executive influence through the Justice Ministry and the Higher Judiciary Council, most of whose members are appointed by the king. Provincial governors can order administrative detention for up to one year under a 1954 Crime Prevention Law that leaves little room for appeal. Prison conditions are poor, and inmates reportedly undergo severe beatings and other abuse from guards. Torture allegations are rarely prosecuted or result only in minor disciplinary penalties.

While most trials in civilian courts are open and procedurally sound, the quasi-military SSC may close its proceedings to the public. In early 2014 the government limited the jurisdiction of the SSC to high crimes of espionage, drugs, terrorism, treason, and currency counterfeiting. However, 2014 amendments to the 2006 antiterrorism law broadened its definition to include nonviolent offenses, such as using information networks to support, promote, or fund terrorism, as well as acts to harm Jordan's relations with a foreign country. The latter charge, already present in article 118 of the penal code, was used in 2013 to charge staff at *Jafra News*.

In September 2014, Omar Othman—also known as Abu Qatada—was released from prison after being cleared of terrorism charges in two separate trials. The SSC had used a confession by an accomplice, likely secured under torture, to evaluate the case, contrary to previous assurances provided to the United Kingdom, which extradited Othman in 2013.

Jordanians of Palestinian origin are marginalized from jobs in the public sector and security forces, which are dominated by East Bank tribes. Discrimination against LGBT (lesbian, gay, bisexual, and transgender) individuals is prevalent. Consensual same-sex sexual activity is not accepted in the conservative society, though it is not prohibited by law. A group of 10 gay and lesbian individuals were arrested at a private gathering in February 2014; authorities stated that they intervened “to prevent a disturbance of the peace.” Activists fighting for LGBT rights face pressure from the secret police. In 2009, the Ministry of Social Development rejected an application to establish an NGO supporting LGBT rights on the basis that it would “violate the public morals and decency,” and attempts to register others have failed since.

Poor living conditions and restrictions on freedom of movement have resulted in violent riots at the Zaatari camp in northern Jordan. While the majority of Syrian refugees live and work in cities, they are only legally permitted to work inside refugee camps. Syrian refugees have also been turned away from public schools due to overcrowding, despite their right to free education. There have been reported incidents of border authorities rejecting unmarried Syrian men of military age or refugees with Palestinian origins, against international norms on *nonrefoulement*. In some cases, Palestinians with Jordanian citizenship who reenter the country from Syria, having left in the 1970s, have been denied entry or stripped of their citizenship during routine public services. Due to legal constraints, Palestinians are not allowed to live in Syrian refugee camps and may not seek legal income to pay for their housing.

#### **G. Personal Autonomy and Individual Rights: 8 / 16**

Citizens enjoy freedom of domestic movement and international travel under the law, though there have been reports of refugees being denied travel and others that passports have been confiscated from foreign migrant workers. Under a 2013 law, women are no longer required to obtain their husbands’ permission when applying for a passport.

Jordan was ranked 117 out of 189 economies in the 2015 World Bank’s *Doing Business* ranking due to obstacles in obtaining credit, protecting minority investors, enforcing contracts, and resolving insolvency.

Women enjoy equal political rights but face legal discrimination in matters involving inheritance, divorce, and child custody, which fall under the jurisdiction of Sharia (Islamic law) courts. In the 2013 elections, women represented 13 percent of all candidates. The lower house of parliament reserves 10 percent of seats for women, and the upper house contains eight female senators.

In November 2014, the government announced that children of Jordanian mothers but foreign fathers will be able access to free public services such as education, private property ownership, and greater employment opportunities, but will still be barred from full citizenship. A woman that suffers domestic abuse is often placed in administrative detention and can only be released when a male member of her family gives his assurance that she will not be harmed. Men who commit “honor crimes” against women receive lenient sentences. Women’s rights activists have staged campaigns against honor killings and a penal code provision that allows alleged rapists to avoid prosecution by marrying their victims. A Christian father killed his daughter for converting to Islam in May 2014 in Ajloun province. Although the legal age of marriage is 18, girls can be married as young as 15 if a judge in a Sharia court deems it is in her best interest. A 2013 report by the Chief Islamic Justice Department showed that more than 10 percent of all marriages from 2000 to 2013 involved girls under age 18. Many parents decide to marry off their daughters, often to older men, due to financial difficulties or out of fear of sexual violence in refugee camps.

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. Jordan is a destination and transit country for human trafficking for forced labor and, to a lesser extent, prostitution.

## Kazakhstan

**Political Rights Rating:** 6

**Population:** 17,031,000

**Civil Liberties Rating:** 5

**Capital:** Astana

**Freedom Rating:** 5.5

**Status:** Not Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF

### INTRODUCTION

Authorities in Kazakhstan harassed and detained independent journalists throughout 2014 and closed the few remaining independent media outlets. The government also continued to enforce a 2011 law on religion that criminalized one-third of previously legal organizations, as well as believers who met without registration.

As economic complaints reemerged during the year over a currency devaluation and uneven urban development, authorities took steps to quell public demonstrations, including arresting children protesting eminent domain evictions from their homes. Other activists faced targeted sexual harassment and preemptive detainment before a protest could even take place. New legislation on labor rights tightened already harsh restrictions and made independent unions illegal.

**POLITICAL RIGHTS:** 6 / 40

#### A. Electoral Process: 2 / 12

The Kazakhstani constitution grants the president considerable control over the legislature, the judiciary, and local governments. Kazakh Communist Party leader Nursultan Nazarbayev won an uncontested presidential election in December 1991, two weeks before Kazakhstan gained its independence from the Soviet Union, and has not left office since. Under the current constitutional rules, Nazarbayev may serve an indefinite number of five-year terms. Constitutional changes have consistently consolidated power for the president and his party, Nur Otan. Although Nazarbayev rejected a 2009 proposal to make him president for life, a 2010 constitutional amendment gave him immunity from prosecution and made his family's property effectively inviolable. In 2011, Nazarbayev was reelected in a snap presidential poll with 96 percent of the vote. His three little-known competitors all publicly expressed support for him.

The upper house of the bicameral Parliament is the 47-member Senate, with 32 members chosen by directly elected regional councils and 15 appointed by the president. The senators serve six-year terms, with half of the 32 elected members up for election every three years. The lower house (Mazhilis) has 107 deputies, with 98 elected by proportional representation on party slates and nine appointed by the Assembly of Peoples

of Kazakhstan, which represents the country's various ethnic groups. Members serve five-year terms.

Parties must clear a 7-percent vote threshold to enter the Mazhilis, and once elected, deputies must vote with their party. Parties are barred from forming electoral blocs. A 2009 amendment to the electoral law guarantees the second-ranked party at least two seats in the Mazhilis if only one party passes the 7-percent threshold.

In 2012 elections for the lower house, Nur Otan took 83 of the 107 seats, Ak Zhol won 8, and the Communist People's Party secured 7. Monitors from the Organization for Security and Co-operation in Europe (OSCE) noted that the elections did not meet democratic norms. In October 2014, Nur Otan took all the seats that were up for election in the Senate. Regional councils dominated by Nur Otan appointed the candidates.

#### **B. Political Pluralism and Participation: 3 / 16**

Aside from Nur Otan, two parties—Ak Zhol and the Communist People's Party—won representation in the 2012 Mazhilis elections, each earning just over 7 percent of the vote. Neither is considered an opposition party because they are loyal to the president.

In order to register, a party must have 40,000 members. In 2012, a court invoked laws against "extremism" to ban the unregistered opposition Algha Party and the People's Front opposition movement. It also found Algha leader Vladimir Kozlov guilty of heading an illegal group, inciting social hatred, and calling for the violent overthrow of the constitutional order. He was sentenced to seven and a half years in prison.

Mukhtar Ablyazov, billionaire former banker and opposition member, is in prison in France. Ukraine and Russia, on behalf of Kazakhstan, accuse Ablyazov of stealing from the bank he once ran. In October 2014, a French court approved his extradition to Russia on the condition that he not be released to a third country; Kazakhstan has no extradition treaty with France. In late December, Muratbek Ketebaev, a cofounder of Algha, was arrested in Spain at the request of the Kazakh government. Ketebaev had fled Kazakhstan in 2011, when he was charged in absentia for inciting violence and planning a terrorist attack.

Political parties based on ethnic origin, religion, or gender are prohibited. The Russian and Kazakh languages officially have equal status, but in 2011, newly rigorous Kazakh-language testing for candidacy in the presidential election eliminated many opposition candidates.

#### **C. Functioning of Government: 1 / 12**

Corruption is widespread at all levels of government. In June 2014, the Agency for Combating Economic Crimes and Corruption (Financial Police) released data showing \$1.6 billion was recorded as embezzled in Kazakhstan in 2013 and the first five months of 2014. Corruption cases were prosecuted at all levels, from local administrations to regional governors and corporate elites, but at a high level charges are filed unevenly, usually only after an official has fallen out of favor and fled the country. Kazakhstan ranked 126 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

#### **CIVIL LIBERTIES: 18 / 60 (-1)**

##### **D. Freedom of Expression and Belief: 4 / 16**

While the constitution provides for freedom of the press, the government has repeatedly harassed or shut down independent media outlets. Members of the president's family and other powerful groups control most of the country's outlets, including publishing houses. Libel is a criminal offense, and the criminal code prohibits insulting the president. Self-censorship is common.



Independent journalists frequently suffer attacks, arrests, and pressure from authorities. In 2011, police used emergency powers to arrest or detain journalists attempting to cover unrest in Zhanaozen and neighboring cities. Since then, raids on independent media outlets and the harassment and detention of journalists have increased. New regulations in 2012 gave the Ministry of Culture and Information expanded powers to combat “unofficial or negative information” about any crisis. Since 2012, courts have shut down dozens of independent newspapers, television channels, and news websites on charges of “extremism.”

Most of the few remaining independent media groups faced pressure throughout 2014. Authorities closed outlets, blocked attempts to open new publications to replace those that had been banned, and prosecuted independent journalists for libel. Weekly newspapers *Assandi Times* and *Pravdivaya Gazeta* were shut down on legal technicalities. The journal *Adam Bol* was ordered closed in October on charges of “inciting participation in a foreign war” after publishing an interview with an activist who mentioned supporting the Ukrainian government against Russian-backed separatist forces.

The authorities or elites in power use extralegal methods to squelch dissent or criticism. For example, criticism of Almaty’s mayor by Dina Baidildayeva, a blogger and social networks editor at Radio Free Europe/Radio Liberty, was followed by months of vicious sexual harassment against her online, with multiple social media accounts created in her name and filled with pornographic content. In March, journalist Natalya Sadykova was charged with criminal libel and for the first time an arrest warrant was issued pursuant to the charges, prompting Sadykova and her family to flee the country. In December, *Adam Bol* editor Gulzhan Ergaliyeva was attacked and beaten outside her apartment while she was in the midst of a public campaign protesting the shutdown of *Adam Bol*.

The government has a record of blocking websites that are critical of the regime. The list of banned websites has continually expanded since 2012 to include hundreds of sites. The authorities also intensified measures to restrict circumvention tools like Tor and virtual private networks (VPNs) that enable secure and uncensored internet access, which are popular with opposition journalists and activists.

The constitution guarantees freedom of worship, and some religious communities practice without state interference. However, laws passed in 2005 banned all activities by unregistered religious groups and give the government great discretion in outlawing organizations it designates as “extremist.” Local officials have harassed groups defined as “nontraditional,” including Protestant Christians, Jehovah’s Witnesses, and Muslims. A 2011 law required reregistration of all religious groups, giving the government unprecedented authority to regulate religious communities, and forbidding religious expression in government institutions. The process of reregistration was used to cull one-third of the country’s religious organizations, exposing unregistered believers to arrest and prosecution. These new rules continue to be enforced. In many cases, local authorities and courts prosecute believers beyond the authority of the law. Courts have sentenced defendants to forced psychiatric care for their religious beliefs, though no such provision exists in legislation.

The government reportedly permits academic freedom, except regarding criticism of the president and his family. Corruption in the education system is widespread; the Education Ministry has reported that students pay an average bribe of \$275 to their professors in exchange for passing grades on their final exams at the end of each semester.

#### **E. Associational and Organizational Rights: 2 / 12 (-1)**

Despite constitutional guarantees, the government imposes restrictions on freedoms of association and assembly. Police frequently break up unsanctioned opposition gatherings. In

2014, authorities sometimes acted outside the boundaries of the law to prevent protests over social and economic issues. In February, riot police arrested dozens of protesters in Almaty who expressed anger over the devaluation of the currency. In March, police in Astana arrested a group of women and their children protesting eminent domain evictions from their homes. The following week, in an unprecedented step, police took activist Dilnar Insenova into custody in Almaty because she allegedly planned to protest the children's arrests. She was preemptively fined \$500 for an "unsanctioned protest" that never took place.

Nongovernmental organizations continue to operate but face government harassment surrounding politically sensitive issues. Workers can form and join trade unions and participate in collective bargaining, though coopted unions and close links between the authorities and big business make for an uneven playing field. In June 2014, the government passed additional strict legislation governing the formation and activities of trade unions, making it illegal for independent unions to form or operate or for unions to call on members to participate in a strike ruled unlawful by any court. In December, police broke up a demonstration and arrested construction workers in Astana protesting unpaid wages.

#### **F. Rule of Law: 4 / 16**

The constitution makes the judiciary subservient to the executive branch. Judges are subject to political bias, and corruption is evident throughout the judicial system. Conditions in pretrial facilities and prisons are harsh. Police at times abuse detainees and threaten their families, often to obtain confessions, and arbitrary arrest and detention remain problems.

Members of the sizable Russian-speaking minority have complained of discrimination in employment and education. Migrant workers from neighboring countries often face poor working conditions and a lack of legal protections.

Kazakhstan decriminalized homosexual activity in 1998, but the LGBT (lesbian, gay, bisexual, and transgender) community continues to face societal discrimination. In May 2014, an Astana woman was killed and her body was dismembered and burned. In 2013, she and her partner had held a symbolic wedding. Her partner was arrested as a suspect in the murder. Also in May, same-sex marriage opponents built a brick wall in front of a gay night club in Almaty.

#### **G. Personal Autonomy and Individual Rights: 8 / 16**

Kazakhstani citizens can travel freely but must register their permanent residence with local authorities. In 2014 the government instituted a new system of fines for anyone living at an unregistered residence or renting to unregistered tenants. The right to choose institutions of higher education is formally protected but has been plagued by corruption, which the government is attempting to control.

While the rights of entrepreneurship and private property are formally protected, bureaucratic hurdles limit equality of opportunity. Clannish elites and government officials control large segments of the economy. Astana residents whose homes have been demolished to make way for large construction projects have said they were denied legally guaranteed compensation.

Traditional cultural practices and the country's economic imbalances limit professional opportunities for women. Domestic violence often goes unpunished, as police are reluctant to intervene in what are regarded as internal family matters. Despite legal prohibitions, the trafficking of women for the purpose of prostitution remains a serious problem. Child labor in agriculture has been reported.

## Kenya

**Political Rights Rating:** 4

**Population:** 43,210,000

**Civil Liberties Rating:** 4

**Capital:** Nairobi

**Freedom Rating:** 4.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	3,3,PF	4,3,PF	4,3,PF	4,4,PF	4,3,PF	4,3,PF	4,4,PF	4,4,PF	4,4,PF

### INTRODUCTION

The Shabaab, the Somalian extremist group, continued its assault on Kenyan territory in 2014, carrying out bombings and other attacks in retaliation for Kenya's involvement in the African Union peacekeeping mission in Somalia. The Kenyan government responded with a heavy-handed counterterrorism campaign. Following several attacks in Nairobi and Mombasa, the government in April began Operation Usalama Watch, in which thousands of Somali refugees were rounded up in mass arrests and put in camps, and more than 350 others were deported under the premise of "emergency security challenges." The sweep disproportionately affected Kenyan residents of Somali ethnicity, and was described by rights groups as a violation of national and international law.

After a late-year spike in terrorist attacks, President Uhuru Kenyatta in December signed the Security Laws (Amendment) Act, which gave the government expansive powers to restrict basic rights in the interest of national security. Among other controversial clauses, the legislation authorized the government to monitor and intercept communications, detain terrorism suspects without charge for up to one year, and restrict media reporting on terrorism and related issues. Also that month, the Non-Governmental Organizations Coordination Board deregistered more than 340 nongovernmental organizations (NGOs) that it claimed had not submitted financial records, alleging that they were "vulnerable to abuse as conduits of terrorism financing and money laundering." The deteriorating security situation toward the end of the year sparked protests in Nairobi and led to the replacement of Kenya's police chief and the cabinet secretary of the interior.

While Kenyatta remained popular in 2014, his government continued to face challenges from former prime minister Raila Odinga's Coalition for Reforms and Democracy (CORD). In July, CORD led the so-called Saba Saba rally to protest increasing insecurity and call for a national dialogue on rising ethnic tensions. More than 10,000 people participated in the rally, during which opposition leaders also proposed a referendum to address major issues including land reform and devolution of power to regional governments.

International Criminal Court (ICC) cases against Kenyatta and Deputy President William Ruto for crimes against humanity in connection with 2007–08 postelection violence continued to unravel in 2014. As in the previous year, prosecution witnesses disappeared or withdrew amid threats, and civil society organizations and media outlets that focused on the trials faced intimidation. In September, the parliament voted in favor of the country's withdrawal from the ICC, a process that would take up to a year to complete. Lawmakers argued that the ICC cases were politically motivated and infringed on Kenya's sovereignty. Kenyatta in October attended a hearing on his case in The Hague, the Netherlands, becoming the first sitting head of state to appear before the court. In December, ICC prosecutor Fatou Bensouda announced the withdrawal of charges against Kenyatta, citing a lack of

evidence and the Kenyan government's failure to cooperate. The case against Ruto was ongoing as of the end of 2014.

**POLITICAL RIGHTS: 22 / 40**

**A. Electoral Process: 7 / 12**

Under the 2010 constitution, 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 newly created 47 counties. The National Assembly consists of 349 elected members (290 directly elected, 47 special women representatives, and 12 nominated by each party according to their share of the assembly vote), plus 1 ex-officio member elected as speaker. The newly created Senate consists of 67 elected members (47 directly elected, 16 special women representatives, 2 representing youth, and 2 representing people with disabilities), plus 1 ex-officio member elected as speaker.

The March 2013 elections were Kenya's first held under the new constitution. There were 8 presidential candidates and over 20 parties competing for legislative seats, aligned into 4 main groupings—the Jubilee Coalition, CORD, the Amani Coalition, and the EAGLE Alliance. Regional and international election observers noted a generally peaceful election period and important improvements compared with 2007, but also serious shortcomings. Some observers pointed to a harsher security environment and a large degree of self-censorship. The Independent Electoral Boundaries Commission (IEBC) declared Kenyatta the winner of the presidential election with 50.07 percent of the vote, with his closest challenger, Odinga, taking 43.7 percent. Kenyatta's Jubilee Coalition took 167 National Assembly seats, 30 Senate seats, and 18 gubernatorial races. CORD won 141 National Assembly seats, 28 Senate seats, and 23 gubernatorial races.

There were serious questions surrounding the tabulation of results. The IEBC's electronic transmission system failed, and the manual delivery of ballots was delayed and not transparent. Moreover, there was significant confusion initially over the total number of rejected or invalid ballots, as well as controversy over whether to include the rejected ballots in the total number of votes cast in the presidential vote.

The framework for the 2013 elections was guided by the requirements set forth in the new constitution, but some aspects, such as campaign finance reform, were not implemented. The IEBC's central members were appointed through a credible process with legislative oversight, yet the body's effectiveness was hampered by ambiguity regarding its mandate and interference from the legislature.

**B. Political Pluralism and Participation: 10 / 16**

Citizens are free to organize into political parties that represent a range of ideological, regional, and ethnic interests, but Kenyan parties are notoriously weak, often amalgamated into coalitions designed only to contest elections. Opposition party leaders and members are not routinely harassed by the state, though there have been sporadic outbursts of violence by party activists and affiliated ethnic gangs.

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 August 2014, the High Court upheld the right of three political parties—the National Alliance, the Orange Democratic Movement, and the United Republican Party—to collectively receive more than \$4 million based on the outcome of the 2013 elections.

The new constitution was intended to reduce the role of ethnicity in elections. Although the Political Parties Act requires each party to have at least 1,000 members in 24 of the 47 counties to ensure diversity, the major coalitions continue to reflect distinctive—though

rarely exclusive—ethnic groupings. The stipulation that all voters must possess a National Identity Card impedes historically marginalized groups from obtaining greater access to the political process, particularly the nearly seven million pastoralists from the upper Rift Valley and North Eastern regions. Finally, the security forces' ongoing harassment of the substantial ethnic Somali population diminishes their political engagement.

**C. Functioning of Government: 5 / 12**

Corruption is a serious problem in Kenya. While the new constitution includes measures for increased accountability and transparency, official prosecutions of corruption have yielded meager results, and no top officials have been successfully prosecuted. The Ethics and Anti-Corruption Commission (EACC) lacks prosecutorial authority and can only pass the results of its investigations to the office of the attorney general. In April 2014, the EACC annulled two contracts issued by the Kenyan Ports Authority, worth more than \$21 million combined, that had been “irregularly awarded,” and arrested the officials involved. In December, news leaked of a scandal in which former election commission officials solicited bribes from a British firm seeking ballot-printing contracts for two 2009 special elections. The company's representatives were convicted in a British court, and in late December the EACC announced that it would pursue cases against the implicated Kenyan officials. Kenya was ranked 145 of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

Weak institutional capacity has undermined attempts to increase transparency on the budget-making process, procurement, and other government activities. There is little input from civil society. In August 2014, the government launched its Integrated Financial Management Information System, a website that documents the procurement process—including the tender announcement, bids received, and contracts awarded—in order to increase efficiency and reduce direct interaction, and therefore opportunities for bribery, between businesspeople and government officials.

**CIVIL LIBERTIES: 29 / 60 (-2)**

**D. Freedom of Expression and Belief: 11 / 16**

The 2010 constitution strengthened protections for freedoms of speech and of the press, and there is a large, independent, and active media sector in Kenya. In practice, however, several laws restrict press freedom, and the government and security forces harass journalists, leading to self-censorship in some cases. Media outlets avoid reporting on issues such as official corruption or misconduct, counterterrorism operations, or the ICC proceedings, often under threat of reprisals. In October 2014, *Star* journalist Justus Ochieng was threatened and harassed after reporting on alleged criminal activity by the police in Kisumu.

In late 2013, the parliament passed the Kenya Information and Communication (Amendment) Bill and the Media Council Bill, which provided for wide-ranging government control of the media sector. Under the bills' provisions, a new government-controlled board would have the authority to regulate all forms of journalism, including the power to impose potentially crippling fines on media houses and deregistration on individual journalists for alleged violations of a code of conduct, which would be drafted by legislators. In January 2014, a three-judge panel of the High Court in Nairobi halted implementation of the two laws until the full court could consider whether they were unconstitutional; the court had yet to rule on the issue by the end of 2014.

The December 2014 security legislation contained several vaguely worded clauses curtailing press freedom, including the threat of three years in prison for journalists who failed to obtain police permission before reporting on terrorism investigations or operations,

or who published images of dead or injured people that were “likely to cause fear.” In December, Kenya’s Interior Ministry announced that it would investigate Qatar-based media network Al-Jazeera after it aired a documentary on possible extrajudicial killings by Kenya’s Anti-Terrorism Police Unit (ATPU).

The government does not restrict access to the internet, but it does monitor websites and social media for hate speech and alleged incitement to violence.

The authorities generally uphold freedom of religion on civil matters. The Islamic (*Kadhi*) court system, which adjudicates cases related to personal status, marriage, divorce, or inheritance for Muslims, is subordinate to the superior courts of Kenya. Religious groups are required to register with the government, which permits them to apply for tax-exempt status. In November 2014, Attorney General Githu Muigai said the government would establish a task force to review legislation on the registration process and verify that religious institutions and communities are acting in accordance with the law; Muigai also suspended registration of new religious organizations until further notice. Religious tension has risen in recent years due to terrorist attacks carried out by the Shabaab and extrajudicial attacks and harassment by Kenyan security forces against the Muslim and ethnic Somali populations.

For the most part, academic freedom remains secure in Kenya. However, the education system suffers from structural and funding problems. Increasing intimidation from the security forces and ethnically affiliated gangs such as the Mungiki has inhibited open and free private discussion in the country.

#### **E. Associational and Organizational Rights: 6 / 12 (–1)**

The constitution guarantees freedom of assembly. Local police must be notified in advance of any public meetings, and may prohibit them. In November 2014, demonstrations broke out across Nairobi in support of a woman who was stripped and assaulted by a large mob of men for allegedly being dressed inappropriately—one of an increasing number of similar incidents. The attack, which was caught on video, also prompted a social-media campaign. Ruto called for the arrests of the aggressors, and more than 100 men were taken into custody. Separately, in late December, police assaulted and arrested several civil society activists who were peacefully protesting against the new security bill.

Kenya has an active NGO sector, but civil society groups have faced growing obstacles in recent years, particularly those deemed supportive of the ICC proceedings. In late 2013, supporters of Kenyatta in the National Assembly proposed amendments to the Public Benefit Organization Bill that would have capped foreign funding of NGOs at 15 percent, among other provisions. While these amendments were initially withdrawn, the bill was reintroduced in October 2014, shortly before Kenyatta appeared at the ICC, with the funding restriction intact, sparking protests. Some estimates suggest that the cap could result in the loss of over 100,000 Kenyan jobs at the country’s 8,500 registered NGOs. The NGO board’s December deregistration of more than 340 NGOs, including 15 with alleged ties to terrorist groups, also shuttered Christian groups, orphanages, and health and development organizations. Other groups, such as the international NGOs Doctors Without Borders and Concern Worldwide, were not deregistered, but the government accused them of failing to submit financial audits and gave them a three-week deadline to do so.

Trade unions are active in Kenya, with approximately 40 unions representing nearly two million workers. Most unions are affiliated with the sole approved national federation, the Central Organization of Trade Unions. However, in April 2014 public-sector workers created their own umbrella group—the Federation of Public Service Trade Unions of Kenya—in the face of government attempts to curb wages. The 2007 Labor Relations Act establishes broad criteria for union registration, leaving authorities with limited grounds

for suspending or refusing to register a union. The 2010 constitution affirmed the rights of unions to establish their own agendas, bargain collectively, and strike.

**F. Rule of Law: 5 / 16 (-1)**

The 2010 constitution enhanced the independence of the judiciary. Chief Justice Willy Mutunga has built the judiciary's image as a trusted institution, and has overseen the creation of a new Supreme Court, Court of Appeal, and High Court. The new Judicial Services Commission handles the vetting and appointment of judges, and has been cited as an early success.

Nevertheless, rule of law does not prevail in many civil and criminal matters. In July 2014, legislators criticized police corruption, revealing that officers were soliciting bribes from potential recruits. The following month, the National Police Service Commission canceled the recruitment of more than 1,200 new officers, and sought the arrest of officers found guilty of patronage or corruption in a previous recruitment effort.

There is little protection from political terror, especially for segments of the population that have been caught up in the Shabaab attacks and the counterinsurgency campaign in the traditionally marginalized, mostly Muslim coastal region. In June and July 2014, several attacks in the coastal counties of Lamu and Tama River killed more than 100 people. The Shabaab claimed responsibility for some—but not all—of these attacks. There were suggestions that local political elites, ethnic rivalries, and land grievances also played a role in the violence. In July, the government imposed a dusk-to-dawn curfew in Lamu County. The Law Society of Kenya filed a lawsuit in December to challenge the curfew, stating that residents had faced increased victimization by security forces since its imposition. In November, the government launched a series of raids against the Shabaab inside Somalia in retaliation for the group's murder of 28 non-Muslims in northeastern Kenya. In December, the Shabaab killed 36 quarry workers close to the border with Somalia, separating out and executing only the non-Muslims.

Arbitrary arrests, beatings, and extrajudicial killings remained prevalent in 2014, with several high-profile cases in the coastal region. In November in Mombasa, separate attacks by unidentified gunmen killed terrorism suspect Hassan Guti and Sheikh Salim Bakari Mwarangi, a moderate cleric who was one of many local leaders working to counter the radicalization of Muslim youth. Al-Jazeera's December report on allegations that the ATPU engaged in hundreds of extrajudicial killings of terrorism suspects each year included interviews with ATPU officers, and suggested that some foreign governments provided intelligence to support the campaign.

A ban on the Mombasa Republican Council (MRC), a group that advocates for the secession of the coastal region, was overturned in 2012. However, in December 2014 MRC leader Omar Mwamnuadzi and six other MRC members were charged with unlawful assembly and membership in an outlawed group; Mwamnuadzi was also charged with drug possession.

Ethnic Somalis—both Kenyan citizens and refugees from neighboring Somalia—were singled out in the wide-ranging roundups, detentions, and deportations in response to Shabaab attacks in 2014, and security forces have often subjected Somali detainees to torture and rape. In recent years, there has been increased social and political pressure to expel the nearly 450,000 Somali refugees residing in Kenya, some 350,000 of whom live in the massive Dadaab camp complex. The December security law limited the number of refugees in Kenya to 150,000, and mandated that they remain in camps while their asylum applications are processed.

Consensual same-sex sexual activity is criminalized, with a maximum of 21 years in prison for sex between men. Members of the LGBT (lesbian, gay, bisexual, and transgender) community faced discrimination, abuse, and violent attacks in 2014. In October, the High Court heard the National Gay and Lesbian Human Rights Commission's case against the NGO board, which had denied its registration application in 2013. In a similar case in July, the High Court had sided with Transgender Education and Advocacy, ruling that it was unconstitutional to discriminate against individuals or deny them freedom of association "on the basis of gender or sex."

#### **G. Personal Autonomy and Individual Rights: 7 / 16**

Citizens generally enjoy freedom of travel, residence, employment, and education, and have the right to establish private businesses. However, the prevalence of petty corruption inhibits these freedoms, as do discrimination based on gender and ethnicity and banditry in rural areas. Criminal networks and ethnic gangs frequently impede economic activity through extortion and threats. The curfew in Lamu County and the extensive security-force mobilization in other counties, notably Garissa and Mandera, restricted movement and harmed business activity in some areas in 2014.

Rape and domestic violence are reportedly common but rarely prosecuted, and spousal rape is not criminalized. Customary law often trumps statutory law, leaving women with few remedies for discriminatory customary practices. Underage marriage is illegal but still occurs. Female genital mutilation has declined among some groups but is widely practiced among the Somali and Kisii populations. Women remain underrepresented in politics. A constitutional provision requiring that at least one-third of the members of elective bodies be women has yet to be implemented. Only 16 women were directly elected to the National Assembly in 2013, and none were directly elected to the Senate or a governorship.

In April 2014, Kenyatta signed a law intended to consolidate the country's seven existing marriage laws and streamline legal definitions of marriage and divorce. Female legislators walked out of the parliament amid heated debate about a clause that allows polygamy without the consent of existing wives. Advocates of the legislation hailed it for creating legal criteria, and consequences, for widespread customary practices that had been harmful to women. However, many women's groups criticized the law, saying it severely restricted women's rights.

## **Kiribati**

**Political Rights Rating:** 1

**Civil Liberties Rating:** 1

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 111,000

**Capital:** Tarawa

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2004
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F



**INTRODUCTION**

The island nation Kiribati, which consists of 33 atolls scattered across 811 square kilometers, continued to contend with limited opportunities for development, which is constrained by the country's size, remote location, and lack of resources, as well as by environmental threats from climate change. The economy largely depends on interest from a trust fund built on royalties from phosphate mining, remittances from workers overseas, and foreign assistance. In 2014, the government warned that its resources are inadequate for sustaining the country's high birth rate.

Following a number of deaths connected to domestic violence, public debate arose around the issues of legal protections against violence and the severity of punishment for individuals convicted of murder.

**POLITICAL RIGHTS: 36 / 40****A. Electoral Process: 12 / 12**

The president of Kiribati is popularly elected in a two-step process whereby the unicameral House of Parliament nominates candidates from its own ranks and voters then choose one to be president. Forty-four representatives are popularly elected to the House of Parliament for four-year terms. The attorney general holds a seat *ex officio*, and the Rabi Island Council nominates one additional member. (Although Rabi Island is part of Fiji, many residents were originally from Banaba Island; British authorities forced their relocation when phosphate mining made Banaba uninhabitable.) The president, vested with executive authority by the constitution, is limited to three four-year terms.

Parliamentary elections in 2011 saw the ruling Pillars of Truth party winning 15 seats, and the opposition Karikirakean Tei-Kiribati and Maurin Kiribati parties taking 10 seats and 3 seats, respectively. Anote Tong was elected to a second term as president.

**B. Political Pluralism and Participation: 16 / 16**

Citizens enjoy a high degree of political freedom. Political parties are loosely organized and generally lack fixed ideologies or formal platforms. Geography, tribal ties, and personal loyalties influence political affiliations.

**C. Functioning of Government: 8 / 12**

Official corruption and abuse are serious problems. International donors have demanded improvements in governance and transparency.

In 2013, two-thirds of legislators voted in approval of a bill to remove their parliamentary protection against civil and criminal liability in the course of their legislative duties. Also in 2013, two ministers resigned under pressure from lawmakers who alleged that the ministers had received a higher than normal parliament allowance.

**CIVIL LIBERTIES: 55 / 60****D. Freedom of Expression and Belief: 15 / 16**

Freedom of speech is generally respected. Kiribati has one state-owned and one private radio station, but its only domestic television service, the state-owned Kiribati TV, closed in 2013 because of lack of funds. Several newspapers are published once or twice a week in print or online, including the *Te Uekera* (state-owned), *Te Mauri* (church-owned), and *Kiribati Star* (privately owned). The privately owned *Kiribati Independent* publishes once every two weeks.

In May 2014, Radio Kiribati suspended a journalist for 20 days, allegedly for refusal to obey the management of the station, after he aired a report containing quotes from an opposition legislator responding to government allegations of corruption.

There were no reports of religious oppression or restrictions on academic freedom in 2014. Lack of resources restricts access to education.

**E. Associational and Organizational Rights:** 12 / 12

Freedoms of assembly and association are generally respected. Many nongovernmental organizations are involved in development assistance, education, health, and advocacy for women and children. Workers have the right to organize unions, strike, and bargain collectively, though only about 10 percent of the workforce is unionized. The largest union, the Kiribati Trade Union Congress, has approximately 2,500 members. The government is the largest employer.

**F. Rule of Law:** 15 / 16

The judicial system is modeled on English common law and provides adequate due process rights. There is a high court, a court of appeal, and magistrates' courts; final appeals go to the Privy Council in London. The president makes all judicial appointments. Traditional customs permit corporal punishment. Councils on some islands are used to adjudicate minor offenses and disagreements. The island's small police force performs law enforcement and paramilitary functions. Kiribati has no military; Australia and New Zealand provide defense assistance under bilateral agreements.

Same-sex sexual activity is a crime, and there are no protections against hate crimes or discrimination based on sexual orientation.

**G. Personal Autonomy and Individual Rights:** 13 / 16

Citizens enjoy freedom of movement, though village councils have used exile as a punishment for wrongdoing.

In May 2014, Australian authorities deported a Kiribati national after he was denied refugee status based on the threat of climate change in Kiribati.

Discrimination against women is common in the traditional, male-dominated culture. Sexual harassment is illegal and not reported to be widespread. The government has voiced support for increasing women's participation in politics, but few steps have been taken toward this goal. Tong's proposal for a ministry for women and youths in 2012 failed to receive adequate support in the parliament.

Domestic abuse remains a serious and is often associated with alcohol abuse. In February 2014, the labor minister was charged with assaulting his former wife. The legislature passed the Family Peace Act in April, criminalizing all forms of domestic violence. The deaths of at least five women were associated with domestic violence in 2014.

Kiribati is in Tier 2 of the U.S. State Department's 2014 *Trafficking in Humans Report* for showing efforts to comply with standards to prevent and prosecute trafficking and assist victims in the U.S. Trafficking Victims Protection Act. Kiribati is a source for human trafficking for the purposes of forced labor or sexual exploitation.

## Kosovo

**Political Rights Rating:** 4↑

**Population:** 1,824,000

**Civil Liberties Rating:** 4

**Capital:** Priština

**Freedom Rating:** 4.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Ratings change:** Kosovo's political rights rating improved from 5 to 4 due to the comparatively successful conduct of June elections and a subsequent agreement by rival parties to form a coalition government.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	6,5,NF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	4,4,PF

### INTRODUCTION

In June 2014, Kosovo held general elections. Observers deemed the elections relatively free and fair, and there was a considerable increase in Serbian voter turnout. No single political party or coalition won enough seats in parliament to secure a governing mandate. As a result, Kosovo politics became mired in constitutional gridlock until December 2014.

That month, former rivals the Democratic Party of Kosovo (PDK) and the Democratic League of Kosovo (LDK) formed a government with LDK leader Isa Mustafa serving as prime minister. As part of the deal, former prime minister Hashim Thaçi of the PDK will become president once the term of the sitting president, Atifete Jahjaga, expires in 2016. Movement for Self-Determination (Vetevendosje), an opposition party, accused the new coalition of not respecting an earlier agreement that sought to exclude the PDK from the government. Vetevendosje leader Albin Kurti said the PDK and LDK alliance's main purpose was to allow both parties to cover up corruption.

Kosovo extended the mandate of the European Union (EU)'s rule of law mission to Kosovo, known as EULEX, until June 2016. The EU task force investigating war crimes and its prosecutor Clint Williamson are looking into the claims of Council of Europe rapporteur Dick Marty, who in 2010 accused senior members of the Kosovo Liberation Army (KLA) of engaging in war crimes and organ trafficking. In July 2014, Williamson said he too found compelling evidence of KLA crimes. The EU and Kosovo are in talks on the nature of the court that will be established to pursue these allegations, its jurisdiction, and location. In May 2014, Kosovo finalized the negotiations on its Stabilisation and Association Agreement (SAA) with the EU, a milestone for the country.

**POLITICAL RIGHTS:** 23 / 40 (+6)

**A. Electoral Process:** 9 / 12 (+3)

Members of the unicameral, 120-seat Assembly of Kosovo are elected to four-year terms. The assembly elects the president, who serves a five-year term. The president nominates the prime minister, who is then approved by the assembly.

Kosovo held elections in June 2014. International election observers considered the elections to be relatively free and fair, and all observers noted the increased participation of ethnic Serbs. The Central Election Commission was judged to have fulfilled its responsibilities. The ruling PDK won 34 seats, LDK won 27 seats, Vetevendosje won 14 seats,

and the Alliance for the Future of Kosovo (AAK) gained 11 seats. A coalition led by LDK and AAK and several smaller political parties attempted to form a government, but challenges to the interpretation of government formation procedures in the constitution, raised by the PDK, halted the process. An agreement was reached in November 2014 between the PDK and the LDK to form a government whereby current prime minister Thaçi will become deputy prime minister and Mustafa will replace him. The new government was chosen in December.

**B. Political Pluralism and Participation:** 10 / 16 (+1)

There is little difference in policy between mainstream political parties. The exception is Vetevendosje, which has matured from a grassroots youth opposition movement into a party focused on affirming and defending Kosovo's national sovereignty.

Given the power-sharing features enshrined in the Kosovo constitution, it is nearly impossible for a single political party to form a government on its own. A party or coalition needs at least 61 seats in the assembly to secure a governing majority.

The International Steering Group, a body representing 25 countries, ended its oversight of Kosovo in 2012. However, North Atlantic Treaty Organization (NATO) peacekeepers, EULEX, and a scaled-back team from the UN Interim Administration Mission in Kosovo (UNMIK) continue to monitor conditions on the ground.

In the assembly, 10 seats are reserved for ethnic Serbs and another 10 for other ethnic minorities. While several political parties represent the Serb minority, the population itself is not fully integrated into the electoral process or Kosovo's institutions. Turnout for Serbs was higher in 2014 than in 2010, ranging from 27 to 40 percent in the four northern municipalities where most live.

South of the Ibar River, which divides predominantly Serb from predominantly Kosovar regions, Priština has made advancements in the decentralization process granting self-rule to Serb enclaves, thus weakening parallel structures in those areas. The aim of a failed April 2013 EU-led agreement was to diminish these structures in the North. Northern Kosovo Serb authorities do not recognize Priština's legitimacy and rejected the EU-backed agreement, creating their own legislature.

The June 2014 election saw an increase in Serb minority participation to 43 percent. Mitrovica, which is divided by the Ibar into ethnic Serb and Kosovar sections, remained the exception, with turnout of only 17 percent. Northern Kosovo also saw a strong boycott movement in the November 2013 local elections, and turnout was low. While voting was taking place, masked men released tear gas canisters and smashed ballot boxes in a majority-Serb area of Mitrovica.

**C. Functioning of Government:** 4 / 12 (+1)

Corruption remains a serious problem. A legislative framework to combat corruption is in place, including a new four-year anticorruption strategy and action plan adopted in 2013. Amendments to laws governing political party financing, conflicts of interest, and asset declarations for politicians and public servants were also approved in 2013. However, implementation has been insufficient, and graft and misconduct remain widespread across many state institutions.

In October 2014, EULEX was accused of corruption and gross mishandling of its mandate. Whistleblowers reported bribery affecting prosecutorial decision making in 2014. Moreover, an analysis of the mission's progress over its six years of operation revealed that it routinely failed to vigorously pursue high-ranking Kosovar officials, frequently scapegoating lower-level offenders while leaving systemic issues unaddressed. Transparency

International ranked Kosovo 110 out of 175 countries and territories surveyed in its 2014 Corruption Perceptions Index.

A wide range of government documents is available online. Civil society is consulted in the drafting of laws.

**Discretionary Political Rights Question B:** 0 / 0 (+1)

Over the last five years, Kosovo has seen progress in relations between the government and Serb communities. In September 2014, the Serbian Parliamentary Committee on Kosovo declared conditions for the Serb population had improved, though they remained unsatisfactory. International troops have helped to enforce respect for Serb culture.

**CIVIL LIBERTIES:** 29 / 60 (+3)

**D. Freedom of Expression and Belief:** 9 / 16 (+1)

The constitution protects freedoms of expression and the press, except speech that provokes ethnic hostility. A wide variety of print and television outlets operate, but journalists are subject to political pressure, including from their editors. Outside the newsroom, journalists report frequent harassment and intimidation, and occasional physical attacks. In March 2014, a court ruled against three people for their role in the 2012 attack on a launch event for a *Kosovo 2.0* magazine issue focusing on LGBT (lesbian, gay, bisexual, and transgender)-related topics; 30 people had stormed the magazine's offices, destroying property and beating one employee. The EU Progress report for 2014 praised the reappointment of the Independent Media Commission after two years of inactivity. There are no reports that the government censors or monitors the internet.

The constitution guarantees religious freedom. The arrest of the imams of Priština, Peja, and Mitrovica in September 2014 produced an islamophobic discourse in the media as well as anti-Islamic political declarations. In 2013, Kosovo began implementing a 2012 agreement with Serbia within the EU-led dialogue to create a special multiethnic police force to better protect religious and cultural sites. Attacks on Serbian Orthodox religious sites have declined over the last decade, though several Serbian Orthodox cemeteries were desecrated in September 2014.

The Kosovo Police Force arrested 43 citizens in August 2014 on accusations of inciting terrorism and challenging the security and constitutional order of Kosovo. None of the arrested has been charged of the alleged crimes. Still, Kosovo's Muslim community fears persecution as Kosovo officials face pressure from both the United States and the EU to crack down on Islamic preachers who incite extremism.

Academic freedom has improved. Student protests in February 2014 prompted the head of the University of Priština to resign, which was considered a victory for civil society.

Space for private discussion has improved, especially on formerly sensitive topics such as treatment of the Serb population, Roma communities, and LGBT people.

**E. Associational and Organizational Rights:** 6 / 12

The government, EULEX, and NATO peacekeepers generally respect legislative guarantees on freedom of assembly, though demonstrations have occasionally been restricted for security reasons. The constitution includes safeguards for public order and national security. Nongovernmental organizations function freely, though the courts can ban groups that infringe on the constitutional order or encourage ethnic hatred. The constitution protects the right to establish and join trade unions. However, workers face intimidation, and private sector unions are nearly nonexistent.

**F. Rule of Law: 6 / 16 (+1)**

The judicial reforms started in 2013 were reviewed positively in the October 2014 EU Progress Report. The extension of the EULEX mandate by the Kosovo president, however, has come under criticism for noncompliance with the constitution over the mandate of international judges.

Ethnic Albanian officials rarely prosecute cases involving Albanian attacks on non-Albanians. In August 2013, Amnesty International criticized UNMIK for failing to investigate the abduction and murder of Kosovo Serbs after the 1998–99 war, allegedly contributing to a climate of impunity. EULEX has also been criticized for failing to prioritize war crimes investigations, particularly those allegedly committed by former KLA members. Prison conditions meet international standards, but concerns include poor medical care for inmates.

Kosovo authorities are cooperating with EULEX's investigation into the allegations in Dick Marty's 2010 report. The EU Special Investigative Task Force report presented by the chief prosecutor, Clint Williamson, found compelling evidence of KLA crimes based on investigations in 2013 and 2014. It proposed a special court to handle the proceedings.

The police are rated as the most trusted public institution in Kosovo. According to the October 2014 EU Progress Report, accountability mechanisms designed to investigate and punish police misconduct have been especially effective. After examining more than 200 civilian complaints against officers from late 2013 to mid-2014, the independent police inspectorate carried out dozens of arrests, suspensions, and transfers against officers found to have acted improperly. Moreover, the Kosovo police's own disciplinary unit sanctioned 165 officers involved in 120 complaints.

The constitution prohibits discrimination, including based on sexual orientation. However, Kosovo's Roma, Ashkali, Gorani, and other minority populations face discrimination and difficult socioeconomic conditions. In 2013, President Jahjaga signed into law an amnesty for Kosovo Serbs who had agitated against Priština's authority after 2008 in an effort to help integrate the northern Kosovo Serbs. Discrimination against sexual minorities is a problem, and LGBT people face societal pressure to hide their sexual orientation or gender identity.

**G. Personal Autonomy and Individual Rights: 8 / 16 (+1)**

Freedom of movement for ethnic minorities is a problem. Returning refugees face hostility and bleak economic prospects, and property reclamation by displaced persons remains problematic.

In 2012, Kosovo's unemployment rate was 35 percent, with youth unemployment at 55 percent. The gray economy accounts for a considerable share of economic activity.

Patriarchal attitudes limit women's ability to gain an education or secure employment. Women in rural areas are disenfranchised through the practice of family voting, in which the male head of a household casts ballots for the entire family. Domestic violence also remains a problem. Despite these obstacles, Kosovo has the largest participation of women in its legislative and executive branches among Western Balkan countries thanks to gender quotas enshrined in the constitution.

In March 2014, parliament passed a law guaranteeing financial compensation and other social welfare benefits to the more than 20,000 victims of sexual violence during the 1998–99 war. However, rape in general and war rape in particular are taboo topics in Kosovar society. Women are subject to abuse and abandonment by their husbands and families for admitting they were raped, discouraging them from applying for the new benefits.

Kosovo is a source, transit point, and destination for human trafficking.

# Kuwait

**Political Rights Rating:** 5

**Population:** 3,656,000

**Civil Liberties Rating:** 5

**Capital:** Kuwait City

**Freedom Ratings:** 5.0

**Freedom Status:** Partly Free

**Electoral Democracy:** No

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	4,5,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,5,PF	4,5,PF	5,5,PF	5,5,PF	5,5,PF

## INTRODUCTION

The political upheaval that has characterized Kuwait over the past six years subsided in 2014. However, the government continued to restrict free speech and criticism of the regime. Several people were targeted for insulting the emir, including three former legislators whom the Supreme Court sentenced to three years in prison. Throughout the year, the government increasingly resorted to stripping citizenship from its harshest domestic critics. Abdullah Fairuz Abdullah Abd al-Kareem, a member of Kuwait's Human Rights Society, was sentenced to five years in prison in January and stripped of his citizenship for insulting the emir; he will be exiled after completing his sentence.

In April, following the release of a video allegedly showing former senior officials plotting a coup, authorities ordered a news blackout on the incident. The government temporarily shuttered two newspapers and several television stations for defying the order. In May, the parliament passed a telecommunications law that stipulates the establishment of the Commission for Mass Communications and Information Technology, a body with sweeping powers that include the authority to grant or rescind licenses to telecommunications companies and to block online content.

**POLITICAL RIGHTS:** 14 / 40 (-2)

**A. Electoral Process:** 2 / 12

The emir, the hereditary head of state, appoints the prime minister and approves the cabinet that the prime minister appoints. The emir shares legislative power with the 50-member National Assembly, which is elected to four-year terms by popular vote. The emir has the authority to dissolve the National Assembly at will but must call elections within 60 days. The National Assembly can overturn decrees issued by the emir while it is not in session. It can veto the appointment of the prime minister, but it then must choose from among three alternatives of the emir's choosing. The National Assembly also has the power to remove government ministers with a majority vote. The electorate consists of men and women over 21 years of age who have been citizens for at least 20 years; members of most security forces are barred from voting.

Electoral changes pronounced by the emir in 2012 changed the system under which citizens cast four votes to a simple system of one vote per person. Because districts are not always clearly demarcated and may have more than one representative, opposition parties argued that this change decreases the likelihood of building coalitions among the opposition and is a form of gerrymandering.

After the emir dissolved the National Assembly in December 2011, opposition candidates gained a majority of seats in February 2012 elections. The dissolution, which occurred amid

allegations by Kuwaiti lawmakers of corruption within the cabinet and the al-Sabah family, was ruled unconstitutional by Kuwait's Constitutional Court, which nullified the electoral results. Tens of thousands of Kuwaitis responded by holding regular protests in which hundreds were injured by a harsh security response. The opposition boycotted the subsequent December 2012 elections, leading progovernment candidates to capture the majority of seats.

In 2013, the Constitutional Court ordered the dissolution of the National Assembly after opposition challenges to the new electoral laws were dismissed. Although opposition leaders continued to boycott and criticize the government, public protests largely subsided by mid-2013. The country held its third round of parliamentary elections in 16 months in July 2013. Although there was no parliamentary crisis in 2014, the tensions that fueled past crises remain.

#### **B. Political Pluralism and Participation: 7 / 16 (-2)**

Formal political parties are banned, but political groupings like parliamentary blocs have been allowed to emerge. Opposition members claim that the 2012 electoral changes were designed to limit their power. While opposition candidates have the right to run for office, the country's long-standing political crisis and the opposition's boycott have left them underrepresented in the National Assembly.

The royal family frequently interferes in the political process, including through the harassment of political and media figures, a practice that continued in 2014. The government has impeded the activities of opposition parliamentary blocs through harassment and arrests. Former legislator Musallam al-Barrak was detained in June 2014 for allegedly insulting the judiciary. He was released on bail 10 days later.

The government increasingly uses the stripping of citizenship as a political tool against its critics. In July, without a court order, the government stripped the citizenship of Ahmad Jabr al-Shammari, a pro-opposition figure and owner of the television station al-Yawm and the *Alam al-Yawm* newspaper. Dozens of others, including opposition figure Abdullah Barghash and leading human rights activist Abdullah Fairuz Abdullah Abd al-Kareem, were also stripped of citizenship for criticizing the government.

In the 2013 elections, Shiites lost more than half of their seats gained in the December 2012 elections, winning only 8 seats.

Kuwait's more than 100,000 stateless residents, known as *bidoon*, are considered illegal residents, do not have full citizenship rights, and often live in poor conditions. Efforts to grant citizenship to 4,000 of the country's stateless residents through a 2013 law moved slowly in 2014. In November, the government announced that tens of thousands of bidoon would be offered a chance to apply for citizenship in Comoros, which would receive direct investment from the Kuwaiti government in exchange. Comoros passport holders could then receive Kuwaiti residence permits. However, foreign nationals can be more easily deported than stateless residents. Bidoon and other human rights activists have rejected this process, arguing that it is an attempt by the Kuwaiti government to relieve itself of its responsibilities to its bidoon population.

#### **C. Functioning of Government: 5 / 12**

Charges of government corruption were at the heart of the 2012 political crisis. The opposition continues to pressure the government to address it, but the government has obstructed parliamentary efforts to investigate. In June 2014, allegations emerged regarding the embezzlement of \$17 million of public funds by government representatives. Kuwait ranked 67 out of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index. Transparency in government spending and operations is inadequate and exacerbated by the weakness of the rule of law.



**CIVIL LIBERTIES: 23 / 60****D. Freedom of Expression and Belief: 6 / 16**

Authorities continue to limit press freedom. Kuwaiti law punishes the publication of material that insults Islam, criticizes the emir or the government, discloses secret or private information, or calls for the regime's overthrow.

More than 10 private daily and weekly Arabic newspapers and two private English-language dailies operate in Kuwait alongside a number of private broadcast outlets, including the satellite television station Al-Rai. The state owns four television stations and nine radio stations. Foreign media outlets generally operate relatively freely. Kuwaitis enjoy access to the internet, though the government has instructed internet service providers to block certain sites for political or moral reasons. In May 2014, the National Assembly passed a new telecommunications law that will allow authorities to monitor, block, and censor online material through a new body, the Commission for Mass Communications and Information Technology. Critics worry that the law will formalize the existing practice of punishing critical content published online. The regulatory framework needed for the implementation of the law was not fully established at year's end.

Several journalists and newspapers continued to face harassment for their coverage of the regime. After banning media coverage of an alleged coup plot in April, the regime suspended the publication of two newspapers, *Alam al-Yawm* and *al-Watan*, in both April and June for defying the ban. In October, 13 Kuwaitis were sentenced to two years in prison each for publicly reading a 2012 speech by leading oppositionist Musallam al-Barrak in which he criticized the emir.

Islam is the state religion, but religious minorities are generally permitted to practice their faiths in private. Shiite Muslims, who make up around a third of the population, enjoy full political rights but have experienced a rise in harassment in the aftermath of the 2003 outbreak of hostilities in Iraq and the 2011 uprising in Bahrain.

Academic freedom is impeded by self-censorship on politically sensitive topics as well as by larger restrictions on freedom of expression, including the illegality of offending the emir or challenging Shia Islam. Traditional gatherings (*diwaniyat*) are venues for vibrant private discussion. However, they typically only include men and are likewise affected by restrictions on sensitive topics. The government has prosecuted individuals for views expressed on social media websites in the past.

**E. Associational and Organizational Rights: 4 / 12**

Freedoms of assembly and association are guaranteed by law but constrained in practice. Kuwaitis must notify authorities of a public meeting or protest, though some peaceful protests have been allowed without a permit. In 2012, the government declared public assemblies of more than 20 people to be illegal; defiance by tens of thousands of demonstrators in 2012 and 2013 led to violent clashes with authorities. In October 2014, 67 bidoon accused of assaulting police during 2012 protests were acquitted. In the same month, human rights activist Sulaiman bin Jasim was sentenced to one month in prison for having participated in a demonstration in 2013. Bin Jasim reported that he was an observer to the protest and was assaulted by police.

In June, demonstrators filled central Kuwait City to protest against governmental corruption. Mass demonstrations in July calling for the release of prominent opposition leader Musallam al-Barrak from detention turned violent when police fired tear gas and stun grenades to disperse the protesters.

The government routinely restricts the registration and licensing of nongovernmental organizations (NGOs), forcing dozens of groups to operate without legal standing or state

assistance. Representatives of licensed NGOs must obtain government permission to attend foreign conferences. The regime claims that it has increased monitoring of the country's charities over concerns about financial support for extremist militants in Syria and Iraq originating in Kuwait.

Private sector workers have the right to join labor unions and bargain collectively, but labor laws allow for only one union per occupational trade and one national union federation, the Kuwait Trade Union Federation.

#### **F. Rule of Law: 7 / 16**

Kuwait lacks an independent judiciary. The emir appoints all judges, and the executive branch approves judicial promotions.

Authorities may detain suspects for four days without charge. Detainees, especially bidoon, have been subjected to torture. Minister of Justice and Islamic Affairs Nayif al-Ajmi resigned in May 2014 following accusations by a U.S. official that he was involved in the promotion of and fundraising for al-Qaeda in Syria—a crime in Kuwait since 2013.

The government permits visits by human rights activists to prisons, where overcrowding remains a problem. In April 2014, authorities determined that police can no longer deport expatriate workers without the approval of the Ministry of Interior.

In 2012, the government announced that it would deport bidoon who participated in demonstrations, discarding their citizenship applications, and dismiss those serving in the army if they or their family members participated in demonstrations. Dozens of stateless people were arrested for protesting their status in January and February 2014; allegations of torture while in custody have surfaced following the arrests. In September, Abd Al-Karim al-Fadhli, a pro-bidoon human rights activist, was found guilty of insulting a police officer and sentenced to six months in prison; he had been arrested in July while participating in a peaceful protest.

Same-sex sexual activity is illegal and punishable by up to seven years in prison. In 2013, officials from the Health Ministry called for clinical tests to be held at Kuwait's ports of entry in an attempt to identify and bar LGBT (lesbian, gay, bisexual, and transgender) people from entering Kuwait or any of the other Gulf Cooperation Council countries. Transgender women reportedly face abuse from officials and are subject to prosecution under a 2007 law that criminalizes "imitating the opposite sex."

#### **G. Personal Autonomy and Individual Rights: 6 / 16**

As of 2009, married women have the right to obtain passports and to travel without their husband's permission. Migrant workers often face de facto restrictions on freedom of travel and residence.

The 1962 constitution provides men and women with equal rights. Women comprise more than 60 percent of the student body at several leading universities. Kuwaiti women have the right to vote and hold public office. In May 2014, the sole remaining female elected member of the National Assembly resigned, and no women were elected in the June by-election. One woman was appointed to the Cabinet of Kuwait in January and, along with the rest of the Cabinet, serves as an ex officio member of the National Assembly. Despite some legal protections from discrimination and abuse, women remain underrepresented in the workforce and face unequal treatment in several areas of law and society. They must have a male guardian in order to marry, are only permitted to seek a divorce when deserted or subjected to domestic violence, and are not treated equally in inheritance matters. Domestic abuse and sexual harassment are not specifically prohibited by law. Foreign domestic servants and migrant workers enjoy limited legal protections against mistreatment and remain particularly vulnerable to abuse and sexual assault.

## ↓ Kyrgyzstan

**Political Rights Rating:** 5

**Population:** 5,834,000

**Civil Liberties Rating:** 5

**Capital:** Bishkek

**Freedom Score:** 5.0

**Freedom Status:** Partly Free

**Electoral Democracy:** No

**Trend arrow:** Kyrgyzstan received a downward trend arrow due to a government crackdown on freedom of assembly and the ability of nongovernmental organizations to operate.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,4,PF	5,4,PF	5,4,PF	5,4,PF	6,5,NF	5,5,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF

### INTRODUCTION

The year 2014 witnessed a troubling downward trend in Kyrgyzstan as the government continued to fail to consolidate greater political and civil rights many had hoped would follow the 2010 constitutional reforms and change of government. In March 2014, the ruling coalition collapsed, leading to the resignation of the government amid corruption allegations and failure to negotiate a new agreement with the country's largest foreign investor. As Kyrgyzstan prepared for accession to the Russia-led Eurasian Economic Union, it ceded control of its state-run natural gas utility to Russia's Gazprom, prompting Uzbekistan to terminate agreements on transit of natural gas to southern Kyrgyzstan and leaving the region without gas or heat for most of the year. Throughout 2014, nationalist groups stepped up harassment against minority populations perceived to be favored by Western countries, as well as against European and U.S. organizations, leading to threats, intimidation, and legal pressure. New legislation copying Russia's 2013 ban on "homosexual propaganda" passed in its first reading in October 2014. In December, President Almazbek Atambayev voiced support for a bill closely resembling Russia's "foreign agents" law.

**POLITICAL RIGHTS:** 14 / 40

**A. Electoral Process:** 6 / 12

Constitutional changes adopted in 2010 expanded the unicameral parliament from 90 to 120 deputies, with no party allowed to hold more than 65 seats. Parliamentary elections are to be held every five years. The president, who shares executive power with the prime minister, serves a single six-year term with no possibility of reelection and has the power to veto legislation.

Organization for Security and Co-operation in Europe (OSCE) observers deemed the 2010 parliamentary elections a significant improvement over a deeply flawed 2007 vote. The nationalist Ata-Jurt party led with 28 of 120 seats, followed by the Social Democratic Party of Kyrgyzstan (SDPK) with 26, Ar-Namys with 25, Respublika with 23, and Ata-Meken with 18. Atambayev of the SDPK became prime minister.

OSCE observers judged the 2011 presidential poll as free and competitive, though marred by widespread problems with voter lists and numerous faults in the tabulation process. Atambayev defeated 15 other candidates and took 63 percent of the vote. In December 2012, a new governing coalition formed, but it collapsed in August 2013 after the prime minister and Atambayev clashed over their respective roles under the new constitution. The

disagreement revealed legal issues with the semipresidential/parliamentary system that have yet to be resolved.

Another coalition formed in September 2013 and collapsed after only six months in power. The SDPK, Ata-Meken, and Ar-Namys formed an administration in April 2014 under the leadership of Joomart Otorbayev of Ata-Meken. The latest government adopted a legislative agenda mostly geared toward integration with Russia-led initiatives.

#### **B. Political Pluralism and Participation: 6 / 16**

Kyrgyzstani citizens have the freedom to organize their own political parties and groupings, especially at the local level, but thresholds for electoral support in every region prevent locally organized groups from participating in national politics. For example, the Uluttar Birimdigi party, which won 2012 city council elections in Osh, has no national representation and is unlikely to achieve it due to the regionally divided political landscape. Political parties remain primarily the extension of a single strong personality, rather than ideological organizations with political platforms they seek to implement.

The 2010 constitutional reforms aimed to ensure political pluralism and prevent the reemergence of an authoritarian, superpresidential system. Since 2012, however, observers have noted signs of President Atambayev reclaiming powers that had been given to the prime minister's office under the new constitutional rules and using the executive branch to target political enemies. Opposition members and outside observers have accused the SDPK of using centralized resources to determine electoral and judicial outcomes, and opposition parties often react with protests that sometimes turn violent. Although the presidential administration has used party mechanisms to control government appointments, the parliament itself does function separately from the executive, and the SDPK does not have a majority.

In February 2014, a group of both northern and southern politicians announced the formation of the United National Opposition Movement (NOD). The movement—headed by parliamentarian Ravshan Jeenbekov and including jailed former legislator and Ata-Jurt leader Kamchybek Tashiev and former Osh mayor Melis Myrzakmatov with his Uluttar Birimdigi party—claims that Atambayev has illegally undermined parliamentary authority and calls for a reinstatement of the current constitution and a full transition to a parliamentary government. In October, former rivals Ata-Jurt and Respublika merged into a united party in preparation for the 2015 parliamentary elections.

Although the political opposition successfully held peaceful rallies through most of the year, members frequently complained of interference and pressure from local and national authorities and from counterprotesters. In September, an NOD meeting in Osh featuring the authors of the movement's reform program was interrupted by a group of women and youth, who pelted the presenters with eggs and reportedly harassed them until they left the city. NOD members alleged that the SDPK and the State Committee of National Security (GKNB) were responsible for the harassment.

#### **C. Functioning of Government: 4 / 12**

Corruption is pervasive in Kyrgyz society, and despite many rounds of constitutional and statutory changes, Kyrgyzstan has been trapped in a cycle of rotation of predatory political elites moving from opposition to power and using government resources to reward clients and punish opponents. The nepotistic practices of former president Kurmanbek Bakiyev, whose sons and brothers held powerful positions in business and government, were a significant source of popular dissatisfaction prior to his ouster amid antigovernment protests in 2010. The subsequent government charged some members of the Bakiyev regime with corruption, but the results in the largely unreformed courts have been inconclusive.

A new anticorruption office within the GKNB was formed in 2012. The office has primarily been used to target the administration's political enemies in the parliament and city governments.

In June 2014, Kamchy Kolbayev, wanted by the U.S. Treasury Department as a global drug kingpin and widely believed to be the head of operations in Kyrgyzstan of the largest Moscow-based organized crime syndicate, was released from prison with little explanation before the conclusion of a five-year sentence he received in 2013. Long entwined in Kyrgyzstani politics, Kolbayev had also been released early from a 25-year sentence and is rumored to have significant influence in the country's penitentiary system.

Kyrgyzstan was ranked 136 out of 177 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**Discretionary Political Rights Question B: -2 / 0**

Southern Kyrgyzstan has yet to fully recover from the ethnic upheaval of June 2010, which included numerous documented instances of government involvement or connivance in ethnically motivated violence against ethnic Uzbeks in the region with the aim of tipping the political and economic balance in favor of the Kyrgyz elite. Though some initial steps have been made to restore Uzbek-language media, the political economy of the South remains deeply altered.

**CIVIL LIBERTIES: 24 / 60 (-1)**

**D. Freedom of Expression and Belief: 9 / 16**

The media landscape remained bifurcated along ethnic lines in 2014, with improved conditions for Kyrgyz-language media since 2010 and continuing challenges for both Uzbek-language outlets and critical Russian-language media. Independent Uzbek-language media virtually ceased to exist in southern Kyrgyzstan after the 2010 ethnic violence, as several Uzbek television and radio outlets were closed down. A small number of outlets have opened since then, but Uzbek media representation remains a small fraction of what it was before the conflict, and staff for remaining publications continued to be persecuted. Prosecutions for inciting hatred have focused exclusively on minority writers despite the prevalence of openly racist and anti-Semitic articles in Kyrgyz-language media. In April 2014, the parliament passed a law criminalizing "false information relating to a crime or offense" in the media with penalties of up to five years in prison, which nullifies the 2011 decriminalization of defamation, according to international monitors. In August, police in Osh—the site of the 2010 upheaval and of ongoing discrimination against ethnic Uzbeks—sued independent ethnic Uzbek journalist Shohruh Saipov for \$20,000, claiming he committed libel in an article on routine police discrimination against religiously observant ethnic Uzbeks. In December, one of the most popular independent news portals in the country, Kloop.kg, was briefly shut down at the request of the State Communications Agency after the site reported on Kazakh recruits to the Islamic State militant group. The outlet's editors protested that the order had no legal basis and that it equated reporting on terrorism with material support for terrorist groups. Two days later, the agency conceded it had no legal right to make the request without a court order, and Kloop.kg resumed operations.

The government permits a broad range of religious practices, but all religious organizations must register with the authorities, a process that is often cumbersome and arbitrary. While the 2010 constitution liberalized key elements of the Bakiyev era, religious practice is still governed by an unreformed 2009 Law on Religion, which deems all unregistered groups illegal and bans proselytizing, private religious education, and the wearing of headscarves in schools. The government monitors and restricts Islamist groups that it regards as

a threat to national security, particularly Hizb ut-Tahrir—a nonviolent international movement that calls for the creation of a caliphate and also functions in Kyrgyzstan as a religious mutual-assistance society in rural areas with scarce state services. While private discussion is generally free, state and local authorities regularly raid private homes where they believe Hizb ut-Tahrir members or other religious minorities, including Jehovah’s Witnesses, are meeting to discuss their beliefs.

The government does not formally restrict academic freedom.

**E. Associational and Organizational Rights: 4 / 12 (–1)**

Tight official restrictions on freedom of assembly have not been altered since the Bakiyev era, but enforcement has been eased considerably in practice. Small protests and civil disobedience demonstrations, such as road blocking, take place regularly. In March, a Bishkek court temporarily banned gatherings in the city’s Ala Too Square, citing concerns about public disorder and instability. The ban was lifted in April after public outcry and an appeal from the prosecutor general. Domestic and international watchdogs remain concerned about the weak implementation of Kyrgyzstan’s 2012 law on peaceful assembly.

Nongovernmental organizations (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, rising nationalism continues to affect both ethnic Kyrgyz and ethnic Uzbek NGO activists. Human rights workers who support Uzbek abuse victims face ongoing threats, harassment, and physical attacks. Throughout 2014, as nationalist groups increasingly adopted the anti-Western themes of Russian state media and far-right groups, harassment increased against domestic groups perceived to be favored by Western countries and against European and U.S. organizations, leading to threats and intimidation against multiple NGOs. In March, Kyrgyzstan’s leading LGBT (lesbian, gay, bisexual, and transgender) organization reported that their staff were receiving threats to their lives and safety. In September, the Osh GKNB opened a criminal investigation into USAID, Freedom House, and the local Human Rights Advocacy Center on charges of inciting interethnic hatred through a survey conducted on ethnic discrimination in southern Kyrgyzstan. Although the evidence did not support the accusations, the GKNB prepared formal charges against two employees of the Human Rights Advocacy Center in November and paralyzed the organization’s operations by confiscating its computers and documents. The prosecutor general’s office closed the case without bringing it to trial after determining that the employees’ actions did not meet the definition of the alleged crime.

In October, nationalist organizations and sympathetic legislators introduced a bill emulating the Russian “foreign agents” law used to close dozens of human and civil rights organizations; the law requires organizations that receive foreign funding to register as foreign agents, making them subject to new operational restrictions. President Atambayev abruptly reversed his position in December and expressed public support for the measure, stating that some nonprofit organizations are “hidden political forces” attempting to covertly influence the upcoming elections on behalf of foreign sponsors.

Kyrgyzstani law provides for the formation of trade unions, which are generally able to operate without obstruction. However, 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**

The judiciary is not independent and remains dominated by the executive branch. Corruption among judges is widespread. Defendants’ rights, including the presumption of

innocence, are not always respected, and there are credible reports of torture during arrest and interrogation.

The long-running trials of the Bakiyev family and their accomplices, including for the alleged killing of 86 demonstrators in April 2010, have been marred by numerous procedural violations and threats against lawyers in the courtroom.

The widespread and extensively documented violence against the Uzbek community in southern Kyrgyzstan in 2010 cast a harsh light on the plight of ethnic minorities. Uzbeks, who make up nearly half of the population in Osh, had long demanded more political and cultural rights, including greater representation in government, more Uzbek-language schools, and official status for the Uzbek language. A January 2014 report indicated the rate at which ethnic Uzbeks are finishing secondary education in southern Kyrgyzstan has dropped significantly; students believe that they are excluded from opportunities and see little value in finishing their education. In March, the national education ministry cancelled the Uzbek language version of the mandatory secondary education examination. Although students retain the right to receive education in their native language, students from Uzbek-language schools will no longer be tested in the language in which they received their education.

Same-sex sexual activity is not illegal, but routine discrimination and abuse of LGBT individuals at the hands of police, including intimidation and sexual violence, are pervasive. In October, new legislation copying Russia's ban on "homosexual propaganda" passed in its first reading; if enacted, it would open the path for even broader legal persecution of already marginalized members of the population.

#### **G. Personal Autonomy and Individual Rights: 7 / 16**

The government generally respects the right of unrestricted travel to and from Kyrgyzstan. However, barriers to internal migration include a requirement that citizens obtain permits to work and settle in particular areas of the country.

Personal connections, corruption, organized crime, and widespread poverty limit business competition and equality of opportunity. Companies that had belonged to the Bakiyev family were nationalized in 2010 pending a new process of privatization. That year's ethnic violence affected property rights in the South, as many businesses, mainly owned by ethnic Uzbeks, were destroyed or seized.

Despite achieving notable leadership positions, women remain underrepresented in high levels of government. Cultural traditions and apathy among law enforcement officials discourage victims of domestic violence and rape from contacting the authorities. The trafficking of women and girls into forced prostitution abroad is a serious problem, and some victims report that the authorities are involved in trafficking. The practice of bride abduction persists despite the strengthening of legal penalties in 2013, and few perpetrators are prosecuted. Throughout 2014, the government was developing a new law on protection from domestic violence.

# Laos

**Political Rights Rating:** 7  
**Civil Liberties Rating:** 6  
**Freedom Rating:** 6.5  
**Freedom Status:** Not Free  
**Electoral Democracy:** No

**Population:** 6,843,000  
**Capital:** Vientiane

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF

## INTRODUCTION

The Lao government in 2014 continued to pursue economic opening while tightening control over political space. The government drafted or passed several regulations that could further restrict freedom of association and expression, as well as exacerbate discrepancies in property ownership rights between Lao citizens and foreign investors. Most notably, in September, the prime minister approved a cybercrime law that criminalizes dissent and puts user privacy at risk. The authorities also circulated two draft decrees that, if adopted, would increase restrictions on local and international nongovernmental organizations (NGOs).

### POLITICAL RIGHTS: 1 / 40

#### A. Electoral Process: 0 / 12

The ruling Lao People's Revolutionary Party (LPRP)'s 61-member Central Committee and 11-member Politburo make all major decisions. Legislative elections are held every five years but are not considered free or fair; international observers have not been permitted to monitor the polls. The LPRP vets all candidates for election to the National Assembly, whose members elect the president. In 2011, the legislature increased in size from 115 members to 132. In elections that year, the LPRP won 128 out of 132 seats. Choummaly Sayasonewas was chosen for a second term as president and Thongsing Thammavong as prime minister.

#### B. Political Pluralism and Participation: 0 / 16

The 1991 constitution makes the ruling LPRP the sole legal political party and grants it a leading role at all levels of government. National Assembly candidates are not required to be members of the LPRP, but all candidates have to be approved by Assembly-appointed committees; in practice, almost all are members of the party.

Ethnic minorities are represented in the Politburo, Central Committee, and National Assembly.

#### C. Functioning of Government: 1 / 12

The National Assembly has grown more responsive to the public in recent years. The 2012 Law on Making Legislation increases 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. The government is increasingly using laws, rather than decrees, to govern, though there is still little room for the public to influence policy.



Corruption by government officials is widespread. Laws aimed at curbing graft are rarely enforced, and government regulation of virtually every facet of life provides many opportunities for bribery. In July 2014, the head of the government's inspection authority reported to the National Assembly that since 2012 more than \$150 million had been misappropriated due to various forms of corruption. According to state media, the official said that about \$63 million had been recovered and restored to state coffers. Laos was ranked 145 out of 175 countries surveyed in Transparency International's 2013 Corruption Perceptions Index.

Displacement of villagers for dams and other government projects without proper compensation is common, though some in the government have begun to talk seriously about a strategy to address the country's land issues. Senior officials in government and the military are sometimes involved in commercial logging, mining, and other extractive enterprises.

**CIVIL LIBERTIES: 11 / 40****D. Freedom of Expression and Belief: 4 / 16**

Self-censorship is extremely prevalent, as authorities use legal and intimidation tactics against critics of the state. The state owns nearly all media, though some nongovernmental outlets, primarily Chinese entertainment magazines, have cropped up in recent years. A few independent local-interest radio shows have emerged. Journalists who criticize the government or discuss controversial issues risk punishment under the criminal code. Some Lao can access Radio Free Asia and other foreign broadcasts from Thailand.

Internet access and social media use have expanded in recent years, with 8 percent of the population going online in 2014 and more than 500,000 people accessing Facebook. In response, the government passed a restrictive cybercrime law in September 2014 that criminalizes the posting of vaguely defined content, including criticism of the LPRP or information that "distorts the truth." The law also prohibits the use of anonymous social media accounts and requires internet service providers to terminate access to users violating official decrees. In addition, the government must be provided with user information upon request.

Religious freedom is constrained. The religious practice of the majority Buddhist population is somewhat restricted through the LPRP's control of clergy training and supervision of temples. Discrimination against animists and other non-Buddhists does occur. Christians enjoy somewhat more freedom to worship, though in 2014, several cases emerged of Christians being briefly detained or evicted from their homes for refusing to renounce their faith and revert to animism, the dominant religion in their villages.

University professors cannot teach or write about politically sensitive topics, though Laos has invited select foreign academics to teach courses in the country, and some young people go overseas for university education. Government surveillance of the population has been scaled back in recent years, but searches without warrants still occur.

**E. Associational and Organizational Rights: 0 / 12**

The government severely restricts freedom of assembly, prohibiting participation in organizations that engage in demonstrations or public protests, or that in any other way cause "turmoil or social instability." Protests are rare and violators can receive sentences of up to five years in prison. Two activists arrested in 1999 for participating in a peaceful protest remain behind bars on charges of treason.

Alongside LPRP-affiliated mass organizations, there are some domestic nongovernmental welfare and professional groups, but they are prohibited from pursuing political agendas. After signing the International Covenant on Civil and Political Rights in 2009,

Laos created a legal framework for NGOs, allowing such groups to be licensed. This facilitated the proliferation of foreign NGOs in the country. Two new draft decrees were leaked in 2014, raising concerns that they would further restrict the activities of both international and local NGOs. The draft decrees call for annual registration processes for international groups, requirements to report or seek approval for foreign funding, and limitations on issue areas that local groups may work on. Neither of the decrees had been passed by year's end. Despite international pressure, the 2012 disappearance of prominent antipoverty activist Som-bath Somphone remained unsolved and continued to exert a chilling effect over civil society.

All unions must belong to the official Lao Federation of Trade Unions. Strikes are not expressly prohibited, but workers rarely stage walkouts, and they do not have the right to bargain collectively.

#### **F. Rule of Law: 2 / 16**

The courts are corrupt and controlled by the LPRP. Long procedural delays are common, particularly for cases dealing with public grievances. Security forces often illegally detain suspects. Torture of prisoners is occasionally reported and prisoners must bribe officials to obtain better food, medicine, family visits, and more humane treatment.

Discrimination against members of ethnic minority tribes is common. The Hmong, who fielded a guerrilla army allied with U.S. forces during the Vietnam War, are particularly distrusted by the government and face harsh treatment. Although some Hmong who are loyal to the LPRP have been elected to the national legislature, poorer and more rural Hmong have been forced off their land to make way for extractive industries. The government restricts the activity of more than 4,000 Hmong who were forcibly repatriated from Thailand in 2009 and live in camps in Borikhamxay province. Refugees who arrive in Laos are often mistreated and deported.

While same-sex sexual acts are legal and antigay violence is rare, no legislation provides explicit protection against discrimination based on sexual identity.

#### **G. Personal Autonomy and Individual Rights: 5 / 16**

All land is owned by the state, though citizens have rights to use it. On some occasions, the government has awarded land to citizens with government connections, money, or links to foreign companies. In February 2014, the government published a draft National Land Policy, which critics said would erode property rights by granting the state the ability to expropriate land for private investment and not only public benefit. In October 2014, Radio Free Asia reported that the government was also drafting an amendment to the land law that would allow foreign nationals to buy land, a right denied to Lao citizens. Neither document received final approval by year's end. Traditional land rights still exist in some areas, adding to confusion and conflict over access.

Ongoing dam projects have displaced indigenous populations who continue to face poverty and limited access to arable land for farming or rivers for fishing. The Xayaburi dam, a \$3.5-billion venture that will be used primarily to sell electricity to Thailand, has displaced more than 900 people, and activists say it will negatively affect the livelihoods of 200,000 more. Construction of the Don Sahong dam was halted in August 2014 due to environmental concerns and complaints from neighboring Thailand and Cambodia. By the end of the year, construction has resumed.

Marriage to foreign citizens requires approval by the government. Although laws guarantee women many of the same rights as men, gender-based discrimination and abuse are widespread. Village-level leadership is responsible for many of the decisions affecting daily life, and fewer than 3 percent of village chiefs are women. Tradition and religious practices

have contributed to women's inferior access to education, employment opportunities, and worker benefits.

Trafficking in persons, especially to Thailand, is common. Despite several dozen convictions each year, a lack of transparency, weak rule of law, and limited long-term assistance to victims hinder the effectiveness of antitrafficking efforts.

## Latvia

**Political Rights Rating:** 2

**Population:** 1,990,000

**Civil Liberties Rating:** 2

**Capital:** Riga

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	2,1,F	2,1,F	2,1,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

### INTRODUCTION

In January, former agriculture minister Laimdota Straujuma was confirmed as Latvia's prime minister, becoming the first woman to hold the position. Previously a political independent, she joined the governing Unity party just ahead of her confirmation and following the October 2014 parliamentary elections.

A controversial preamble to Latvia's constitution was promulgated in July 2014. It guarantees "the existence and development of the Latvian nation" and contains references to the importance of the Latvian language and Latvian culture. While it states that Latvia "respects its minorities," the preamble's critics say it blatantly favors the interests of ethnic Latvians over those of the country's ethnic minorities. The Ukraine crisis in 2014 exacerbated the existing social and political divide between Latvia's ethnic Latvians and its sizable ethnic-Russian minority.

In January, Latvia formally adopted the euro currency.

**POLITICAL RIGHTS:** 34 / 40 (+1)

**A. Electoral Process:** 12 / 12

The Latvian constitution provides for a unicameral, 100-seat parliament, whose members are elected to four-year terms. The parliament elects the president, who serves up to two four-year terms. The prime minister is nominated by the president and approved by the parliament. Recent elections have generally been considered free and fair.

Andris Bērziņš, a multimillionaire former banker and a member of the Union of Greens and Farmers (ZZS), was elected president in 2011. October 2014 parliamentary elections saw a victory by the ruling, conservative coalition, which is comprised of Unity, ZZS, and the nationalist National Alliance. Together the three parties took 58 percent of the vote. The Harmony Center, which represents the interests of Latvia's ethnic Russians as an alliance of the Socialist Party (LSP) and the Social Democratic Party (TSP), took 23 percent of the vote, compared to 28 percent in 2010. However, it still won more votes than any other single party, with one more seat in the legislature than second-place finisher Unity. In January 2014, Straujuma was confirmed as prime minister. Her government won confirmation in November.

**B. Political Pluralism and Participation:** 14 / 16

Latvia's political parties organize and compete freely. Latvian political candidates cannot run as independents, and those who belonged to communist or pro-Soviet organizations after 1991 may not hold public office. Harmony Center has never been invited to participate in a coalition government.

Residents who do not hold Latvian citizenship may not vote, hold public office, or work in government offices. Noncitizens may join political parties, as long as the party does not count more noncitizens than citizens as members. Approximately 14 percent of Latvia's residents are noncitizens; most are ethnic Russians, but Latvia's noncitizen population also includes many ethnic Poles, Ukrainians, and Belarusians.

Under 2013 changes to Latvia's citizenship law, Latvian nationals and their descendants who emigrated to other current EU member states due to Nazi or Soviet occupation can have dual citizenship if they can speak the Latvian language and prove that they or their ancestors lived in Latvia. Another amendment states that children of noncitizens born after August 1991 can gain Latvian citizenship if they reside in Latvia permanently and have never acquired citizenship in another state.

**C. Functioning of Government:** 8 / 12 (+1)

Corruption is a serious problem and exists at every level of government. Citizens have little faith that politicians will act in voters' best interests, according to 2013 research by Transparency International. According to that research, 25 percent of respondents said they had paid bribes to the police. Long-running criminal corruption proceedings against Mayor Aivars Lembergs of Ventspils involving allegations of bribery, money laundering, and tax evasion remained stalled at the year's end. However, Latvia's Corruption Prevention and Combating Bureau (KNAB) has earned a reputation for independence and effectiveness. It has opened many investigations involving high-profile political and business figures. Latvia was ranked 43 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index, representing a large improvement since EU accession in 2004 and the advent of the country's anticorruption initiative.

**CIVIL LIBERTIES:** 51 / 60**D. Freedom of Expression and Belief:** 15 / 16

The constitution protects freedom of the press. While Latvian media outlets publicize a wide range of political views in both Latvian and Russian, government offices and courts sometimes interfere with media outlets' and reporters' work. Libel remains a criminal offense. Past attacks against journalists, including the 2010 murder of Grigorijs Nēmcovs—the publisher of *Million*, a Russian-language newspaper focusing on political corruption—remain unsolved.

In July 2014, a Riga court froze assets worth €23,000 (\$30,700) belonging to Cits Medijs, publisher of the prominent current-events weekly magazine *Ir*; after Maris Spruds, an insolvency administrator, filed a civil defamation case against the publication. The asset freeze, which drew a rebuke from Straujuma, was issued before proceedings in the defamation case were opened but was canceled in November.

Following Russia's annexation of Crimea, Latvia's National Electronic Mass Media Council announced a ban on RTR Rossia, a popular Russian-language television station, on the grounds that it had broadcast "war propaganda." The ban was lifted in July.

Financial pressures have prompted changes in ownership or in senior editorial staff at numerous media outlets in recent years. Numerous media outlets have been forced to merge or dramatically cut costs. In 2013, after heavy financial losses, the Swedish holding

company Modern Times Group (MTG)—which controls Latvia’s two most popular television channels, Latvian Independent Television (LNT) and TV3—announced that those stations would transition to cable networks by subscription. *Bizness & Baltija*, the country’s oldest Russian-language newspaper, became online-only in September 2014. The government does not restrict the internet.

Freedom of religion is generally respected; however, religious groups that have been registered with the government for more than 10 years have certain privileges that newer groups do not, including various tax benefits, the right to own property, and permission to worship in public places. Academic freedom is generally respected.

#### **E. Associational and Organizational Rights: 12 / 12**

Freedoms of assembly and association are protected by law, and the government generally respects these rights in practice. However, organizers of public demonstrations must obtain permission 10 days in advance to hold events. Legislation introduced in 2013 banned the display of Soviet and Nazi symbols at public events. However, two controversial annual demonstrations, which the measure was evidently designed to discourage, went forward in 2014: an annual Waffen SS veterans’ parade in March, and a demonstration commemorating the Soviet victory over Nazi Germany in May. Government ministers were barred participating in either parade, and Straujuma fired Environment Minister Einars Cilinskis due to his participation in the former.

In April, ethnic Russians held a demonstration protesting the education law, which requires that 60 percent of all classes be conducted in the Latvian language. Ahead of an August visit to Latvia by German chancellor Angela Merkel, the Russian Union political party hosted a demonstration at which participants called for Western governments to cancel economic sanctions against Russia.

The government does not restrict the activities of nongovernmental organizations. Workers may establish trade unions, strike, and engage in collective bargaining.

#### **F. Rule of Law: 12 / 16**

While judicial independence is generally respected, inefficiency, politicization, and corruption continue to be problems, and citizens distrust both the police and the courts, according to recent polling by Transparency International. Lengthy pretrial detention remains a concern, and law enforcement officials have allegedly abused prisoners. Prisons continue to suffer from overcrowding, and many detainees have poor access to health care.

Roma face discrimination.

#### **G. Personal Autonomy and Individual Rights: 12 / 16**

Citizens and noncitizens may travel freely within the country and internationally. Latvia in recent years has implemented some reforms to improve the environment for businesses and workers, though corruption represents a major impediment to many business activities.

Women enjoy the same legal rights as men, but often face employment and wage discrimination. Domestic violence is not frequently reported, and police do not always take meaningful action when it is. Latvia is both a source and destination country for women and girls trafficked for the purpose of forced prostitution.

Same-sex marriage was banned in 2005. Members of the LGBT (lesbian, gay, bisexual, and transgender) community face discrimination. Foreign minister Edgars Rinkēvičs came out as gay in November 2014; he pledged to work toward building a framework for civil unions.

Income inequality in Latvia is high, and the welfare system is inadequate. A May 2013 European Commission report indicated that 40 percent of Latvia’s population was at risk

of social exclusion or poverty. Poor economic conditions and high unemployment have prompted many young, highly educated people to leave Latvia. While the country's 2011 census showed that Latvia lost some 13 percent of its population between 2000 and 2011, emigration has slowed somewhat in recent years.

## ↓ Lebanon

**Political Rights Rating:** 5

**Population:** 4,966,000

**Civil Liberties Rating:** 4

**Capital:** Beirut

**Freedom Rating:** 4.5

**Freedom Status:** Partly Free

**Electoral Democracy:** No

**Trend Arrow:** Lebanon received a downward trend arrow due to the parliament's repeated failure to elect a president and its postponement of overdue legislative elections for another two and a half years, which left the country with a presidential void and a National Assembly whose mandate expired in 2013.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,3,PF	5,3,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF

### INTRODUCTION

The Syrian conflict and a surge of terrorist activity in the region continued to reverberate in Lebanon in 2014, agitating the sectarian balance within the Lebanese government and society and straining the functions of democratic institutions. Government and civil society groups struggled throughout the year to accommodate the influx of an estimated 1.1 to 1.5 million Syrian refugees and to ensure public safety, especially in the country's northern regions, amid rising incidents of civil and sectarian violence, cross-border fighting, and terrorist attacks.

After 10 months of political deadlock sparked by sectarian disagreement, a new cabinet replaced the caretaker government in February. However, the National Assembly itself was paralyzed in the process of electing a successor to President Michel Suleiman, and Lebanon entered a presidential vacuum when Suleiman's term ended in May. Legislative elections scheduled for November did not take place, and the National Assembly renewed its mandate until June 2017, citing security concerns caused by the Syrian conflict.

**POLITICAL RIGHTS:** 14 / 40 (-2)

**A. Electoral Process:** 2 / 12 (-2)

The president is selected every six years by the 128-member National Assembly, which in turn is elected for four-year terms. The president and parliament nominate the prime minister, who, along with the president, chooses the cabinet, subject to parliamentary approval. The unwritten National Pact of 1943 stipulates that the president must be a Maronite Christian, the prime minister a Sunni Muslim, and the speaker of the National Assembly a Shiite Muslim. Parliamentary seats are divided among major sects under a constitutional formula that does not reflect their current demographic weight, a matter further complicated by the contentious nature of population estimates, as no official census has been conducted since the 1930s. For example, Shiites are estimated to comprise at least a third of the population,

but they are allotted only 21 percent of parliamentary seats. The sectarian political balance has been periodically reaffirmed and occasionally modified by foreign-brokered agreements.

The last parliamentary elections were held in 2009. Although they were conducted peacefully and judged to be free and fair in some respects, vote buying was reported to be rampant, and the electoral framework retained a number of fundamental structural flaws linked to the country's sectarian political system. The March 14 and March 8 coalitions won 71 and 57 seats, respectively, and Saad Hariri—the son of former prime minister Rafiq Hariri, who was assassinated in 2005—was named prime minister. The government collapsed in 2011 when Hezbollah-allied ministers resigned in protest of Hariri's cooperation with a special UN tribunal investigating the 2005 assassination, and a new cabinet headed by Hezbollah-backed prime minister Najib Miqati took office.

Miqati resigned in March 2013, and President Suleiman nominated Tammam Salam as a consensus candidate for the post of prime minister. Salam was unable to form a government for 10 months, leaving Miqati in office in a caretaker capacity. Salam finally formed a national unity government of 24 ministers from both political camps in February 2014.

Parliamentary elections were due in June 2013, but political factions were deeply divided over changes to the electoral law and agreed to extend the parliamentary mandate, delaying elections until November 2014. However, citing security concerns over the Syrian conflict, the National Assembly extended its mandate once more—until June 2017. Suleiman's presidential term expired in May 2014 without the election of a new president, leaving a void in the executive branch of government.

#### **B. Political Pluralism and Participation:** 9 / 16

Two major factions, each comprised of more than a dozen political parties, have dominated Lebanon's consociational political arena since 2005: the March 8 coalition, of which Shiite Hezbollah is the most powerful member and which is seen as aligned with the Syrian regime; and the March 14 bloc, which is headed by Sunni Muslims, generally supportive of the Syrian opposition, and associated with Saudi Arabia, Europe, and the United States. Christian political parties are divided between the two blocs. A number of political parties also represent ethnic groups and secular ideologies.

#### **C. Functioning of Government:** 3 / 12

Sectarian and political divisions, exacerbated by foreign interference and more recently by the Syrian civil war, have frequently prevented governments from forming and operating effectively and independently after elections. The authority of the government is also limited in practice by the power of autonomous militant groups, such as Hezbollah.

The functions of the government were strained in 2014 due to the void in the presidential office and the renewal of the parliamentary mandate for the second time since 2013, a move that was criticized by civil society as unconstitutional. The National Assembly held the vote on extending its own mandate amid public protests and despite a boycott by two Christian parties.

The sectarian political system and the powerful role of foreign patrons effectively limit the accountability of elected officials to the public at large. Political and bureaucratic corruption is widespread, businesses routinely pay bribes and cultivate ties with politicians to win contracts, and anticorruption laws are loosely enforced. President Suleiman, Prime Minister Salam, and Minister of Interior Nuhad Mashnouq are rumored to have received a bribe of \$1 million each to naturalize 644 foreign nationals, including 150 Syrians, before the president left office in May 2014.

**CIVIL LIBERTIES:** 30 / 60 (-2)**D. Freedom of Expression and Belief:** 11 / 16

Freedom of expression and freedom of the press are guaranteed by law. However, these same laws protect the president and religious leaders from insult. The media are among the most open in the region, but nearly all outlets have ties to sectarian leaders or groups, consequently practicing self-censorship and maintaining a specific, often partisan, editorial line. Two journalists were kidnapped in February 2014 and held for nearly a month while covering events around the town of Arsal, close to Lebanon's border with Syria.

Libel laws and sympathetic judges have allowed politicians to sue journalists and bloggers. Between March and September, journalists were found guilty in 37 out of the 40 cases presented before the Court of Publications. One notable case was that of journalist Ghassan Rifi, who was accused of attacking the "stature" of the Internal Security Forces (ISF) in an August article criticizing its practices toward Syrian refugees. Censorship of artistic work remains prevalent, especially when it involves politics, religion, sex, or Israel. The government does not generally restrict access to the internet.

Unexpectedly, authorities approved a play on censorship in 2014; they had rejected a similar play by the same director in 2013. Nevertheless, the government censors books that cover questions such as homosexuality and religion, especially Judaism, and bans music by artists that it considers Zionist or anti-Christian. In January 2014, a group of individuals attacked a historic bookshop in Tripoli and burned thousands of books, allegedly prompted by the discovery of a pamphlet in the shop that insulted the prophet Muhammad.

Freedom of religion is guaranteed in the constitution and protected in practice. Every group manages its own family and personal status laws and has its own religious courts to adjudicate relevant matters. Proselytizing, while not punishable by law, is strongly discouraged by religious leaders and communities, sometimes with the threat of violence. Blasphemy is a criminal offense that carries up to one year in prison.

Strife between religious groups has persisted to some extent since the 1975–90 civil war, and such differences—particularly between Sunnis and Shiites—have again been exacerbated by the civil war in neighboring Syria. The influx of Syrian refugees has agitated sectarian divisions in Lebanon, with verbal and physical attacks persisting amid occasionally xenophobic and racist rhetoric toward the largely Sunni Muslim refugees. The burning of an Islamic State (IS) militant group flag by three Christian teenagers in August and a subsequent social media campaign led to a backlash from some Sunnis, including the Lebanese minister of justice, who called for the teenagers' punishment. Groups in the city of Tripoli burned crosses and defaced two churches in response. Public discussion of IS sympathizers and an Islamic revival in Lebanon abounds within various religious communities.

Academic freedom is generally unimpaired. Private discussion is generally vibrant and uninhibited.

**E. Associational and Organizational Rights:** 7 / 12

The constitution guarantees freedoms of assembly and association, and the government generally respects these rights, though police have cracked down in the past on demonstrations against the government or the Syrian regime.

Civil society organizations have long operated openly in Lebanon, with some constraints. All nongovernmental organizations (NGOs) must be registered with the Lebanese Interior Ministry. The ministry may investigate an NGO's founders or force it to undergo an approval process, and representatives of the ministry must be invited to observe voting on bylaws and boards of directors. In 2014, a number of anticorruption initiatives were organized by civil



society, especially groups like Sakker al-Dekkeneh (Close the Shop) and the Lebanese Advocacy and Legal Advice Center. Civil society organizations were also active throughout the year in calling for increased governmental accountability and timely elections.

Trade unions are often tightly linked to political organizations and have been subordinate to their political partners in recent years. The Palestinian population of Lebanon, estimated at about 400,000, is not permitted to participate in trade unions.

Public-sector workers and teachers continue to urge the National Assembly to pass a bill that would increase their salaries. In June, a civil servant began a hunger strike and a public protest to raise awareness about the issue of low pay.

#### **F. Rule of Law: 5 / 16**

Political forces hold sway over an officially independent judiciary. The Supreme Judicial Council is composed of 10 judges, 8 of whom are nominated by the president and the cabinet. Other judges are nominated by the Judicial Council, approved by the Justice Ministry, and vetted by opposition and government parties. After delays due to the void at the cabinet level in 2013, President Suleiman signed a decree in May 2014 for the appointment of new judges and the promotion of some established ones.

While the civilian judiciary generally follows international standards of criminal procedure, these standards are not followed in the military courts, which are often tasked with cases against Islamist militants, human rights activists, and alleged Israeli spies. Since 2007, at least 94 Islamists have been imprisoned without trial. A UN report, based on covert investigations in 2012 and 2013 and presented to the public in October 2014, found that the use of torture remains widespread and systematic among Lebanese armed forces and law enforcement agencies. The detention conditions of refugees, asylum seekers, and domestic workers are particularly dire.

Militant activity in 2014 linked to the Syrian conflict included cross-border fighting between supporters and opponents of the Syrian government. In August, following the arrest of prominent Syrian rebel commander Imad Jumaa in Aarsal, militants from Syria—allegedly associated with the militant groups Jabhat al-Nusra and IS—engaged with the Lebanese army and captured a group of Lebanese soldiers, four of whom were later executed. Aarsal remains a hotspot of violence; the Lebanese government closed access to the region to restrict the movement of goods and Islamists and arrested a large number of Syrian men accused of belonging to or collaborating with terrorist groups.

A low-intensity conflict in Tripoli, ongoing since at least June 2011, escalated in 2014. The violence centered on a long-standing rivalry between an Alawite community in the Jabal Mohsen neighborhood, seen as aligned with the government of Syria, and a Sunni community in the Bab al-Tebbaneh neighborhood, which is sympathetic to the Syrian rebel movement. In May, three militia leaders from Bab al-Tebbaneh, involved in attacks on the Lebanese army, surrendered to Lebanese authorities. In July, Australian-Lebanese imam Hussam al-Sabbagh, accused of links to al-Qaeda and other radical groups, was arrested. Another militia leader, Abou Taymour al-Dandashi, was released in August after a short detention. The arrest of militia leaders did not succeed in quelling violence in the area. Clashes between the army and militants erupted again in October, leading to three days of extreme violence.

In June, a suicide bomber—a Saudi national—attacked the Duroy Hotel in Beirut. Another Saudi national and suspected accomplice was arrested at the scene. A Swedish-Lebanese dual citizen suspected of involvement in the bombing was killed while resisting arrest. The bombing was the latest in a series of violent incidents in Beirut that month.

The roughly 400,000 Palestinian refugees living in Lebanon are denied citizenship rights. Most Iraqi and Sudanese refugees do not enjoy official refugee status and thus face arbitrary detention, deportation, harassment, and abuse; an influx of Iraqis fleeing the IS in 2014 further exacerbated the situation. Lebanon grants Syrian refugees who enter the country legally a free six-month residency permit with a possible six-month extension, and provides subsidized and sometimes free access to public education and healthcare. Female refugees have reported sexual harassment by employers and landlords, and shopkeepers charged with registering refugees for charitable organizations have reportedly asked for bribes in exchange for registration. In October, the Lebanese government announced plans to close its borders to new Syrian refugees.

LGBT (lesbian, gay, bisexual, and transgender) people face both state and societal discrimination and harassment. NGOs work to uphold the human rights and social acceptance of the LGBT community more commonly in urban and cosmopolitan areas, particularly in Beirut. The 2014 Beirut Film Festival featured several films focusing on LGBT issues, including one by a Lebanese filmmaker. In August, security forces raided a gay-friendly bathhouse in Beirut and arrested 27 men, including both staff and clients.

#### **G. Personal Autonomy and Individual Rights: 7 / 16 (-2)**

Palestinian refugees face restrictions on employment and property ownership. A 2010 law allowed them access to social security benefits, end-of-service compensation, and the right to bring complaints before labor courts, but closed off access to skilled professions. Syrian refugees also face restrictions in addition to discrimination. At least 45 Lebanese municipalities imposed curfews on refugees at various times in 2014.

Women are granted equal rights in the constitution, but they are disadvantaged under sectarian personal status laws on issues such as divorce, inheritance, and child custody. Women cannot pass their nationality to non-Lebanese husbands or children. A long-stalled bill addressing domestic violence was passed in April. Many activists argue that the protections of this bill are insufficient, pointing particularly to its failure to criminalize marital rape.

Syrian refugees, many of whom live in overcrowded camps or rented housing, face difficult living conditions and have limited access to resources and opportunities.

## ↓ Lesotho

**Political Rights Rating:** 2

**Population:** 1,917,000

**Civil Liberties Rating:** 3

**Capital:** Maseru

**Freedom Rating:** 2.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Trend arrow:** Lesotho received a downward trend arrow due to a failed military coup in August, which shook the country's political institutions and left lasting tensions.

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,3,F	2,3,F	2,3,F	2,3,F	3,3,F	3,3,PF	3,3,PF	2,3,PF	2,3,F	2,3,F

**INTRODUCTION**

On August 30, 2014, Lieutenant General Tlali Kamoli failed to oust Prime Minister Thomas Thabane of the All Basotho Convention in a largely nonviolent coup. Kamoli along with a number of soldiers attacked several police stations, forcing the prime minister to temporarily flee to neighboring South Africa. Thabane returned to Lesotho in early September. At the end of the month, a shootout, allegedly connected to the attempted coup, between police and military forces left two police officers injured. Kamoli escaped to the mountains with approximately 200 soldiers and a large number of weapons. Fearing a motion of confidence, Thabane had suspended the Parliament in June. The Southern African Development Community helped bring about the reopening of Parliament in October.

The political situation in the country remained tense at the end of the year, with members of parliament saying the peace deal may be derailed if provisions that give the president the power to prorogue Parliament are not removed from the constitution.

Lesotho has an adult HIV/AIDS prevalence rate of approximately one in four; more than half of these are women. The government offers free HIV testing to all citizens; however 42 percent of those infected are unable to access antiretroviral treatment.

**POLITICAL RIGHTS: 30 / 40 (-1)****A. Electoral Process: 10 / 12**

King Letsie III serves as ceremonial head of state. The lower house of Parliament, the National Assembly, comprises 120 seats; 80 are filled through first-past-the-post constituency votes and 40 through proportional representation. Members serve five-year terms, and the leader of the majority party becomes the prime minister. The Senate—the upper house of Parliament—consists of Lesotho's 22 principal chiefs, who wield considerable authority in rural areas, and 11 other members appointed by the ruling party.

Despite some preelection violence and a deeply divided result, the 2012 parliamentary elections were declared free and fair. Prime Minister Pakalitha Mosisili's newly formed Democratic Congress (DC) won 48 seats in the National Assembly but was unable to form a government. All Basotho Convention (ABC) leader Tom Thabane swiftly announced a 61-seat coalition with the Lesotho Congress for Democracy (LCD), which had captured 26 seats, and the Basotho National Party, which claimed 5. Thabane peacefully took over as prime minister.

**B. Political Pluralism and Participation: 12 / 16 (-1)**

Lesotho was dominated by the LCD until the 2012 election, when an ABC-led coalition took power for the first time. The DC, which won the most seats, was formed after 45 members of Parliament broke off from the LCD before the 2012 election. More than 15 parties and several independent candidates contested the 2012 elections; 12 gained representation.

The attempted coup increased military influence over the government. South Africa has been monitoring the development of Lesotho's political situation and has warned that it would not tolerate any unconstitutional changes in the government.

**C. Functioning of Government: 8 / 12**

In order to avoid a vote of no confidence, Prime Minister Thabane obtained permission from King Letsie III in June 2014 to suspend parliament for nine months. This followed the March 2014 collapse of the ruling coalition, when seven opposition parties presented a motion of no confidence to the government. Peace was shattered on August 30 when the army, led by General Kamoli, staged an attempted coup, which ultimately failed. Parliament

reopened on October 18, despite Thabane's insistence on not reopening parliament until the coup perpetrators were arrested and brought to trial.

Thabane has support of the police, while his deputy, Mothetjoa Metsing—accused of being a co-conspirator in the coup attempt—has the support of the army. Metsing has denied the allegations, though he had vowed a new government coalition that would oust Thabane.

According to the African Peer Review Mechanism, corruption is rife in all sectors of government and public services, and cronyism is prevalent in state bidding procedures. Since 2012, all government officials must declare their financial interests as a condition of office, though implementation was spotty in 2014. Many believe that the political crisis that erupted in the country was due to corruption and crime. Deputy Prime Minister Metsing has been accused of deriving undue financial benefit during his time as a local government minister. He is being investigated and has since instituted his own claim to declare unconstitutional a provision that allows the government to access his banking details. The anticorruption watchdog, the Directorate on Corruption and Economic Offenses (DCEO), became autonomous in 2012 and has instituted a number of legal proceedings against corrupt officials. Lesotho was ranked 55 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 41 / 60

**D. Freedom of Expression and Belief:** 14 / 16

Freedoms of speech and the press are generally respected, and independent newspapers and radio stations routinely criticize the government. Despite the fact that state-owned print and broadcast media tend to reflect the views of the ruling party, Lesotho has seen a significant amount of media coverage of corrupt officials. Two of the three main newspapers in the country are owned by the same person. The government does not restrict internet access, though only about 5 percent of citizens have access due to infrastructure and socioeconomic constraints. During the attempted coup, radio and television stations were temporarily jammed.

Lesotho is a predominantly Christian country, and freedom of religion is widely observed. The government does not restrict academic freedom.

**E. Associational and Organizational Rights:** 7 / 12

Freedoms of assembly and association are generally respected, though demonstrations are sometimes broken up violently. Local and international nongovernmental organizations (NGOs) generally operate without restrictions. While labor rights are constitutionally guaranteed, the union movement is weak and fragmented. Many employers in the textile sector—Lesotho's largest formal employer—face obstacles when trying to join unions.

**F. Rule of Law:** 11 / 16

The instability in the country resulted in the temporary suspension of the courts in early September. Courts are nominally independent, but higher courts are subject to outside influence. The large backlog of cases often leads to trial delays and lengthy pretrial detention. Mistreatment of civilians by security forces reportedly continues. Prisons are dilapidated, severely overcrowded, and lack essential health services; instances of torture and use of excessive force have been reported. An independent ombudsman's office is tasked with protecting citizens' rights, but its enforcement powers are weak. The death penalty, although not used since 1995, is still legal in Lesotho for crimes of rape, murder, and treason.

Tensions between the Basotho and the community of Chinese migrant traders have grown in recent years as Chinese-owned small businesses have become more successful.

While female same-sex sexual activity is allowed, male same-sex “sodomy” is illegal; reportedly the law is not enforced. Still, LGBT (lesbian, gay, bisexual, and transgender) individuals face societal discrimination. Lesotho saw its first-ever gay pride march in 2013, organized by a local gay rights advocacy organization that first registered in 2010.

#### **G. Personal Autonomy and Individual Rights: 9 / 16**

According to the World Economic Forum, Lesotho ranks first in Africa and 48 in the world in bridging the gap between the sexes. Many women have taken on senior political and economic positions, including in government and senior management. The constitution bars gender-based discrimination, but customary practice and law still restrict women’s rights in the areas of property and inheritance. While their husbands are alive, women married under customary law have the status of minors in civil courts and may not enter into binding contracts.

## Liberia

**Political Rights Rating:** 3

**Population:** 4,397,000

**Civil Liberties Rating:** 4

**Capital:** Monrovia

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Trend Arrow:** Liberia received a downward trend arrow due the government’s imposition of ill-advised quarantines that restricted freedom of movement and employment in some of the country’s most destitute areas, as well as several new or revived restrictions on freedoms of the press and assembly.

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	4,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF

#### **INTRODUCTION**

In 2014, Liberia, along with Guinea and Sierra Leone, experienced the most severe outbreak of the Ebola virus ever recorded. In September, in a highly unusual move, the UN Security Council unanimously declared the crisis a threat to international peace and security.

The crisis prompted the Liberian government to impose a state of emergency in August, announcing that some freedoms would have to be curtailed to fight the virus. The Ebola epidemic was used as a rationale for placing new restrictions on journalists, for the closure of all schools and land borders, and for postponement of senatorial elections scheduled for October. The government also imposed a nationwide nighttime curfew and quarantined several Ebola-stricken areas, including the West Point slum in Monrovia. The latter move was widely criticized and led to clashes between West Point residents and police. The quarantine was lifted after 10 days.

President Ellen Johnson Sirleaf initially defended her administration’s efforts to contain Ebola, blaming its spread on the public’s ignorance and refusal to heed government and health worker warnings. In October, however, she expressed public regret for measures taken early in the crisis, including the quarantines. In November, she lifted the state of emergency, citing progress in combating the epidemic. The rights of LGBT (lesbian, gay,

bisexual, and transgender) people came under further assault in 2014 when religious leaders blamed the Ebola outbreak on homosexuality and other “sins.”

In October, the justice minister resigned to protest executive interference in her agency’s work.

**POLITICAL RIGHTS:** 26 / 40

**A. Electoral Process:** 9 / 12

The bicameral legislature consists 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. Staggered senatorial elections were introduced in 2011. The president can serve up to two six-year terms.

In the October 2011 parliamentary elections, incumbent president Sirleaf’s Unity Party secured a plurality of 24 seats in the House and 4 of the 15 seats at stake in the Senate. The opposition Congress for Democratic Change (CDC) placed second with 11 House seats and 2 Senate seats. Several smaller parties and independents divided the remainder. In the concurrent presidential race, Sirleaf captured 43.9 percent of the vote, while the CDC’s Winston Tubman took 32.7 percent, and Prince Johnson of the National Union for Democratic Progress secured 11.6 percent. Sirleaf was reelected after winning 90.7 percent of the vote in a November runoff, leaving Tubman with only 9.3 percent. Although opposition members alleged fraud and corruption, international and local observers found that the elections had been comparatively free, fair, and peaceful, with isolated incidents of violence before and after the voting. The government briefly shut down radio and television stations with perceived pro-CDC biases before the vote.

On October 4, 2014, President Sirleaf ordered Senate elections planned for October 14 to be postponed until December, stating that the government’s efforts to contain Ebola would prevent it from properly carrying out the elections as scheduled. The legislature overturned her decision in a unanimous joint resolution between the House and Senate, and the Supreme Court rejected a petition to delay the vote. However, the elections were held on December 20. Despite the presence of strict health protocols for voters, turnout was depressed by fears of Ebola. Election results included former CDC presidential candidate George Weah defeating Robert Sirleaf, the president’s son, in a landslide victory for a Senate seat.

**B. Political Pluralism and Participation:** 11 / 16

The organizational and policymaking capacity of most parties remains weak, and politics continue to be driven largely by leading personalities, with strong underlying ethnic and regional loyalties. The CDC in particular has struggled to maintain internal coherence since its defeat in the 2011 polls.

Ethnic and religious minority groups generally enjoy full political rights and electoral opportunities, though some minorities—especially the Mandingo and Fula peoples—continue to be stigmatized as outsiders. Candidates occasionally exploit these biases to rally their constituents.

**C. Functioning of Government:** 6 / 12

Corruption remains pervasive. Liberia boasts a number of institutions devoted to fighting corruption—including the Liberia Anti-Corruption Commission (LACC), the General Auditing Commission, and the Public Procurement and Concessions Commission—but they lack the resources and capacity to function effectively. In February 2014, UN secretary general Ban Ki Moon criticized the government’s inadequate response to high-profile corruption cases.

Also in February, the LACC launched an investigation into claims that the National Oil Company of Liberia (NOCAL), under the leadership of Robert Sirleaf, had bribed government officials to ensure passage of favorable legislation. In June, the House of Representatives opened its own inquiry into the allegations.

President Sirleaf has been repeatedly accused of nepotism when filling lucrative bureaucratic posts within her administration. In September 2013, Robert Sirleaf resigned from his job as chairman of NOCAL, as well as his position as senior adviser to the president. In addition to Charles Sirleaf, who was deputy governor of the central bank, a third son remained in place as head of the National Security Agency.

In July and September, President Sirleaf suspended dozens of officials—including the inspector general of the Ministry of Foreign Affairs—for failure to report their income, assets, and liabilities. In August, she dismissed all officials below the ministerial level traveling abroad who had ignored a presidential directive to return to Liberia to respond to the Ebola crisis. All nonessential government officials had already been placed on compulsory leave to curtail the spread of the virus.

Liberia was the first African state to comply with Extractive Industries Transparency Initiative (EITI) rules governing natural-resource extraction, and in 2014 it remained EITI compliant. EITI has praised the government for exceeding the organization's reporting requirements by, for example, including forestry and agriculture in addition to oil and mining in its 2014 report.

**CIVIL LIBERTIES:** 30 / 60 (-3)

**D. Freedom of Expression and Belief:** 10 / 16

Liberia hosts a variety of newspapers, which publish mainly in the capital; numerous radio stations operate across the country. The government does not restrict internet access, but poor infrastructure and high costs limit usage to a small fraction of the population. The Freedom of Information Act is rarely used, and government responsiveness to requests tends to be slow.

Liberia has long been criticized for its onerous criminal and civil libel laws, which are used to harass and intimidate journalists; in recent years, journalists and outlets have been crippled by large damage awards stemming from civil libel suits. While the government is in the process of relaxing these laws in consultation with free press advocates, progress has been slow.

In July 2014, the publisher of the *Nation Times* was arrested for a traffic offense; many saw the arrest as retaliation for a series of articles that criticized one of the president's sons. In September, the government announced a plan to require journalists to hold annual work permits from the Ministry of Information, and began issuing licenses. The Press Union of Liberia condemned the policy as retrogressive.

The Ebola epidemic resulted in several restrictions to press freedom in 2014. In August, a reporter for *FrontPage Africa* was arrested while covering a protest against the government's state of emergency, and the publisher of *Women Voices Newspaper* was questioned by police after publishing a story about alleged government embezzlement of Ebola-related funds. In October, the government limited media access to health-care facilities, requiring that journalists obtain explicit permission from the Ministry of Health and Social Welfare before conducting interviews on clinic or hospital grounds. Some journalists have argued the policy is unconstitutional. Medical staff have been barred from communicating directly with the media.

Religious freedom is protected in the constitution, and there is no official religion. Liberia is, however, a de facto Christian state, and the Muslim minority frequently reports

discrimination. In June 2014, the government placed an Ebola-related moratorium on the Poro and Sande “secret societies,” traditional religious institutions that continue to play a prominent role in the education and socialization of Liberian youths.

The government does not restrict academic freedom, though educational quality and infrastructure remain grossly inadequate. In July, the government closed all schools in the country to prevent the spread of Ebola. They remained closed at year’s end.

**E. Associational and Organizational Rights:** 7 / 12 (–1)

Government responses to the Ebola epidemic threatened freedom of assembly. West Point residents responded violently when barricades were erected to enforce the quarantine there, and were dispersed by police officers firing live ammunition and tear gas. In November, the Disciplinary Board of the Armed Forces of Liberia found four soldiers guilty of excessive force during the West Point incident, and in December the UN Security Council cited “misuse of firearms” by state security forces in West Point as justification for renewal of an arms embargo on Liberia. In December, the government banned rallies and other public gatherings during the two weeks prior to the senatorial elections, and for 30 days thereafter.

Freedom of association is constitutionally guaranteed and largely respected. Numerous civil society groups, including human rights organizations, operate in the country. The rights of workers to strike, organize, and bargain collectively are recognized, but labor laws remain in need of reform. Labor disputes often turn violent, particularly at the country’s various mines and rubber plantations. In July, demonstrations against the ArcelorMittal mining company in Nimba County escalated when protesters erected roadblocks and police fired live bullets to disperse the crowd. In October, the National Health Workers Association called a strike to protest dangerous conditions and insufficient hazard pay for nurses and medical assistants, 95 of whom had already been killed in the Ebola epidemic. Most health workers ignored the call to strike.

**F. Rule of Law:** 6 / 16 (–1)

Constitutional provisions guarantee an independent judiciary. However, corruption is rampant, judges are subject to interference, and courts are hamstrung by case backlogs. Tensions mounted between the executive branch and the Ministry of Justice in 2014 after Justice Minister Christiana Tah accused President Sirleaf of repeatedly meddling in her agency’s work, including impeding an investigation into charges of fraud at the National Security Agency, which is headed by one of the president’s sons. Tah resigned her post in October.

Prisons are notorious for inadequate medical care, food, and sanitation, lax security, and prolonged pretrial detentions. Lack of discipline, absenteeism, and corruption plague the police and armed forces.

An Independent National Human Rights Commission was established in 2010 to promote postconflict reconciliation after the nation’s bloody civil wars, but has taken only small steps toward implementing the recommendations of the Truth and Reconciliation Commission. Funding shortfalls, operational deficiencies, and a lack of political will have all hampered progress.

In September 2014, Martina Johnson, a former commander of the National Patriotic Front of Liberia rebel group, was arrested in Belgium for various atrocities committed during the 1989–96 civil war. Belgian authorities made the arrest on behalf of three Liberian victims. Liberia has yet to bring charges against anyone involved with the civil wars. In 2012, a UN-backed special court convicted former Liberian president Charles Taylor of war crimes committed in neighboring Sierra Leone; he is currently serving a 50-year prison sentence.



Under the penal code, “sodomy” is punishable with up to a year in prison. Although the law is rarely enforced, LGBT (lesbian, gay, bisexual, and transgender) people face social stigma and the threat of violence and harassment. Dozens of religious leaders, including Liberia’s top Catholic official, have described the Ebola epidemic as divine punishment for “homosexualism” in the country. Observers blamed these statements for an escalation in anti-LGBT violence in 2014.

**G. Personal Autonomy and Individual Rights: 7 / 16 (-1)**

In August, the government imposed a nationwide evening curfew and quarantined parts of coastal Margibi County and the West Point slum in Monrovia. Ebola experts and officials from Sirleaf’s own government opposed the quarantine, which was widely criticized for exacerbating overcrowding and thus increasing the risk of contagion. The prices of food, medicine, and basic goods spiked in the quarantined areas. It was lifted after 10 days in response to vigorous domestic and international opposition.

Army-enforced travel restrictions were imposed in Monrovia and various rural counties due to Ebola. All land borders remained closed at the end of the year. The closures limited employment opportunities, and checkpoints and other security measures created openings for bribery and other abuses.

Conflicts over land access and ownership remain pervasive. Many of these conflicts originated in the civil wars and subsequent internal migration, displacement, and resettlement. Others are the result of opaque concession agreements granting foreign corporations access to lands for production of tropical timber, palm oil, and other products. A 2012 estimate by Global Witness suggested that as much as one-quarter of the country’s land mass had been granted to logging companies over the previous two years through licenses that allowed the companies to bypass environmental and social safeguards. Mechanisms for compensating local communities for the extraction of timber remain inadequate, raising the risk of future conflict.

Women are dramatically underrepresented in government, holding just 14 percent of national legislative seats, though an electoral law passed in 2014 mandates that neither men nor women can comprise more than 70 percent of the candidates listed by any political party. While men and women enjoy equal legal rights under civil law, customary law remains dominant in many parts of the country (especially in rural areas), creating gender discrepancies in access to land, custody of children, and impartial adjudication of disputes.

Violence against women and children, particularly rape, is a pervasive problem. A 2013 UNICEF report found that two-thirds of Liberian women have undergone female genital mutilation, and a 2014 report by the Overseas Development Institute described rates of sexual and gender-based violence (SGBV) in Liberia as “extremely high.” A specialized prosecution unit and a court with exclusive jurisdiction over SGBV are unable to effectively process the large number of cases brought before them. The Liberian government and several UN agencies launched a “Shine the Light” campaign in July 2014 to curb such violence and slow the rate of HIV transmission among women.

# Libya

**Political Rights Rating:** 6 ↓

**Population:** 6,253,000

**Civil Liberties Rating:** 6 ↓

**Capital:** Tripoli

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Status Change:** Libya's political rights rating declined from 4 to 6, its civil liberties rating declined from 5 to 6, and its status declined from Partly Free to Not Free due to the country's descent into a civil war, which contributed to a humanitarian crisis as citizens fled embattled cities, and led to pressure on civil society and media outlets amid the increased political polarization.

## Ten-Year Ratings Timeline for Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,6,NF	4,5,PF	4,5,PF	6,6,NF

## INTRODUCTION

Libya held national elections in February 2014 for a Constituent Assembly tasked with drafting a new constitution, and a series of municipal council elections began in April. Elections for the House of Representatives (HoR)—to replace the General National Congress (GNC) as the country's interim legislature—were held in late June. However, political opponents of the new parliament, which convened in the eastern town of Tubruk, challenged its legitimacy and revived the GNC in Tripoli. The dispute led to a civil war, as rival coalitions of militias aligned with the two would-be governments. By year's end, the ongoing fighting had killed hundreds of people, damaged important infrastructure, and displaced residents of the affected cities and towns.

Even before the armed conflict matured, de facto power was largely in the hands of armed groups that emerged during and after the 2011 revolution that overthrew longtime dictator Mu'ammr al-Qadhafi. Security conditions had gradually worsened amid regular kidnappings, detentions, torture, and an increasing number of politically motivated assassinations. In May 2014, a former military officer, General Khalifa Haftar, launched an offensive as the head of a coalition called Operation Dignity that promised to purge Libya of Islamists—making no distinction between moderate political groups and violent extremists. An opposing coalition, known as Libya Dawn, emerged in July as the civil war took shape. Operation Dignity supported the HoR based in Tubruk, while Libya Dawn defended the GNC in Tripoli. The makeup of the two forces was complex, as the conflict represented not just an ideological battle between Islamists and secularists, but also a regional competition between militias based in Misrata and Zintan, as well as a struggle between remnants of the Qadhafi regime and revolutionaries. Regional actors such as Egypt, Saudi Arabia, and the United Arab Emirates supplied arms and other support to Operation Dignity, while Qatar and Turkey sided with Libya Dawn.

According to Human Rights Watch, the armed groups “have committed what amount to war crimes by attacking civilians and civilian property.” In addition, unidentified assailants killed hundreds of people with impunity during the year. Among those assassinated were prominent journalists, human rights activists, and religious leaders.

Despite a UN Security Council resolution in August that called for an immediate cease-fire and threatened sanctions against those exacerbating the conflict, international

efforts to broker an end to the fighting made little progress, and most foreign embassy personnel evacuated the capital.

**POLITICAL RIGHTS:** 8 / 40 (-13)

**A. Electoral Process:** 5 / 12 (-4)

An August 2011 constitutional declaration, issued by an unelected National Transitional Council, serves as the governing document for the transitional period between the revolution and the adoption of a permanent constitution. The first national elections in July 2012 established the 200-member GNC, which approved a prime minister and cabinet and was tasked with appointing a body that would draft a new constitution. In February 2013, the GNC decided that the drafting panel would be directly elected instead, and in July of that year it passed an electoral law for the 60-member Constituent Assembly, with equal representation for Libya's three historic regions: Fazzan in the south, Tripolitania in the west, and Cyrenaica in the east.

The High National Election Commission (HNEC), established as a permanent body by the GNC, carried out the Constituent Assembly elections in February 2014. Only 1.1 million Libyans registered to vote, compared with 2.8 million for the GNC elections, reflecting mounting frustrations with insecurity, government performance, and the pace of the political transition. Moreover, the Amazigh (Berber) minority boycotted the vote on the grounds of unfair representation, and security problems prevented polling stations from operating in many other districts. As a result, 13 of the 60 seats could not be filled. Nevertheless, the assembly began its work in April.

Meanwhile, amid protests and growing dissatisfaction with the GNC and the government of Prime Minister Ali Zeidan, the GNC in March approved the seventh amendment to the 2011 constitutional declaration to allow for the election of a new Libyan parliament, the HoR. An electoral law for the new body was adopted the same month. The GNC also voted to remove Zeidan, naming Defense Minister Abdullah al-Thinni as his interim replacement. Ahmed Maiteeq was chosen as the new prime minister in a disputed vote in May, but the constitutional circuit of the Libyan Supreme Court later ruled that the procedure had been invalid, leaving al-Thinni in power.

Despite the military campaign launched by General Haftar in May, the HNEC announced that the HoR elections would take place on June 25, with less than a month to prepare for voter education and campaigning. Only 630,000 Libyans cast votes, and security problems in some areas meant that 12 of the 200 seats remained vacant. All candidates were required to run as independents. Though the seventh amendment to the constitutional declaration indicated that the HoR would meet in Benghazi, elected members decided to relocate to Tubruk, the headquarters of Operation Dignity, due to ongoing fighting in Benghazi. Of the 188 members, 158 attended the inaugural session in August, and the international community endorsed the newly elected HoR as the GNC's replacement. Meanwhile, the 30 members who boycotted the Tubruk session filed a case with the constitutional circuit of the Libyan Supreme Court to challenge the validity of the new legislature. A rump GNC dominated by Islamist members, meeting in Tripoli in August, appointed Omar al-Hassi as its prime minister, while the HoR reappointed al-Thinni in September. In November, the Supreme Court struck down the seventh amendment of the constitutional declaration, which opponents of the HoR took to mean that the new parliament was invalid and the GNC remained in office. The ruling deepened the country's political divide as the civil war gained momentum.

However, both sides appeared to recognize the legitimacy of the Constituent Assembly, which continued its work and released preliminary components of a draft constitution in late December.

**B. Political Pluralism and Participation:** 3 / 16 (-6)

More than 100 parties or lists spanning the political spectrum, from socialists to Islamists, organized to contest the 2012 GNC elections, marking a clear departure from the Qadhafi era, during which political parties were illegal and all independent political activity was banned. However, the legitimacy and integrity of the new parties steadily eroded, and all candidates in the 2014 elections were required to run as independents.

Civilian politics and public participation were further marginalized by and subordinated to armed groups during 2014, as the two opposing military coalitions fought for control of the country and extremist forces that rejected both sides established a presence in some areas.

The electoral law for the 60-member Constituent Assembly reserved six seats for women and two each for three ethnic minorities: the Amazigh, Tebu, and Tuareg people. Some groups challenged the fairness of the rules, which allocated equal numbers of seats among the three ethnic minorities and among the three historical regions despite their widely varying populations. Amazigh groups in particular, who make up approximately 10 percent of the country's population, consequently boycotted the February elections. For the HoR elections, 32 seats were reserved for women; there were no special provisions for ethnic minorities.

**C. Functioning of Government:** 0 / 12 (-3)

Neither of the country's rival political and military camps constituted an effective national government in 2014. Even before the rift solidified in the middle of the year, the authority of elected officials was limited in practice by autonomous regional armed groups and underdeveloped state institutions.

Corruption has long been pervasive in both the private sector and the government. Transparency International's 2014 Corruption Perceptions Index ranked Libya at 166 out of 175 countries and territories surveyed. The fall of the Qadhafi regime initially raised hopes that the level of graft would decline, but oil interests, foreign governments, smuggling syndicates, and armed groups still wield undue influence, especially in the South, and opportunities for corruption abound in the absence of effective fiscal, judicial, and commercial institutions.

**CIVIL LIBERTIES:** 15 / 60 (-5)**D. Freedom of Expression:** 6 / 16 (-2)

The fall of the Qadhafi regime lifted restrictions on the long-repressed media sector. Citizen journalism became more common, and media outlets ranging from satellite television and radio stations to print publications multiplied in number, representing a diversity of views across the country. However, media freedom is increasingly limited by political and criminal violence that has made objective reporting more dangerous. Many media outlets have censored themselves or closed to avoid retribution by armed groups, and a growing number of journalists have fled the country.

Post-Qadhafi authorities have sometimes sought to curb free expression. While the Supreme Court in 2012 struck down a law that would have restricted any speech deemed insulting to the country's people and institutions, in February 2014 the GNC promulgated legislation that criminalized "harming" the 2011 revolution. In addition to criminal defamation charges, media professionals faced assaults, abductions, and raids on their offices during 2014. Muftah Buzeid, editor in chief of the weekly *Burniq* in Benghazi, was assassinated in May, having criticized the city's Islamist militias. A number of television stations were reportedly hit by shelling, while others, including Tripoli's *Al-Asseema* and *Al-Dawliya* in August, were

ransacked and ceased broadcasting. Various stations aligned themselves with or were taken over by one or the other of the warring factions, producing what amounted to propaganda.

Nearly all Libyans are Sunni Muslims, but Christians form a small minority, with most hailing from neighboring countries. The Qadhafi regime closely monitored mosques for signs of religious extremism and Islamist political activity; Muslims of various religious and political strains were much freer to organize and debate their points of view after 2011. In some cases, however, this led to verbal and armed clashes. Some Salafi Muslim groups, whose beliefs reject the veneration of saints, have destroyed or vandalized Sufi Muslim shrines. Nabil Sati, a prominent Muslim cleric, was among those assassinated in Benghazi during 2014. Human rights organizations have called for the rights of all religious groups to be guaranteed in the forthcoming constitution.

Close state supervision of education ended after Qadhafi's ouster, and his Green Book was removed from school curricula. However, laws guaranteeing academic freedom have not yet been passed. Academic institutions were sometimes caught up in the growing violence in 2014. An airstrike by General Haftar's forces hit the University of Benghazi in June.

Although open and free private discussion improved dramatically after 2011, the civil conflict and wave of assassinations in 2014 began to take their toll, with many Libyans withdrawing from political life or avoiding criticism of powerful actors.

#### **E. Associational and Organizational Rights: 3 / 12 (-2)**

A 2012 law on freedom of assembly is generally compatible with international human rights principles, and a number of protests have taken place in recent years, though marches against militia bases have often ended in violence. In early 2014 mass demonstrations called for the end of the GNC's term, and later gatherings were held to show support for the combatants in the civil conflict. However, the fighting and related disorder seriously deterred peaceful assemblies in many areas.

While draft laws on freedom of association have yet to be adopted, domestic nongovernmental organizations have been allowed significantly more freedom to operate since the collapse of the Qadhafi regime. However, political and civic activists faced an increasing risk of assassination in 2014. Those murdered in Benghazi included prominent human rights lawyer Salwa Bughaighis, who was shot in her home in June. The killing, along with that of former lawmaker Fariha al-Barkawi in Darna in July, contributed to decisions by several other women activists to flee the country.

Trade unions, previously outlawed, have made small strides since 2011, but they are in their organizational infancy and have received little official recognition.

#### **F. Rule of Law: 1 / 16**

The role of the judiciary remains unclear without a permanent constitution. The justice system has not been able to function properly, thus nonstate dispute mechanisms have filled the void. Some courts cities are functioning, but those in Darna, Benghazi, and Sirte were suspended for much of 2014, and facilities in Tripoli stopped functioning amid the civil conflict in August. Nevertheless, the constitutional circuit of the Libyan Supreme Court played a key role in two political cases during the year, ruling on Maiteeq's nomination as prime minister in June and the legality of the seventh constitutional amendment in November. The first ruling was upheld and respected, but the second came in the midst of the civil conflict, with critics arguing that the court was under duress because Tripoli was controlled by forces opposed to the new parliament.

Investigations into a large number of cases involving torture and extrajudicial executions before and during the 2011 revolution, including the killing of Qadhafi, have made little prog-

ress. Thousands of individuals remain in government or militia custody without any formal trial or sentencing. The former dictator's son, Saif al-Islam al-Qadhafi, continues to be held in Zintan despite a final ruling by the International Criminal Court in May 2014 that he should be handed over to The Hague. In the absence of a functioning police force and a capacity for witness protection, none of the political killings in recent years have been fully investigated.

Libyans from certain tribes and communities—often those perceived as pro-Qadhafi—have faced discrimination, violence, and displacement since 2011. Migrant workers from sub-Saharan Africa have also been subject to discrimination and mistreatment, particularly at the hands of militia groups. There are reports of discrimination against the Tebu and Tu-areg minorities in employment, housing, education, and other services.

#### **G. Personal Autonomy and Individual Rights: 5 / 16 (-1)**

The interim constitution guarantees freedom of movement, but violence has disrupted normal activity in major cities. Airports in Benghazi, Tripoli, Sabha, and Misrata have been attacked and destroyed, severely limiting access to air travel. The UN Special Mission in Libya estimated in September 2014 that at least 100,000 Libyans had been internally displaced by the recent fighting, and another 150,000, including many migrant workers, had left the country. Tens of thousands of Libyans reportedly sought safety in neighboring Tunisia, adding to an existing refugee population there. Government and militia checkpoints also restrict movement within Libya, particularly in the South, while poor security conditions more generally affect movement as well as access to work and education.

According to the World Bank's *Doing Business Report 2015*, Libya ranks 188 out of 189 countries in their ease of doing business. While Libyans have the right to own property and can start businesses, regulations and protections are not upheld in practice.

Women enjoyed many of the same legal protections as men under the Qadhafi regime, but certain laws and social norms perpetuated discrimination, particularly in areas such as marriage, divorce, and inheritance. The GNC made some limited efforts to address gender inequality, but formal legal changes have yet to be enacted. Threats and harassment against women, especially female activists, are reportedly increasing. Extramarital sex, including same-sex activity, is punishable with up to five years in prison.

Libya was rated a Tier 3 country in the U.S. State Department's 2014 *Trafficking in Persons Report*, which described widespread forced labor and sexual exploitation among trafficking victims from sub-Saharan Africa. The country lacks comprehensive laws criminalizing human trafficking, and the authorities have been either incapable of enforcing existing bans or complicit in trafficking activity.

## Liechtenstein

**Political Rights Rating:** 1

**Civil Liberties Rating:** 1

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 37,000

**Capital:** Vaduz

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

**INTRODUCTION**

The government continued taking steps in 2014 to combat Liechtenstein's reputation as a tax haven. Authorities signed an agreement with the United States in May that obliges Liechtenstein's banks to share data on the accounts of U.S. taxpayers. The government also continued cooperating with the Organisation for Economic Co-operation and Development (OECD) on initiatives to facilitate the exchange of banking information.

**POLITICAL RIGHTS:** 39 / 40**A. Electoral Process:** 12 / 12

Liechtenstein has the most politically powerful unelected monarch in Europe. The prince, as the hereditary head of state, appoints the prime minister on the recommendation of Parliament and possesses the power to veto legislation and dismiss the government. In a 2003 referendum, voters approved a constitutional amendment granting significantly more power to the monarch. The unicameral Parliament (Landtag) consists of 25 deputies chosen by proportional representation every four years. Voting is compulsory.

In 2004, Prince Hans-Adam II handed his constitutional powers to his son, Hereditary Prince Alois, though the elder prince retained his title as head of state. In a July 2012 referendum, 76 percent of voters rejected a proposal by prodemocracy advocates to prohibit the monarch from vetoing decisions made by the public in national referendums. Alois had threatened to abdicate if the proposal passed.

In the February 2013 parliamentary elections, the Progressive Citizens' Party (FBP) won 40 percent of the vote and 10 seats, while the Fatherland Union (VU) was second with 33.5 percent and 8 seats. A new political grouping called the Independents (DU) took 15.3 percent and won 4 seats, capitalizing on public anger at austerity policies proposed by the government. The leftist Free List party took 11.1 percent, gaining 3 seats. The FBP's Adrian Hasler replaced the VU's Klaus Tschütscher as prime minister.

**B. Political Pluralism and Participation:** 15 / 16

Political parties can organize freely. The VU and the FBP, both conservative parties, have dominated politics over the last half-century; power last changed hands in 2013. The DU's strong debut in the 2013 elections marked the first time that four political groupings were represented in Parliament. No members of ethnic minorities hold a legislative seat.

**C. Functioning of Government:** 12 / 12

Politics and society are largely free of corruption. Although Liechtenstein is a leading offshore tax haven and has traditionally maintained tight bank secrecy laws, the government has made efforts in recent years to increase transparency in banking. In 2009, the principality agreed to comply with transparency and tax information-sharing standards as outlined by the OECD. In May 2014, Liechtenstein became a signatory to the U.S. Foreign Account Tax Compliance Act, which requires banks to share data on U.S. taxpayers' accounts or pay a withholding penalty.

In June, Liechtenstein's government announced that it had agreed to return €167 million (\$228 million) allegedly stolen from the Nigerian state by Sani Abacha, Nigeria's military ruler from 1993 to 1998. Nigerian authorities had first requested Liechtenstein's help with recouping the funds in 2000.

**CIVIL LIBERTIES:** 59 / 60**D. Freedom of Expression and Belief:** 16 / 16

The constitution guarantees the freedoms of expression and the press, but the law prohibits public insults directed against a race or ethnic group. Liechtenstein has one private television station, one privately held radio station, and two main newspapers that are roughly aligned with the major political parties; citizens have access to foreign broadcasting. Internet access is not restricted.

The constitution protects religious freedom, and the criminal code prohibits discrimination against any religion or its adherents. However, the constitution also establishes the Roman Catholic Church as the national church. Catholic or Protestant religious 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 are tax-exempt. The government respects academic freedom.

**E. Associational and Organizational Rights:** 12 / 12

Freedoms of assembly and association are protected, and the principality has one small trade union. A 2008 law gives civil servants the right to strike. Domestic and international nongovernmental organizations (NGOs) are able to function freely.

**F. Rule of Law:** 15 / 16

The judiciary is independent and impartial despite the power of the hereditary monarch to appoint judges. Due process is respected, and prison conditions meet international standards.

In April 2014, the chief executive of Bank Frick & Co. AG was killed in what was Liechtenstein's first homicide since 2011. The main suspect in the case, a fund manager who had reportedly been engaged in a long-running financial dispute with Bank Frick and the government, was found dead in Germany in August; he had apparently committed suicide.

A third of the population is foreign-born. Some native citizens have expressed concern over the growing number of immigrants from non-German-speaking countries, such as Turkey and Bosnia and Herzegovina. The government has responded by creating formal integration programs to teach recent immigrants the language and culture of Liechtenstein. Foreigners have occasionally been the target of violence by right-wing groups. The laws provide for the granting of asylum and refugee status.

**G. Personal Autonomy and Individual Rights:** 16 / 16

Women received the right to vote only in 1984 through a referendum. A gender salary gap persists, with women earning less than men for equal work. Abortion is legal in the first 12 weeks of pregnancy, but only if the mother's life is in danger or if she was under the age of 14 at the time of conception. Same-sex registered partnerships are legal.

A February 2013 report by the European Commission against Racism and Intolerance, a human rights body within the Council of Europe, cited "reports of discrimination in access to employment, as well as in remuneration" for immigrants.



# Lithuania

**Political Rights Rating:** 1

**Population:** 2,930,000

**Civil Liberties Rating:** 1

**Capital:** Vilnius

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

## INTRODUCTION

After winning reelection in May 2014, President Dalia Grybauskaitė announced a “blacklist” of prominent individuals suspected to be involved in corruption. The eight vice-ministers included all rapidly resigned.

Tensions with Russia surrounding the invasion of Crimea influenced developments in Lithuania in 2014. In March, authorities issued a three-month ban on broadcasts of Russian television channels.

**POLITICAL RIGHTS:** 38 / 40 (+1)

**A. Electoral Process:** 12 / 12

Lithuania’s 1992 constitution established a unicameral, 141-seat Parliament (Seimas), with 71 members elected in single-mandate constituencies and 70 chosen by proportional representation, all for four-year terms. The prime minister is named by the president, but is subject to confirmation by the parliament. The president is directly elected, and may serve up to two five-year terms.

In 2012 parliamentary elections, the Social Democratic Party of Lithuania (LSDP) finished first with 38 seats; the Homeland Union–Lithuanian Christian Democrats (TS-LKD) captured 33 seats; the Labor Party (DP) took 29 seats; the Order and Justice Party (TT) won 11 seats; the Liberal Movement (LRLS) captured 10 seats; and the Electoral Action of Poles in Lithuania (LLRA) won 8 seats. LSDP leader Algirdas Butkevičius became the prime minister and assembled a four-party coalition comprising the LSDP, the DP, the TT, and the LLRA. Parliamentary elections were largely free and fair, though there were some reports of irregularities, including alleged bribery and forged ballots. In August 2014, the LLRA resigned from the ruling coalition, largely because it was not granted the minister of energy position.

In March 2014, the Lithuanian Central Electoral Commission refused to register former president Rolandas Paksas for the presidential election, as he was impeached in 2004. The Supreme Administrative Court rejected Paksas’s appeal, upholding a constitutional amendment declaring that persons removed from office by impeachment for having violated a constitutional oath can no longer assume positions involving giving an oath. The European Court of Human Rights had ruled in 2011 that banning Paksas from running for parliament under this rule was illegal.

In May 2014, incumbent president Dalia Grybauskaitė won the presidential run-off against Zigmantas Balčytis, a member of the LSDP. Grybauskaitė became the first Lithuanian president elected to two consecutive terms. The Central Electoral Commission declared the election to be free and fair.

**B. Political Pluralism and Participation:** 16 / 16

Lithuania's political parties generally operate freely, although the Communist Party is banned. Lithuanian politics have been characterized by shifting coalitions among several different parties. The two largest minority groups, Polish (6.6 percent of the population) and Russian (5.8 percent), are represented by the LLRA and the Russian Alliance parties. The two minority parties plan to form a coalition for local elections in 2015.

**C. Functioning of Government:** 10 / 12 (+1)

While corruption remains an issue in Lithuania, progress has been achieved. Lithuania ranked 39 out of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index. The European Union (EU) has noted Lithuania's strong commitment to fighting corruption and venerable anticorruption legal framework. However, the EU has noted room for improvement, especially in the area of procurement. Lithuania also has the highest percentage in the EU of people who have been asked or were expected to pay a bribe: 29 percent.

In June, Grybauskaitė declared that she would not approve ministers whose deputies were included on a so-called blacklist created by the Secret Investigation Service (STT). The blacklist contained eight vice-ministers who were allegedly involved in corruption cases. All eight vice-ministers rapidly resigned, including one from the Ministry of Justice, one from the Ministry of Agriculture, three from the Ministry of Environment, and three from the Ministry of Transport and Communications.

In 2014, the Open Government Partnership decided not to evaluate Lithuania's level of openness because the government refused to disclose the data required by the group's methodology.

**CIVIL LIBERTIES:** 53 / 60**D. Freedom of Expression and Belief:** 16 / 16

The government generally respects freedoms of speech and the press. Privately owned newspapers and independent broadcasters express a wide variety of views. However, the press suffers from inadequate standards for transparency of ownership.

Political parties are banned from directly owning news media outlets. While individual party members are excluded from the ban, they are obligated to disclose ownership. A number of both ruling-coalition and opposition politicians are in control of news media outlets. The government does not restrict internet access.

In 2013, Lithuania's STT attempted to compel the Baltic News Service (BNS) to identify its sources after BNS reported that Lithuanian intelligence agents had information about Russian officials' plans to launch a misinformation campaign about Grybauskaitė. As part of a pretrial investigation into the matter, Lithuanian intelligence recorded the telephone conversations of 17 former and current BNS employees. In June 2014, the Vilnius Regional Administrative Court ruled that the wiretapping was unlawful.

In July, Grybauskaitė signed amendments to the Law on Provision of Information to the Public and to the Code of Criminal Procedure. Under these amendments, prosecutorial procedures with the potential of impinging upon press freedom or individual rights—such as searches, the seizure of property, and surveillance by law enforcement—can be only carried out in cases of great public interest. Further amendments to the Law on Public Information in December suggested penalties for media outlets that spread war propaganda, urge changes in the constitutional order, or challenge the country's sovereignty.

In March, the Vilnius Regional Administrative Court, at the request of the Lithuanian Radio and Television Commission (LRTK), issued a three-month ban on broadcasts of

Russian television channels NTV Mir and RTR Planeta. Both channels were found to have violated Lithuanian broadcasting regulations: MTV Mir aired a pro-Soviet documentary judged to be misleading and derogatory, and RTR Planeta incited public discord in its coverage of the situation in Crimea. In Lithuania, Russian programs make up 22 percent of total television broadcasting, while Lithuanian programs make up 23 percent.

Freedom of religion is guaranteed by law and largely upheld in practice. However, nine so-called traditional religious communities, including the Roman Catholic Church, enjoy certain government benefits, including annual subsidies, that are not granted to other groups. Academic freedom is respected.

#### **E. Associational and Organizational Rights:** 11 / 12

Freedoms of assembly and association are generally observed. However, individuals and groups must obtain permission from authorities before staging protests of more than 15 people. Nongovernmental organizations may register without facing serious obstacles, and human rights groups can operate without restrictions. Workers may form and join trade unions, strike, and engage in collective bargaining, though there have been reports of employees being punished for attempting to organize.

#### **F. Rule of Law:** 13 / 16

The constitution guarantees judicial independence, which is largely respected in practice. Defendants generally enjoy due process rights, including the presumption of innocence and freedom from arbitrary arrest and detention, but detained suspects are not always granted timely access to an attorney. Police abuse of detainees and lengthy pretrial detentions are lingering issues. In 2014, a UN committee found that Lithuania's prisons continue to suffer from a number of problems, including overcrowding, substandard living conditions, and lack of access to essential services such as health care and sanitation facilities.

Discrimination against ethnic minorities, who comprise about 16 percent of the population, remains a problem. The Polish minority has demanded the right to spell their names in their original form and to use bilingual location signs in areas with large Polish populations. However, Lithuanian law indicates that public signs must be written only in Lithuanian.

In September, the State Commission for the Lithuanian Language ruled that foreigners who become naturalized Lithuanian citizens and Lithuanians who adopt the last name of their foreign spouse after marriage may use the original spellings of their names on state documents. In July, the Seimas adopted amendments to the Law on Passports that allow citizens to register their ethnicity in their passport if they choose to do so.

Members of the lesbian, gay, bisexual and transgender (LGBT) community face discrimination. A proposal to ban sex reassignment surgery stalled in 2012, but these procedures are still not possible under the Civil Code. While the code theoretically allows for such surgery in the case of unmarried adults, it stipulates that certain medical regulations must first be enacted by law. A bill that would have done so was voted down in July 2014.

#### **G. Personal Autonomy and Individual Rights:** 13 / 16

Lithuanian residents may travel freely within the country and internationally. They generally enjoy economic freedom.

Men and women enjoy the same legal rights, though women generally earn less than men per hour worked. Lithuania's constitution defines marriage as a union between a man and a woman.

In May 2014, Lithuania ended its ban on the sale of land to foreigners and legal entities, as it had promised to do upon its accession to the EU in 2004. However, in June the govern-

ment held a referendum on reinstating the ban; the referendum failed due to very low voter turnout (referendums can only pass if more than 50 percent of eligible voters participate).

## Luxembourg

**Political Rights Rating:** 1

**Civil Liberties Rating:** 1

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 556,000

**Capital:** Luxembourg

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

In June 2014, Luxembourg's Chamber of Deputies approved a bill legalizing same-sex marriage and extending adoption rights to same-sex couples.

In July, former prime minister Jean-Claude Juncker was elected by the European Parliament as the next president of the European Commission.

In November, Luxembourg's role as a tax haven became the center of international attention after the International Consortium of Investigative Journalists (ICIJ) published leaked documents concerning secret tax breaks given to multinational corporations by Luxembourg authorities. A number of officials—including Juncker—faced scrutiny for their involvement in approving such activities.

**POLITICAL RIGHTS:** 38 / 40 (-1)

**A. Electoral Process:** 12 / 12

Luxembourg's head of state is the unelected Grand Duke Henri, whose powers are largely ceremonial. The unicameral legislature, the Chamber of Deputies, consists of 60 members elected to five-year terms by proportional representation. The legislature chooses the prime minister. Voting is compulsory for Luxembourg's citizens. Foreigners constitute more than a third of the population.

In parliamentary elections held in October 2013, Juncker's Christian Social People's Party (CSV) captured 23 seats, down from 26 in the 2009 election, while the Luxembourg Socialist Workers' Party (LSAP) and the Democratic Party (DP) each won 13 seats. The Greens took 6 seats, and smaller parties hold the remaining 5 seats. The elections were held seven months early as a result of the collapse of Juncker's government. DP leader Xavier Bettel, mayor of the city of Luxembourg, was sworn in as prime minister in December 2013. Bettel led a three-party coalition with the LSAP and the Greens, excluding the CSV and ending Juncker's years in power. Juncker had served as prime minister since 1995.

**B. Political Pluralism and Participation:** 16 / 16

The political system is open to the establishment of new parties. There are three traditionally strong parties: 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. Prior to the 2013 elections, the CSV had dominated politics since 1945, except for a brief hiatus in 1975–79.

**C. Functioning of Government:** 10 / 12 (–1)

The government is largely free from corruption. However, Juncker's resignation in 2013 followed allegations of widespread misconduct by members of the State Intelligence Service, including wiretapping politicians' conversations and accepting bribes in return for access to local officials.

Luxembourg was ranked 9 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. In June 2014, the European Commission opened an investigation into tax breaks given to multinational corporations by Ireland, Luxembourg, and the Netherlands on the basis that the tax breaks could be a form of illegal state aid.

In November, the ICIJ published leaked documents regarding clandestine tax agreements between the government and corporations, which were able to obtain extremely low tax rates by routing hundreds of billions of dollars in profits through subsidiaries based in Luxembourg. Juncker faced criticism for having presided over an expansion of such arrangements while serving as prime minister, although he maintained that the arrangements were in compliance with European Union (EU) law. In his role as president of the European Commission, Juncker survived a confidence vote by the European Parliament in November, held in response to the leaks. After further documents were released in December, Luxembourg's government agreed to comply with the European Commission's demand to disclose the details of the tax agreements.

**CIVIL LIBERTIES:** 60 / 60

**D. Freedom of Expression and Belief:** 16 / 16

Freedom of expression is guaranteed by the constitution. A single conglomerate, RTL, dominates broadcast radio and television. Newspapers generally represent a broad range of opinion. Internet access is not restricted.

Although Roman Catholicism is the dominant religion, there is no state religion, and the state pays the salaries of clergy from a variety of Christian groups. Islamic clergy, however, are not supported. In September 2014, Bettel announced plans to seek constitutional reform through a referendum to end state funding for religion. The government held talks with representatives of all religious groups throughout the year on the matter. School children must choose to study either the Roman Catholic religion or ethics; most choose the former. Academic freedom is respected.

**E. Associational and Organizational Rights:** 12 / 12

Freedoms of assembly and association are protected, and nongovernmental organizations (NGOs) operate freely. Luxembourgers may organize in trade unions, and approximately 40 percent of the workforce is unionized. While the right to strike is not explicitly guaranteed by the constitution, it is protected by case law stemming from a 1952 Court of Cessation ruling.

**F. Rule of Law:** 16 / 16

The judiciary is independent, though judges are still appointed by the grand duke. Detainees are treated humanely in police stations and prisons.

Luxembourg's Muslim minority, mainly of Bosnian origin, faces no official hostility. The country's criminal code includes penalties for hate crimes. Luxembourg received

more than 1,000 asylum applications in 2014, comparable to the number received the previous year.

### G. Personal Autonomy and Individual Rights: 16 / 16

The rights to own property and operate private businesses are legally protected and respected in practice.

While women comprise more than half of the labor force, they are underrepresented at the highest levels of government; 17 women currently serve in the 60-member parliament, and 5 hold seats in the 16-member cabinet. The Ministry of Equal Opportunities in September 2014 proposed measures to improve gender equality in both the public and private sectors, including setting a quota requiring political parties to reserve at least 40 percent of their parliamentary candidate lists for women in order to qualify for state funding.

While the law does not technically allow for abortion on demand, women can legally have abortions if in “distress.” The Chamber of Deputies in 2012 approved legislation that allowed abortions in a greater number of cases while maintaining existing penalties for unapproved abortions.

Bettel became the nation’s first openly gay prime minister in 2013. In June 2014, the Chamber of Deputies passed a bill to legalize same-sex marriage and grant full adoption rights to same-sex couples; the law will come into effect in January 2015.

## Macedonia

**Political Rights Rating:** 4↓

**Civil Liberties Rating:** 3

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Ratings Change:** Macedonia’s political rights rating declined from 3 to 4 due to serious shortcomings in the April general elections and a related legislative boycott by the opposition.

**Population:** 2,066,000

**Capital:** Skopje

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	4,3,PF

### INTRODUCTION

On April 13, 2014, Macedonia held presidential and parliamentary elections. The ruling party, Internal Macedonian Revolutionary Organization–Democratic Party for Macedonian National Unity (VMRO–DPMNE), won both elections, giving Nikola Gruevski a third consecutive mandate as a prime minister and Gjorge Ivanov a second consecutive presidential term. The opposition accused the party of stealing the elections and rejected the results. The ruling party did not respond to opposition calls for new elections but allowed the European Union (EU) to mediate a solution between the two main political parties. As opposition parties commenced a legislative boycott, thirty-one newly elected opposition legislators refused to take their seats. The conflict continued at year’s end.

In June, a Skopje court convicted six ethnic Albanians for the murder of five Macedonian fishermen, which took place in 2012 during a prolonged period of interethnic tensions. In July, ethnic Albanians took to the streets to protest the convictions, which they claimed

to be unfair and motivated by Islamophobia. Protesters clashed with police officers, which led to several arrests. While protests ultimately ceased, interethnic tensions remained high at the end of the year.

**POLITICAL RIGHTS:** 23 / 40 (−3)

**A. Electoral Process:** 7 / 12 (−1)

Members of the unicameral, 123-seat Assembly are elected to four-year terms by proportional representation. The Assembly elects the prime minister, who holds most executive power. The president is elected to a five-year term through a direct popular vote. Most postindependence elections have met international standards.

Both presidential and early parliamentary elections took place in April 2014. The bloc led by the VMRO–DPMNE won 61 parliamentary seats, followed by the Social Democratic Union of Macedonia (SDSM) with 34 seats. The ethnic Albanian Democratic Union for Integration (DUI)—the VMRO–DPMNE’s coalition partner—won 19 seats, the Democratic Party of Albanians (DPA) won 7 seats, while two minor parties took one seat each. Gruevski retained the seat of the prime minister, and in the presidential election, incumbent president Ivanov of VMRO–DPMNE was reelected. The SDSM rejected the election results, claiming that the ruling party had manipulated the vote. Nevertheless, Gruevski formed a government in June.

The elections were criticized by international observers for a number of shortcomings, most of them regarding the campaign period. The Organization for Security and Cooperation in Europe noted that while the elections were “efficiently administered,” the separation between party and state electoral campaigns was not always sufficient or clear, and several instances of alleged voter intimidation were reported during the campaign period.

The State Election Commission is vulnerable to political influence, as its seven members are divided along party lines. A number of weaknesses remain in Macedonia’s Electoral Code, particularly regarding campaign regulations. The Electoral Code was last amended in early 2014, only a few months before the presidential and parliamentary elections.

**B. Political Pluralism and Participation:** 10 / 16 (−1)

Since independence in 1991, power has alternated between center-left and center-right governments. The center-right VMRO–DPMNE has won every parliamentary election since 2006, ruling in coalition with several parties representing ethnic minorities. The left-leaning SDSM held power through much of the 1990s and early 2000s, and is currently the leading opposition party.

Following the April 2014 elections, the SDSM refused to recognize the legitimacy of the new government and commenced a parliamentary boycott. Elected SDSM legislators did not attend subsequent parliamentary sessions.

Ethnic Albanians comprise 25 percent of the population. A political party representing Albanians has sat in each ruling coalition, and certain types of legislation must pass by a majority of legislators from both main ethnic groups in the Assembly. Violence between ethnic Macedonians and ethnic Albanians continues to erupt periodically. Both ethnic Macedonian and ethnic Albanian political parties increasingly engaged in nationalist discourse in the run-up to the 2014 elections. Confrontations between ethnic Albanian parties also occurred.

In 2011, the Assembly added three seats for representatives of Macedonians living abroad.

**C. Functioning of Government:** 6 / 12 (−1)

A total of 31 opposition legislators were absent from the newly elected Assembly in 2014, and persisting discord between the SDSM and the ruling coalition undermined the

country's democratic functions. A parliamentary committee mandated to handle the crisis, comprised of members of the ruling coalition, signaled the possibility of revoking the absent legislators' mandates on multiple occasions, while in September the VMRO-DPNE announced the possibility of early elections. A move to revoke the mandates of the 31 legislators did not succeed in December, and no solution had been reached by year's end.

Corruption is a serious problem in Macedonia. While relevant anticorruption legislation is in place, and measures to clarify party funding and prevent conflicts of interest have been strengthened in recent years, implementation is weak. Graft and misconduct are widespread in public procurement. The judiciary lacks experience handling high-level corruption cases, and greater interagency cooperation is needed to identify problem areas in anticorruption efforts, according to the European Commission. The Public Prosecutor's Office for Organized Crime and Corruption suffers from low administrative capacity. Macedonia was ranked 64 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 37 / 60 (-1)

**D. Freedom of Expression and Belief:** 11 / 16

The constitution provides for freedom of the press. Macedonian media, however, are subject to political pressure and harassment, resulting in self-censorship. Media outlets are also divided along ethnic lines. In September 2014, an appellate court in Skopje upheld a ruling against an editor and a journalist working for *Fokus* magazine. The two must pay penalties that combined amount to more than €9,000 (\$12,000) to a high-level government official who had sued the magazine for defamation over an article suggesting that he had engaged in corruption. Media coverage of the 2014 elections was largely divided along partisan lines. Internet access is unrestricted.

The constitution guarantees freedom of religion. A long-standing dispute between the breakaway Macedonian Orthodox Church and the canonically recognized Serbian Orthodox Church remains unresolved. Islamophobia is present in the rhetoric of politicians and in public discourse.

Although academic freedom is generally unrestricted, the education system is weak by European standards. Textbooks barely cover the postindependence period, primarily because ethnic Macedonians and ethnic Albanians interpret the 2001 conflict differently. In 2012, the European Association of History Educators urged reform in the instruction of history. Increasingly, schools are becoming ethnically segregated.

**E. Associational and Organizational Rights:** 8 / 12

Constitutional guarantees of freedoms of assembly and association are generally respected. On July 4, 2014, several thousand people gathered in Skopje to protest the controversial sentencing of six ethnic Albanians to life in prison. The defendants were convicted of the 2012 murder of five Macedonians and also faced terrorism charges, as authorities accused them of inciting ethnic tensions. After protesters began throwing rocks at police, officers disbanded the demonstration with tear gas, water cannons, and stun grenades. A subsequent demonstration against the sentencing on July 11 took place peacefully. In November and December, thousands of students staged mass demonstrations against higher education reforms that require state-supervised testing in universities.

Nongovernmental organizations (NGOs) generally operate freely but are often polarized along political lines. Workers may organize and bargain collectively, though trade unions lack stable financing and skilled managers, and journalists have reportedly been fired over their union activities.



**F. Rule of Law: 8 / 16**

Improving judicial independence, impartiality, and efficiency remains a priority for Macedonia, which has been carrying out comprehensive reforms of the judiciary over the past decade. In 2014, however, a number of fundamental problems remained—including growing concerns over the weak independence of the Constitutional Court. Although the court system is technically independent of the executive and legislative branches, a number of Constitutional Court maneuvers in 2014 raised concerns about political influence on the body. In January, the court declined to examine the constitutionality of the country's controversial 2013 budget, the passing of which had sparked protests from the opposition and public. In April, the court declined to examine the constitutionality of a lustration law, passed in 2012 with the aim of removing former Yugoslav secret police collaborators from public office. The court had previously invited feedback about the law from the Venice Commission of the Council of Europe. The law has raised domestic and international concerns about its provisions for privacy and its potential to be abused on politically motivated grounds.

The June 2014 ruling against six ethnic Albanians for the 2012 murder of five Macedonians raised interethnic tensions in the country, inviting rhetoric of distrust in the judicial process from ethnic Albanians. A lack of transparency in the judicial process was among the factors criticized by those protesting against the case.

Roma, ethnic Albanians, and other vulnerable groups face discrimination. Minority groups say that the ongoing Skopje 2014 urban development plan ignores their heritage, claiming that it presents a mono-ethnic image of the country.

A 2010 antidiscrimination law does not prohibit discrimination on the basis of sexual orientation, and anti-LGBT (lesbian, gay, bisexual, and transgender) sentiment is widespread.

**G. Personal Autonomy and Individual Rights: 10 / 16 (-1)**

Travel and movement are generally unrestricted. Membership in a party within the ruling coalition is often an informal precondition for employment in the public sector. While the government has streamlined procedures to launch a business, licensing fees can be prohibitively expensive. Official unemployment is 30 percent, but the actual figure may be smaller given Macedonia's sizeable shadow economy.

In July 2014, the VMRO-DPMNE proposed a constitutional amendment that would narrow the definition of marriage, making it applicable only to a relationship between a man and a woman. The parliament agreed to consider its proposal.

While women in Macedonia enjoy the same legal rights as men, societal attitudes limit their participation in nontraditional roles, and women rarely participate in local politics. In Albanian Muslim areas, many women are subject to proxy voting by male relatives. Forty women were elected to the 123-seat legislature in 2014. Despite the ongoing implementation of a strategy against domestic violence, it remains a serious problem, as does the trafficking of women for forced labor and sex work.

# Madagascar

**Political Rights Rating:** 4↑

**Population:** 22,445,000

**Civil Liberties Rating:** 4

**Capital:** Antananarivo

**Freedom Rating:** 4.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Ratings change:** Madagascar's political rights rating improved from 5 to 4 due to a peaceful transition after recovery from an earlier coup and the seating of a new parliament that included significant opposition representation.

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	4,3,PF	4,3,PF	4,3,PF	6,4,PF	6,4,PF	6,4,PF	6,4,PF	5,4,PF	4,4,PF

## INTRODUCTION

Political and economic progress in Madagascar continued to make incremental gains in 2014 in the wake of setbacks resulting from the 2009 governmental coup and dissolution of parliament under transitional president Andry Rajoelina. Hery Rajaonarimampianina, a former finance minister, became the first post-coup, democratically elected president in January 2014. He succeeded Rajoelina, his supporter, after 2013 elections that outside international observers deemed free and fair. Rajaonarimampianina later broke with Rajoelina. In December 2014 he took steps toward national reconciliation, inviting four of his presidential predecessors, including Rajoelina and Marc Ravalomanana, to meet for talks supported by the Southern African Development Community (SADC). Ravalomanana was under house arrest at the time and attended the talks under military escort.

The 2009 coup and ensuing political crisis seriously damaged Madagascar's economy through the loss of foreign investments and direct aid. The World Bank estimates that 82 percent of Malagasies live in extreme poverty. Economic and security conditions remain strained, especially in the South, but the international community has begun reversing severe sanctions imposed under Rajoelina. The African Union lifted its suspension on Madagascar's membership following the success of the 2013 elections, and \$95 million in World Bank funding, which was contingent on the appointment of a prime minister, was approved anew in December, boosting the public service and job creation. International Monetary Fund (IMF) funding resumed in March 2014, and the United States reinstated Madagascar's eligibility for financial assistance in June.

**POLITICAL RIGHTS:** 22 / 40 (+7)

**A. Electoral Process:** 9 / 12 (+3)

Under its constitution, Madagascar has a bicameral parliament consisting of a 151-seat National Assembly and a 33-member Senate, but the legislative body has not been fully functional since the forcible ouster of President Ravalomanana by military coup in 2009. Madagascar was governed until 2014 under interim president Rajoelina by an unelected transitional legislature. Parliamentary elections were postponed nine times from 2010 to 2013, until elections for the National Assembly finally took place in 2013, concurrent with the country's presidential election. Both the newly elected president and National Assembly members took office in 2014.

Members of parliament serve five-year terms. In the National Assembly, 64 seats are filled through party-list voting in 32 multimember constituencies, and 87 through majoritarian contests in single-member districts. In the Senate, one member from each of the 22 districts of Madagascar are to be elected, and the remaining 11 will be appointed by the president. Plans for the creation of the Senate have been postponed indefinitely. The president is elected by popular vote and serves a five-year term. The prime minister is nominated by the National Assembly and appointed by the president.

Hery Rajaonarimampianina, backed by Rajoelina, became the first democratically elected president under Madagascar's 2010 constitution, following a 2013 runoff against opponent Jean Louis Robinson, the candidate backed by former president Ravalomanana. Rajaonarimampianina won with 54 percent of the vote. Although he initially claimed election fraud, Robinson accepted defeat and attended Rajaonarimampianina's swearing-in ceremony in January 2014 as a gesture of national reconciliation. In August 2013 the Special Electoral Court rejected the candidacies of Rajoelina, Ravalomanana's wife Lalao, and former president Didier Ratsiraka.

In parliamentary elections, the With Andry Rajoelina (MAPAR) party won 49 seats out of 151, the Ravalomanana Movement took 20, the Vondrona Politika Miara-Dia-Malagasy Miara-Miainga (VPM-MMM) party won 13, and various other parties and independent candidates took the remainder. Both the October elections and the December presidential runoff election were generally peaceful and deemed free and fair by the European Union and others. However, the December turnout was only 51 percent and several million people were left off the voter rolls.

Parliament was seated for the first time in April 2014. Despite speculation, Rajoelina did not pursue the role of prime minister, and the president rejected Rajoelina's handpicked associate. Roger Kolo, a former radiologist who returned to Madagascar after 30 years abroad, was appointed as prime minister with wide support among the 12 parties represented in the National Assembly.

#### **B. Political Pluralism and Participation:** 9 / 16 (+1)

After Rajoelina took power, opposition political activity was circumscribed through arbitrary bans on meetings and protests, as well as harassment, arrests, and killings of opposition supporters. In 2013, political parties were generally able to operate ahead of the presidential election; 33 candidates took part. Presidential rallies were controversially attended by Rajoelina and Lalao Ravalomanana in support of their respective candidates, Rajaonarimampianina and Robinson.

During Rajoelina's tenure, key political rivals were kept out of the country with the threat of arrest. Ravalomanana, who went into exile in South Africa after his ouster, was sentenced in 2010 in absentia to life in prison with hard labor for allegedly ordering the killing of at least 30 opposition protesters in 2009. In 2012, the transitional parliament approved an amnesty law that excluded those who had committed "serious violations of human rights and fundamental freedoms," such as murder. This made Ravalomanana ineligible.

In 2013, Ravalomanana lost his appeal of a South African court's order that he surrender his passport in connection with the 2009 massacre case. He returned to Madagascar in October 2014 and was promptly arrested. In late December, he was transferred from a detention facility to house arrest, where he remained at year's end. No new charges were brought against him.

**C. Functioning of Government:** 4 / 12 (+3)

The elections returned freely elected officials to determine the policies of the government. For the first time since the 2009 coup, officials could govern without the direct inclusion of former presidents.

Corruption worsened after the coup and remains a major problem, due in part to the transitional government's failure to enforce antigraft laws. In July 2014, Prime Minister Kolo stated that 40 percent of the national budget was lost to corruption. He pledged to restructure the anticorruption bureau. Madagascar was ranked 133 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

Despite a 2010 decree that prohibited the logging, transport, trading, and export of precious woods, the illegal trade continues. In June 2014, the Extractive Industries Transparency Initiative (EITI) lifted its three-year suspension of Madagascar, citing the commitments of the new elected government to EITI standards. The 2010 EITI report, published despite the suspension, showed that the government had doubled its income from natural resources to around \$145 million. Illegally harvested rosewood and other precious timbers continue to be smuggled offshore.

**CIVIL LIBERTIES:** 30 / 60 (+2)**D. Freedom of Expression and Belief:** 9 / 16

The constitution provides for freedoms of speech and of the press. While Rajoelina's transitional government routinely ignored press freedom, the new government has demonstrated greater respect for media freedom and freedom of expression. Government censorship and intimidation of journalists continue, though at reduced levels. In June, parliament adopted a broad cybercrime law that punishes online defamation of state officials with up to five years' imprisonment. In July 2014, two newspaper journalists were arrested briefly on defamation charges related to reporting on the trafficking of rosewood. The charges were dropped within a few days.

The Malagasy people have traditionally enjoyed religious freedom, though the transitional authorities subjected a Protestant denomination associated with Ravalomanana to discrimination and harassment. Members of the Muslim community have reported some discrimination. Academic freedom is generally respected.

**E. Associational and Organizational Rights:** 8 / 12 (+1)

Freedom of assembly was severely curtailed following the unrest in 2009, and officials of Rajoelina's transitional government and the security forces routinely denied permission for demonstrations and forcibly repressed gatherings. Repression of political gatherings has generally declined in the past two years and political rallies were largely allowed leading up to the 2013 elections. Nevertheless, political demonstrators still face violence. In January 2014, a student was killed during a protest of the election results.

Freedom of association is generally respected, and hundreds of nongovernmental organizations, including human rights groups, are active. 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:** 6 / 16 (+1)

The judiciary remains susceptible to corruption and executive influence. In April 2014, Rajaonarimampianina appointed a new president and three other new members to the High

Constitutional Court (HCC) after a court ruling that thwarted the appointment of his supporters' chosen prime minister. Although legal, the new appointments were clearly made in the president's interests and raised concerns about the separation of powers. The acquiescence of the HCC in the face of Rajoelina's unconstitutional rise to power highlighted its weakness as an institution, and subsequent judicial decisions have been tainted by frequent intimidation. The Special Electoral Court, in contrast, demonstrated a degree of independence by barring Rajoelina, Lalao Ravalomanana, and Ratsiraka from running in the 2013 presidential elections.

A lack of training, resources, and personnel hampers judicial effectiveness, and case backlogs are prodigious. More than half of the people held in the country's prisons are pre-trial detainees, and prisoners suffer from harsh and sometimes life-threatening conditions. In December 2014, parliament unanimously voted to abolish the death penalty. Customary-law courts in rural areas continue to lack due process guarantees and regularly issue summary and severe punishments.

The army and security forces remain largely beyond civilian control. In January 2014, Rajaonarimampianina took steps to disband a transition-era security force widely regarded as Rajoelina's personal unit. Clashes in the South among villagers, security forces, and cattle thieves known as *dahalos*—who are affiliated with criminal gangs—continued in 2014. Security operations to rein in the bandits have led to mass killings of civilians and indiscriminate burning of villages. In February, a shootout between security forces and dahalos resulted in more than 15 deaths, including several civilians. In October, thousands of dahalos surrendered in exchange for amnesty, though violence continues to plague the region. In cities, in contrast, the security situation has improved since the elections.

A political cleavage has traditionally existed between the coastal *côtier* and the highland Merina peoples, of continental African and Southeast Asian origins, respectively. Due to past military conquest and long-standing political dominance, the Merina tend to have higher status than the *côtier*. Ethnicity, caste, and regional solidarity often lead to discrimination. Same-sex sexual relations are not criminalized, but LGBT (lesbian, gay, bisexual, and transgender) people still face discrimination from some segments of the state and society. Conditions for LGBT people reportedly worsened following the 2009 coup.

#### **G. Personal Autonomy and Individual Rights: 7 / 16**

Despite government efforts and decentralized village patrols, free movement is hampered in the regions tormented by the well-armed dahalo groups. Dahalo raids have led to an uptick in internally displaced people, and security patrols cease operations after dark.

Madagascar's legal structure provides protections for private property rights, and secured interests in property are recognized though not entirely enforced. Foreigners are prohibited from owning land.

Malagasy women hold significantly more government and managerial positions than women in many continental African countries. The number of women in parliament increased from 18 to 23 in 2014. However, women still face societal discrimination and enjoy fewer opportunities than men for higher education and employment. There have been reports of an increase in domestic violence since the coup, as personal conflicts arise over dwindling family resources. According to the U.S. State Department's 2014 *Trafficking in Persons Report*, weakened rule of law and a decline in economic development since the coup have led to more Malagasy women and children trafficked for forced labor and sex work. The report found that combatting the problem was not a government priority from April 2013 to March 2014.

# Malawi

**Political Rights Rating:** 3

**Population:** 16,829,000

**Civil Liberties Rating:** 4

**Capital:** Lilongwe

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	4,4,PF	4,3,PF	4,4,PF	4,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF

## INTRODUCTION

Peter Mutharika of the Democratic People's Party (DPP) won the presidential election in May 2014, defeating the incumbent, Joyce Banda of the People's Party (PP), and two other candidates. The poll was marred by delays in voting and counting caused by short-comings on the part of the Malawi Electoral Commission (MEC), as well as some isolated irregularities. However, local and international observers said the vote was generally credible. The DPP also won the most seats in the unicameral National Assembly, but not enough to gain a majority.

As president, Mutharika pledged to address pressing issues such as restoring the donor community's faith in Malawi in the wake of the so-called Cashgate corruption scandal, in which more than \$30 million in state funds was embezzled by mid-level government employees between 2009 and 2013. Some opposition and civil society figures expressed concern that the new president might restart some of the antidemocratic policies of his late brother and former president Bingu wa Mutharika. Peter Mutharika had served in his brother's cabinet, and he was among a group that had allegedly attempted to execute a coup against then vice president Banda after his brother's death in 2012.

**POLITICAL RIGHTS:** 27 / 40 (+1)

**A. Electoral Process:** 8 / 12

The president is directly elected for five-year terms and exercises considerable executive authority. The unicameral National Assembly is composed of 193 members elected by popular vote to serve five-year terms.

On May 20, 2014, Malawi undertook tripartite elections at the presidential, parliamentary, and local levels. Unlike the 2009 elections—which were deemed the most free and competitive since the advent of democracy in 1994—the polls were marred by logistical problems. Polling stations opened late due to a lack of voting materials, and technical problems with the MEC's electronic tabulation system delayed the vote counting. Voting was thus extended for two extra days in some areas. In certain districts, evidence suggested the number of votes cast exceeded the total number of registered voters, though this was in part attributed to people voting in districts other than those they were registered in. After preliminary results indicated that Mutharika was in the lead, on May 22 Banda called for a manual recount, citing concerns about vote rigging.

Two days later, Banda announced that she was nullifying the elections due to “rampant irregularities,” and ordered a new round to be held within 90 days, in which she would not compete. At the request of Mutharika and the DPP, the High Court of Malawi issued an injunction halting Banda's order, declaring it unconstitutional. The MEC and Banda then

requested a period of 30 days to recount all four million votes and address all electoral complaints before declaring a winner. Mutharika and the DPP demanded that the results be announced within the required eight days after the end of voting. On May 30, the High Court decided that while the MEC could in theory recount the ballots, it still must announce the results within the eight-day period, essentially forcing the MEC to rely on its original count.

An hour after the court's decision, Mutharika was declared the winner with 36.4 percent of the vote. Lazarus Chakwera of the Malawi Congress Party (MCP) placed second, with 27.8 percent. Banda won 20.2 percent, and Atupele Muluzi of the United Democratic Front (UDF) won 13.7 percent. In the parliamentary elections, the DPP took 50 seats, the MCP took 48, the PP claimed 26, and the UDF captured 14. Independents won an unprecedented 52 seats. The Malawi Electoral Support Network (MESN)—a coalition of civil society groups—sent out 800 parallel observers on polling day and found almost identical final counts as those released by the MEC. In addition, MESN deployed 84 long-term observers and 1,434 short-term observers for the election period.

International analysts found the electoral framework to be generally fair and in line with basic democratic standards. However, they called for requiring political parties to disclose their sources of financing and to report on campaign spending. They also suggested setting clearer prohibitions on the use of state resources to benefit the incumbent party, along with enforcement mechanisms. The MEC was generally described as impartial but under-resourced and unprepared.

#### **B. Political Pluralism and Participation:** 12 / 16 (+1)

The main political parties are the PP, the DPP, the MCP—which ruled Malawi for nearly three decades after independence in 1963—and the UDF. New political parties are allowed to register unhindered, and political parties were able to campaign freely in 2014 throughout the country. Opposition parties were more competitive in the 2014 elections than in the past, and won greater representation in the legislature. The main presidential candidates generally put forward similar platforms, focusing on poverty alleviation, improved agriculture, better education, health services, and employment.

Civil society groups have criticized the PP in recent years for politicizing humanitarian food distribution and favoring its own constituency in the process. These concerns cropped up again during the election campaign, when Banda used the PP to distribute maize intended for the general public at campaign rallies. The Malawi Human Rights Commission (MHRC) sought a court order in early May to prevent the distribution, but the court took no action before the vote and the matter was later dropped.

The DPP took the most votes in the Southern Region, the PP claimed the majority in the Northern Region, and the MCP dominated the Central Region. Critics have accused Mutharika of stacking his cabinet along tribal lines, firing officials from the Northern and Central Regions and replacing them with southerners from his own tribe.

#### **C. Functioning of Government:** 7 / 12

Corruption is endemic in Malawi. The Anti-Corruption Bureau (ACB) has estimated that 30 percent of the annual budget is lost to corruption each year, and the true percentage may be much higher. The ACB, which is in charge of investigating and prosecuting official malfeasance, is considered to be competent but underfunded. Malawi was ranked 110 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

In late 2013, Banda's administration was rocked by the Cashgate scandal, damaging her chances in the presidential election. In September 2013, Paul Mphwiyo, the budget director

in the Finance Ministry who was investigating the scheme, was shot and almost killed by assailants aiming to disrupt the investigation. However, the probe continued, and by January 2014 nearly 70 civil servants, politicians, and businesspeople had been arrested and brought up on charges of embezzling government funds. The ACB continued investigating Cashgate in 2014, and made periodic arrests of new suspects throughout the year. By the end of 2014 only three cases had been resolved.

Although criminal charges have not yet been brought against Banda in connection with the scandal, she left Malawi for a UN summit in September 2014 and has not returned out of fear that charges could be forthcoming. Banda's former justice minister Ralph Kasambara was arrested in late 2013 over alleged involvement in Mphwiyo's shooting, but his case has been plagued by delays and remained unresolved at the end of 2014. The scandal has had serious financial and administrative implications for Malawi. An independent audit released in October 2014 found that \$30 million had been embezzled in 2013 alone.

Laws require high-level public officials to declare their assets and other financial interests while in public service. However, Malawi lacks a freedom of information (FOI) law, making it difficult for the public to obtain such information in practice. In February 2014, the cabinet approved a draft version of an FOI law, but although the Mutharika government expressed support for the measure after coming to power, the law remained stalled in parliament at year's end.

#### **CIVIL LIBERTIES: 34 / 60**

##### **D. Freedom of Expression and Belief: 11 / 16**

Freedom of the press is legally guaranteed and generally respected in practice. However, threats and harassment against journalists are occasionally reported. In October 2014, Archibald Kasakula, a journalist with prominent media house Times Group, was assaulted by police after he photographed city council officials in Blantyre scuffling with street vendors. He was beaten, arrested, and charged with obstruction, and later released on bail. The case provoked widespread condemnation among media figures and civil society groups, prompting the national police to declare in December that journalists were free to photograph law enforcement operations without prior permission.

Libel remains both a criminal and civil offense in Malawi. After a November 2014 meeting with journalists and press freedom activists, Mutharika agreed to consider signing the Declaration of Table Mountain, which calls on African governments to abolish criminal defamation laws.

The government-controlled Malawi Broadcasting Corporation (MBC) and TV Malawi—historically the dominant outlets—display a significant bias in favor of the government. Early in Banda's tenure MBC made some progress in improving neutrality, giving airtime to diverse viewpoints, including opposition figures, on its talk shows and news programs. However, according to a report by the Southern African Editors' Forum, MBC's coverage of the 2014 elections heavily favored Banda and the PP. By contrast, the Media Institute of Southern Africa found that the Malawi News Agency, though a state-controlled entity, displayed little bias in its election coverage. There are no government restrictions on the internet, but only 5 percent of the population used the medium in 2014.

Religious and academic freedom are generally respected.

##### **E. Associational and Organizational Rights: 7 / 12**

Freedoms of assembly and association are guaranteed in the constitution and by law. Sporadic protests erupted on election day 2014 in response to the late opening of polls and lack of voting materials, which prevented some from casting their vote. Protests continued in the days



after the ballot in response to the political volleying between Banda and her opponents. Police shot and killed one demonstrator on May 30 during violent protests calling for a recount. The DPP government also disrupted several other protests later in the year, including denying permission for a rally in favor of federalism in September and using tear gas to disperse students protesting the delay in payment of their teachers' salaries in November.

Nongovernmental organizations (NGOs) generally operate without interference from the government. The MESN was key in voter education and monitoring of the 2014 elections. However, certain legal provisions regarding registration and fees for NGOs are considered onerous, and the government has been known to harass those doing politically sensitive work. In September 2014, Mutharika announced a review of the 2000 NGO Act, sparking fear among civil society that the new government would tighten restrictions on such groups, including increasing surveillance and monitoring foreign funding.

The rights to organize labor unions and to strike are legally protected, with notice and mediation requirements for workers in essential services. Unions are active and collective bargaining is practiced, but workers face harassment and occasional violence during strikes. Since only a small percentage of the workforce is formally employed, union membership is low. Strikes are common among Malawi's public sector workers, who often experience delays in their already low pay. In 2014, strike actions occurred among judicial workers, public health-care workers, schoolteachers, and University of Malawi employees.

#### **F. Rule of Law: 9 / 16**

Judicial independence is generally respected. However, the overburdened and inefficient court system lacks resources, personnel, and training. A backlog of cases and commonly exorbitant bail terms mean that most defendants spend months or even years in pretrial detention. Poverty and a lack of state resources result in more than 90 percent of defendants navigating their cases without legal representation. The police force is likewise poorly trained and often ineffective. As a result, recent years have seen an increase in vigilantism that undermines the rule of law.

In 2013, 12 officials from the former government of Bingu wa Mutharika—including Peter Mutharika—were arrested and charged with treason for their role in an attempted coup after the former president's death that would have displaced Banda, then vice president and next in the line of succession, from power. The coup failed when the armed forces declined to back the power grab. The defendants were brought to trial, but in June 2014 the charges against Peter Mutharika were dropped due to the immunity from prosecution he now enjoys as president. Later that month, in a widely criticized move, prosecutors also dropped the charges against eight alleged co-conspirators even though they had no similar change in their legal immunity.

Police brutality is reportedly common, as are arbitrary arrests and detentions. Prison conditions are dire, characterized by overcrowding and extremely poor health conditions; many inmates die from AIDS and other diseases. Abuse of younger inmates is commonplace. In mid-2014, Malawi experienced a surge in violent crime, leading many citizens to express fears about their safety and further emboldening advocates of vigilantism.

Consensual sexual activity between same-sex couples is illegal and punishable with up to 14 years in prison. In 2012, the government announced it was no longer enforcing laws against same-sex activity until the courts had an opportunity to review their constitutionality; this decision was later rescinded after public outcry. However, the DPP government took up this nonenforcement policy again in July 2014. In January 2014, groups affiliated with the United Nations launched a legal challenge to the laws in Malawi's courts, though the matter remained unresolved at year's end.

**G. Personal Autonomy and Individual Rights: 7 / 16**

The constitution establishes freedom of internal movement and foreign travel, which are generally respected in practice. However, refugees are under an encampment policy in which the government periodically rounds them up and returns them to camps.

Property rights do not receive adequate protection, and starting a business can be a cumbersome process. Business is also impeded by corruption in the various customs, tax, and procurement agencies.

Women won about 17 percent of parliamentary seats in the 2014 elections, down from 22 percent in the 2009 vote. Despite constitutional guarantees of equal protection, customary practices perpetuate discrimination against women in education, employment, business, and inheritance and property rights. Violence against women is rampant, with authorities reporting nearly 7,000 cases of gender-based and domestic violence in the first half of 2014 alone. Child marriage remains pervasive, with more than half of girls marrying before their 18th birthday. The 2013 Gender Equality Bill brought the country's law into line with the 1979 Convention on the Elimination of All Forms of Discrimination against Women.

Trafficking in women and children, both within the country and to locations abroad, is a problem. Penalties for the few successfully prosecuted traffickers have been cited as too lenient, and the U.S. State Department has criticized the government's efforts to protect victims and prevent trafficking.

## ↓ Malaysia

**Political Rights Rating:** 4

**Civil Liberties Rating:** 4

**Freedom Rating:** 4.0

**Freedom Status:** Partly Free

**Electoral Democracy:** No

**Population:** 30,098,000

**Capital:** Kuala Lumpur

**Trend Arrow:** Malaysia received a downward trend arrow due to the government's use of the Sedition Act to intimidate political opponents, an increase in arrests and harassment of Shiite Muslims and transgender Malaysians, and more extensive use of defamation laws to silence independent or critical voices.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF

### INTRODUCTION

The government increasingly targeted regime critics and those challenging conservative societal norms in 2014. In August and September alone, at least eight people faced sedition charges. In March, in a move that was widely viewed as politically motivated, the Court of Appeal reinstated the 2012 sodomy conviction of opposition leader Anwar Ibrahim. Also in March, authorities arrested 114 Shiite Muslims in Perak for attending a religious celebration. In June, Prime Minister Najib Razak and a political ally filed a defamation suit against editors Steven Gan and Fathi Aris Omar of the independent online outlet *Malaysiakini* for the publication of compilations of reader comments concerning Najib.

In August, the Court of Appeal upheld a conviction of malfeasance against Inspector General of Police Tan Sri Khalid Abu Bakar and his subordinates in the cover-up of the

high-profile torture and killing of Kugan Ananthan, who died in 2009 while in police custody. Despite the ruling, Khalid retained his post.

Malaysia's LGBT (lesbian, gay, bisexual, and transgender) community faces discrimination and hostility from both state and nonstate actors. In June, an Islamic law court in the state of Negeri Sembilan fined 16 transgender women and sentenced them to seven days in prison under a law that prohibits men from wearing women's clothing in public. In a historic decision in November, the Court of Appeal ruled this law to be unconstitutional.

**POLITICAL RIGHTS:** 19 / 40

**A. Electoral Process:** 6 / 12

The paramount ruler, the monarch and titular head of state, is elected for five-year terms by fellow hereditary rulers from 9 of Malaysia's 13 states. King Tuanku Abdul Halim Mu'adzam Shah was elected to the post in 2011. The role of the king is largely ceremonial.

Executive power is vested in the prime minister and cabinet. The leader of the coalition that wins a plurality of seats in legislative elections becomes the prime minister. The upper house of the bicameral Parliament, the Senate, consists of 44 members appointed by the king and 26 members elected by the 13 state legislatures, serving three-year terms. The House of Representatives, or Dewan Rakyat, has 222 seats; its members are elected by popular vote at least every five years.

The National Front (BN) won the 2013 parliamentary elections, capturing 133 seats in the lower house despite receiving only 47 percent of the overall popular vote. Among the three main opposition parties, the Democratic Action Party (DAP) took 38 seats, the People's Justice Party (PKR) took 30, and the Pan-Malaysian Islamic Party (PAS) won 21. The opposition and observers accused the BN of electoral fraud, citing irregularities like phantom voting and power outages that occurred in vote-tallying centers in a number of constituencies that opposition parties hoped to win. Gerrymandering and other structural flaws in the electoral system also favored the ruling coalition. Following the elections, a People's Tribunal was held to record individuals' accounts of electoral problems. The resulting report, issued in March 2014, concluded that electoral irregularities contributed to the ruling coalition's victory.

The Election Commission (EC) is frequently accused of manipulating electoral rolls and gerrymandering districts to aid the ruling coalition, and the Registrar of Societies arbitrarily decides which parties can participate in politics. The first-past-the-post voting system also increases the power of the largest grouping. In 2012, a government committee issued recommendations for electoral reforms, many of which had been called for by the Coalition for Free and Fair Elections (Bersih), an alliance of civil society organizations. However, there is continuing skepticism over the EC's effective implementation of all recommended changes. One change implemented for the 2013 elections was the use of indelible ink to mark voters who had already cast their ballots; voters and electoral watchdogs charged that the ink was easily removed. Watchdogs have also voiced concerns about the EC's opaque handling of electoral delineations, which the Electoral Integrity Project assessed as a major cause of the low integrity of the 2013 elections.

**B. Political Pluralism and Participation:** 7 / 16

The BN coalition and its pre-1973 predecessor organization have governed Malaysia since 1957, the longest rule of any coalition in the world. Most of its constituent parties have an ethnic or regional base, including the dominant United Malays National Organization (UMNO) and the United Traditional Bumiputera Party, whose stronghold is in Sarawak.

Malaysia's three main opposition parties face a skewed electoral system and obstacles such as unequal access to the media, restrictions on campaigning and freedom of assembly, and politicized prosecutions, all of which make it difficult for them to compete on equal terms with the BN. The effectiveness of these barriers in preventing a rotation of power was underscored by the 2013 election results. Six politicians from the opposition DAP, PKR, and PAS were charged in 2014 with sedition for various critical or satirical remarks against the government or the monarchy, including some expressed on social media platforms.

PKR leader Anwar Ibrahim has been dogged by claims that he "sodomized" a male aide in 2008, a charge seen as politically motivated. He was acquitted of the charges in 2012, but the Court of Appeal overruled the acquittal and reinstated the sodomy conviction in March 2014. The decision came just two weeks before Anwar was to contest a Kajang by-election for chief minister of Selangor, where he was largely favored to win. The case was under appeal at the end of the year.

### **C. Functioning of Government:** 6 / 12

Government favoritism and blurred distinctions between public and private enterprises create conditions conducive to corruption. Officials regularly move back and forth between the private and public sectors, fostering many opportunities for collusion and graft. Political parties are allowed to own or have financial holdings in corporate enterprises. The Whistleblower Protection Act took effect in 2010 but has not significantly improved accountability.

Malaysia was ranked 50 out of 175 countries surveyed in Transparency International's 2014 Corruption Perceptions Index. Transparency International's 2014 Malaysian Corruption Barometer, a public opinion survey conducted in all 13 states, found that Malaysians view political parties as the most corrupt institution in the country, followed closely by the police. The survey also noted a troubling increase in bribery demands in the health and education sectors.

Government and law enforcement bodies have suffered a series of corruption scandals in recent years. The Malaysian Anti-Corruption Commission (MACC) has itself come under scrutiny for its interrogation practices, as two suspects have died after falling from MACC office buildings since 2009. In 2014, authorities reported that they will reopen investigations into the case of one of the individuals, Teoh Beng Hock, a journalist and political aide who was being questioned about allegations of corruption before his death. In 2013 and again in early 2014, the rights group Global Witness brought allegations against former chief minister and current Sarawak governor Abdul Taib Mahmud concerning a company linked to his son. The group claims that the company may have been used as a front to receive 6.6 million ringgits (\$1.8 million) in commissions for a waste disposal project involving a government venture with German firm Trienekens GMBH.

### **CIVIL LIBERTIES:** 27 / 60

#### **D. Freedom of Expression and Belief:** 7 / 16 (-1)

Freedom of expression is constitutionally guaranteed but restricted in practice. The 1984 Printing Presses and Publications Act was amended in 2012, retaining the home minister's authority to suspend or revoke publishing licenses but allowing judicial review of such decisions. The amendments also eliminated the requirement that publications and printers obtain annual operating permits. 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 used to post online content accountable for information published on their

sites or through their services. Critics of the amendment charge that it effectively shifted the burden of proof to the accused.

Most private publications are controlled by parties or businesses allied with the BN, as are most private television stations, which generally censor programming according to government guidelines. State outlets reflect government views. Books and films are directly censored or banned for profanity, violence, and political and religious content. Publications often face harassment from the government. In January 2014, the Home Ministry lifted its suspension on the weekly news magazine *The Heat*, which had been suspended in late 2013 following a front-page story on Prime Minister Najib and his wife's activities and expenditures.

The internet has emerged as a primary outlet for free discussion and the exposure of political corruption, although the Malaysian Communication and Multimedia Commission monitors websites and can order the removal of material considered provocative or subversive. The government engages in legal harassment of bloggers, activists, academics, lawyers, and journalists who post critical content, charging them under defamation laws, the Official Secrets Act, and the Sedition Act, all of which include imprisonment as a possible penalty. As of fall 2014, 15 people faced sedition charges in Malaysia. In September, two students were charged under the Sedition Act: Safwan Anang and Adam Adli were sentenced to ten months and one year in prison, respectively, for public remarks made in 2013 about the general election and the government. As of 2014, *Malaysiakini*, a leading online newspaper, faced five defamation suits targeting its editors and parent corporation, including one brought in June in response to the publication of readers' comments about stories critical of Najib.

While some members of the BN government continue to articulate the need for a tolerant and inclusive form of Islam in Malaysia, religious freedom is restricted. Ethnic Malays are defined under the constitution as Muslims, and practicing a version of Islam other than Sunni Islam is prohibited. Muslim children and civil servants are required to receive religious education using government-approved curriculums and instructors. Proselytizing among Muslims by other religious groups is prohibited, and a 2007 ruling by the country's highest court effectively made it impossible for Muslims to have their conversions to other faiths recognized by the state. 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.

Discrimination against Shiite Muslims continued in 2014. In March, 114 Shiites were arrested in Perak while attending a religious celebration. Mainstream media outlets regularly attack the religious minority. In the last several years, UMNO has called for a government commission to protect Sunni Islam against "deviant" religious sects and LGBT people. The party has also tabled a constitutional amendment that would identify Malaysia as a Sunni Muslim nation.

In June, Malaysia's highest court upheld the reinstatement of a ban, made by an appeals court in 2013, on non-Muslims using the word "Allah" to refer to God. The decision was a devastating blow to freedom of religion and private discussion, as Malay-speaking Christians widely used the word in their scriptures, including Christian bibles, and in daily life. In October, prominent officials defended a call by a far-right politician to burn bibles containing the word "Allah."

Teachers and students espousing antigovernment views or engaging in political activity are subject to disciplinary action under the Universities and University Colleges Act (UUCA) of 1971. However, following a 2011 court finding that the constitution protected

students' involvement in political campaigns, Parliament amended the UUCA in 2012 to allow students to take part in political activities off campus. After organizing a talk by Anwar Ibrahim in October 2014, seven students at the University of Malaya in Kuala Lumpur faced disciplinary action.

#### **E. Associational and Organizational Rights: 6 / 12**

Freedoms of assembly and association are limited on the grounds of maintaining security and public order. The 2011 Peaceful Assembly Act lifted a rule requiring police permits for nearly all public gatherings, but other restrictions remain, including a prohibition on street protests and excessive fines for noncompliance. In addition, the law delineates 21 public places where assemblies cannot be held—including within 50 meters of houses of worship, schools, and hospitals—and prohibits persons under the age of 15 from attending any public assembly. In October 2014, police disassembled a year-old blockade constructed by local protesters near the Baram River in Sarawak to stop the clearing of forested lands for a controversial hydroelectric dam project. The protesters reconstructed the barrier, continuing to call for the cessation of logging and construction.

The Societies Act of 1996 defines a society as any association of seven or more people, excluding schools, businesses, and trade unions. Societies must be approved and registered by the government, which has refused or revoked registrations for political reasons. Numerous nongovernmental organizations operate in Malaysia, but some international human rights organizations are forbidden from forming local branches.

Most Malaysian workers—excluding migrant 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, and the union recognition process can take from 18 to 36 months. Collective bargaining is limited, as is the right to strike. Amendments to the Employment Act in 2011 weakened the responsibilities of employers to workers by allowing for the greater use of subcontractors.

#### **F. Rule of Law: 5 / 16**

Judicial independence is compromised by extensive executive influence. Arbitrary or politically motivated verdicts are common, as seen in the convictions of Anwar Ibrahim in 1999, 2000, and 2014 on charges of corruption and sodomy. Malaysia's secular legal system is based on English common law. However, Muslims are subject to Sharia (Islamic law), the interpretation of which varies regionally, and the constitution's Article 121 stipulates that all matters related to Islam should be heard in Sharia courts. This results in vastly different treatment of Muslims and non-Muslims regarding "moral" and family law issues. In 2014, officials discussed the possibility of elevating the powers of Sharia courts, which critics saw as a challenge to the constitution.

The 1960 Internal Security Act was replaced in 2012 with the Security Offences (Special Measures) Act, which abolished preventive detention but left a sweeping definition of "security offences." The new law allows police to detain anyone for up to 28 days without judicial review, and suspects may be held for 48 hours before being granted access to a lawyer. A 2013 amendment to the Prevention of Crime Act (PCA), a law ostensibly aimed at combating organized crime, allows a five-member board to order the detention of individuals listed by the Home Ministry for renewable two-year terms without trial or legal representation. The PCA had previously allowed detentions of 72 days.

Allegations of abuse and torture in police custody persist. The case of Kugan Ananthan, who died in 2009 while in custody in the state of Selangor, led to an investigation into the

actions of various police officers and Inspector General Khalid, who was the Selangor police chief at the time of Kugan's death. Concluding in 2014, the investigation found that Khalid had failed to investigate the death as a murder and had provided misleading information about it. Despite these findings, he was not removed from his post.

Although the constitution provides for equal treatment of all citizens, the government maintains an affirmative action program intended to boost the economic status of ethnic Malays and other indigenous people, known collectively as *bumiputera*. Bumiputera receive preferential treatment in areas including property ownership, higher education, civil service jobs, and business affairs, and bumiputera-owned companies receive the lion's share of large government contracts. In 2013, the government announced a "bumiputera economic empowerment" plan, devoting 30 billion ringgits (\$9.2 billion) in new funding to supporting bumiputera-owned businesses.

LGBT people face discrimination and harassment. Same-sex sexual relations are punishable by up to 20 years in prison under the penal code, and some states apply their own penalties to Muslims under Sharia statutes. In 2014, the government continued attacks on LGBT individuals. The Ministries of Health and Education initiated campaigns for parents, teachers, counselors, and young people to "prevent, overcome, and correct" symptoms of homosexuality in children, while the Ministry of Information banned television and radio shows depicting gay characters. In the first half of 2014, 16 transgender women in Negeri Sembilan were arrested under a law that prohibits men from wearing women's clothing or posing as women in public, subsequently receiving fines and a seven-day prison sentence. In a positive development, the Court of Appeal in November found the statute in question to be unconstitutional. At year's end, Negeri Sembilan authorities signaled intentions to challenge the court's decision.

#### **G. Personal Autonomy and Individual Rights: 9 / 16**

Citizens are generally free to travel within and outside of Malaysia, as well as to be employed in fields of their choosing. Malaysia is generally recognized to have a vibrant private business sector. However, professional opportunities and access to higher education are affected by regulations and practices favoring ethnic Malays and those with connections to political elites.

Women are underrepresented in politics, the civil service, and professional fields such as law, medicine, banking, and business. Violence against women remains a serious problem. Muslim women are legally disadvantaged because their family grievances are heard in Sharia courts, where men are favored in matters including inheritance and divorce; women's testimony is not given equal weight. Despite some progress in investigating and punishing sex-trafficking offenses, government efforts to combat trafficking are inadequate. In a notable victory for gender equality, a high court ruling in November 2014 found the government guilty of discrimination against a female teacher, who had been refused employment while pregnant in 2009.

Foreign household workers are often subject to exploitation and abuse by employers. An estimated two million foreigners work in Malaysia illegally. If arrested and found guilty, they can be caned and detained indefinitely pending deportation. In November and December 2014, more than 300 illegal immigrants were arrested in the Cameron Highlands as part of a series of joint operations by the military and the police.

# Maldives

**Political Rights Rating:** 4

**Population:** 369,900

**Civil Liberties Rating:** 4

**Capital:** Malé

**Freedom Rating:** 4.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	4,4,PF	3,4,PF	3,4,PF	3,4,PF	5,4,PF	4,4,PF	4,4,PF

## INTRODUCTION

A parliamentary election was held in Maldives in March 2014, completing the country's transition to democracy. Local and international observers, including the European Union, considered the polling as well as the conduct of the Election Commission (EC) to be transparent. The elections had high voter turnout. However, repeated interference by the Supreme Court and sacking of EC members before the elections strained the overall democratic process.

**POLITICAL RIGHTS:** 20 / 40 (+1)

**A. Electoral Process:** 7 / 12

Under Maldives's 2008 constitution, the president is directly elected for up to two five-year terms. The unicameral People's Majlis is composed of 85 seats, with members elected from individual districts to serve five-year terms.

In tumultuous presidential elections in 2013, President Abdulla Yameen, a half-brother of former president Maumoon Abdul Gayoom and leader of the Progressive Party of Maldives (PPM), won the run-off against former president Mohamed Nasheed. The Supreme Court halted the voting process three times, including ordering a new first-round vote. The court also designated the police to play a substantive role in handling logistics for the election, and enumerated a list of conditions for the election to take place. The final process was nevertheless deemed free and fair by both local and international monitors.

Parliamentary elections held on March 22, 2014, were largely transparent and competitive. Yameen's PPM won 33 of 85 seats, while Nasheed's Maldivian Democratic Party (MDP) captured 26. The Jumhoore Party won 15 seats, the Maldives Development Alliance won 5, and independents took an additional 5. The Adhaalath Party won the remaining seat. Turnout was almost 77 percent, and both local and international monitors deemed the process free and fair.

Two weeks before the election, the Supreme Court removed two of the four members of the EC, one of whom was the commission's head, claiming they had not properly followed election guidelines. It also sentenced all four members to six-month suspended prison sentences. The move was widely criticized as unconstitutional. Members of the EC had criticized the court's rulings on the presidential election the previous year. The main opposition party considered boycotting the 2014 elections, though it ultimately participated. One day prior to the elections, the head of the Jumhoore Party requested the Supreme Court to delay the voting because the EC was not complete, but the Supreme Court denied the request. Extensive preparations allowed the EC to carry out the process despite losing half its members, and international observers lauded the commission's performance during the elections and in overcoming the setbacks.



**B. Political Pluralism and Participation:** 7 / 16

Following several decades of rule by Abdul Maumoon Gayoom, Maldives's first multiparty presidential election was held in 2008, and the MDP's Mohamed Nasheed, a former political prisoner, triumphed over the incumbent. A number of political parties operate, and recent elections have been very competitive. The 2013 Political Parties Act restricts parties from registering and accessing official funds unless they have more than 10,000 members. Outgoing president Mohammed Waheed Hassan vetoed the law, but the parliament overrode the veto. As a result, 11 of Maldives's 16 parties were dissolved, including Waheed's Gaumeed Itthihaad Party.

The 2014 elections offered voters wider-ranging choices and provided candidates freedom to campaign and spread their message. Candidates belonging to six registered parties took part, and 302 candidates contested seats in 85 constituencies.

The Maldivian constitution and legal framework grant the right to vote and opportunity to contest elections only to Muslim citizens, and specifically adherents of Sunni Islam, thus excluding the Christian minority and other religious groups.

**C. Functioning of Government:** 6 / 12 (+1)

The government functioned more coherently in 2014, allowing the parliamentary elections to take place. Nevertheless, political polarization and uncertainty, as well as corrupt behavior such as vote-buying, limited elected officials' effectiveness in crafting policy and passing legislation. A law mandating access to government information is not implemented in practice.

The 2008 constitution and an independent auditor general have provided greater transparency in recent years, shedding light on pervasive corruption within all branches of government. An Anti-Corruption Commission (ACC), established in 2008, investigates cases of suspected corruption, but its work is hampered by inadequate manpower, and the vast majority of cases do not result in convictions. In September 2014, President Yameen reconstituted the ACC, appointing five new members.

**CIVIL LIBERTIES:** 28 / 60 (-1)**D. Freedom of Expression and Belief:** 6 / 16 (-1)

The constitution guarantees freedom of expression provided it is exercised in a manner "not contrary to any tenet of Islam." This clause may be interpreted widely; during an election rally, President Yameen stated that foreign observer and governments' criticism of the Supreme Court's decision was tantamount to criticism of Islam. The provision has led to restraint and censorship by journalists and avoidance of critical reporting on religious issues.

The General Elections Act of 2008 requires broadcasters to provide airtime to all candidates and parties and placed a ceiling of no more than 10 percent in comparison to time allotted to other candidates. Most private media channels were highly partisan in their reporting in 2014 and promoted their preferred candidates and parties.

At least 15 journalists reported receiving threatening messages in 2014 after extensive reporting on gangs involved in violence in Malé that led to one death and nine injuries. *Minivan News*, an online news source, was attacked and harassed after it criticized local politicians and Islamists. A staff member was abducted in August and the editor was repeatedly threatened.

In September, the government introduced new regulations to require publishers and authors to obtain approval for all poetry and literature to prevent "adverse effects" on society.

Freedom of religion remains 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, the rise of conservative strands of Islam has led to more rigid interpretations of behavior and dress, particularly for women, as well as an increase in rhetoric—and occasional physical attacks—against other religions and those who espouse more tolerant versions of Islam.

There are no reported limitations on academic freedom, but many scholars engage in self-censorship.

#### **E. Associational and Organizational Rights: 7 / 12**

The constitution guarantees freedom of assembly, but a restrictive 2012 law limited the ability to protest outside of designated areas, required the media to have accreditation to cover protests, and defined “gatherings” as a group of more than one person. Preemptive detention is sometimes used to deter citizens from participating in protests.

Nongovernmental organizations (NGOs) struggle with funding and issues of long-term viability in a weak civil society environment, but a number of NGOs operate freely and comment on human rights and other sensitive issues. Harassment of NGOs continued in 2014, with threats and official investigations directed against Transparency Maldives and other groups that weighed in on sensitive political developments.

The constitution and the 2008 Employment Act allow workers to form trade unions and to strike, and a labor tribunal enforces the act. Strikes do occur, though workers can sometimes face repercussions for industrial action. In July 2014, teachers went on strike over a delay in implementation of their announced salary increments.

#### **F. Rule of Law: 7 / 16**

The constitution provides for an independent judiciary, and a Judicial Services Commission (JSC) was established in 2009 to separate the judicial branch from the executive. In 2013, however, UN special rapporteur Gabriela Knaul raised concerns about transparency and politicization in the judiciary, particularly the JSC. The role of the Supreme Court in sacking and sentencing of members of the EC prior to the parliamentary elections weakened the democratic process. The rift between the Supreme Court and the rest of the government widened in December 2014, when the parliament approved the removal of two Supreme Court justices. Knaul stated that the move threatened to curtail judicial independence.

Civil law is used in most cases, but it is subordinate to Sharia (Islamic) law, which is applied in matters not covered by civil law and in cases involving divorce or adultery. As a result, the testimony of two women is equal to that of one man, and punishments such as internal exile and flogging continue to be carried out. Access to justice remains difficult for the substantial number of migrant workers in the country.

The constitution bans arbitrary arrest, torture, and prolonged detention without adequate judicial review. The abuse of individuals in custody remains a problem, though the Maldives’s Human Rights Commission investigates some cases.

The small percentage of religious minorities do not enjoy equal protection under the law, as the constitution and legal framework favor Sunni Muslims. LGBT (lesbian, gay, bisexual, and transgender) individuals encounter societal intolerance; same-sex sexual conduct is prohibited by law and can draw penalties including house arrest, banishment, and lashes.

#### **G. Personal Autonomy and Individual Rights: 8 / 16**

Freedom of movement both within and outside of Maldives is provided for by law and is generally allowed in practice. In October, the immigration department issued regulations

that required foreign workers to seek permission from their employers before leaving the country. The plan was indefinitely suspended two weeks later following complaints from NGOs and others. Property rights are generally weak, with most land owned by the government and then leased to private owners or developers.

Women are increasingly entering the civil service and receiving pay equal to that of men, though opportunities are sometimes limited by traditional norms, and women hold few senior government positions. Participation of women in the 2014 elections was alarmingly low, with only 23 female candidates; 5 won seats. Domestic violence against women is widespread, though a 2012 law criminalized several types of violence and provided protection for victims. International human rights groups have urged reform of severe legal punishments that primarily affect women, including the sentence of public flogging for extramarital sex. Efforts to address human trafficking have been sporadic and largely ineffective, and the exploitation of migrant workers, who comprise an estimated quarter of the country's population, is widespread.

## Mali

**Political Rights Rating:** 5

**Population:** 15,932,000

**Civil Liberties Rating:** 4

**Capital:** Bamako

**Freedom Rating:** 4.5

**Freedom Status:** Partly Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	7,5,NF	5,4,PF	5,4,PF

### INTRODUCTION

After significant progress in returning to democracy in 2013 following a 2012 coup and an Islamic rebellion in the country's North, Mali entered an uncertain holding pattern in 2014. Diplomatic talks went on throughout the year, even as violence and instability continued. Ensuring security and combatting violent attacks while addressing northern separatists' demands for greater autonomy remained the primary task for the government and its international allies.

President Ibrahim Boubacar Keïta appointed a former electoral rival, Moussa Mara, as the country's new prime minister on April 5. Former prime minister Oumar Tatam Ly had resigned with no official explanation, but it later emerged that he had felt unable to institute needed reforms. Corruption remains a deep problem within a system dominated by the executive; in 2014, the government disappointed observers with its apparent unwillingness and inability to combat corruption.

In July, the government and six armed groups signed a ceasefire agreement and a roadmap for further talks. Two more round of talks took place in September and November, with little resolution except to continue the effort. The degree of autonomy sought by the Tuareg rebel groups remains a thorny and chronically divisive issue. Talks are scheduled to resume in early 2015. Meanwhile, the cease-fire remained fragile, with Tuareg groups and Islamist militants clashing with Malian, French, and UN troops. Governance in the North remained tenuous.

Mali reported eight cases of the Ebola virus in 2014 in total, and six deaths. By year's end, there were no new cases of the disease in Mali and no individuals were being quarantined.

**POLITICAL RIGHTS: 17 / 40**

**A. Electoral Process: 6 / 12**

According to the constitution, the president, who appoints the prime minister, is elected by popular vote and can serve up to two five-year terms. Members of the 160-seat unicameral National Assembly serve five-year terms, with 13 seats reserved to represent Malians living abroad.

The constitution was suspended after a 2012 military coup, but it was eventually restored, leading to elections in 2013. In the second round of presidential elections, Keïta, a former prime minister known by his initials IBK, won about 40 percent of the vote and defeated Soumaïla Cissé, a former finance minister who received about 20 percent. Observers deemed the elections generally free and fair, and Cissé conceded shortly after the second round. Security during the elections was overseen by French and AU forces; although there were several incidents of violence, the elections were generally peaceful.

Legislative elections in November and December 2013 resulted in Keïta's Rally for Mali (RPM) party winning 66 seats, with its allies winning an additional 49 seats. The Union for the Republic and Democracy (URD) won 17 seats, and the Alliance for Democracy (ADEMA) party won 16. Foreign observers, including from the European Union and the United Nations, declared both elections to have been conducted within the norm, despite high security. A new electoral framework, which had been prepared for elections that were cancelled due to the 2012 coup, as well as new biometric voter lists streamlined the elections process, though some criticism remained that such measures excluded the participation of those who did not receive their biometric voter ID cards on time.

On April 5, 2014, Prime Minister Tatam Ly resigned, and IBK tapped Moussa Mara to replace him the same day. Mara is perceived as relatively untouched by government corruption.

**B. Political Pluralism and Participation: 7 / 16**

The 2013 defeat of the Islamists in the North and the ousting of the military junta led to circumstances in which political pluralism could return, with parties having relatively equal chances of winning the 2013 presidential and legislative elections. The main parties in the 2013 elections were the RPM, the URD, and ADEMA.

No ethnic group dominates the government or security forces. Long-standing tensions between the more populous nonpastoralist ethnic groups and the Moor and Tuareg pastoralist groups in the North have fueled instability over the decades, leading up to the rebellion of 2012. The rebellion was fueled by the involvement of Islamist extremists. Although the military government in the South and the Islamic militants in the North were ousted, Mali remains in a precarious position, where insecurity limits full political rights; political participation in the North in particular remains deeply constrained by continued insecurity, a significant population of internally displaced people, and lack of territorial control by the government. External actors such as Algeria, Morocco, and France also have deep interests in the region.

**C. Functioning of Government: 4 / 12**

Mali did not have an elected government between March 2012 and September 2013, but the tentative consolidation of the government in 2014 and the appointment of a prime minister have improved the governance situation.

Corruption remains a problem in government, public procurement, and both public and private contracting. The return of elected government in 2013 unlocked some \$4 billion in foreign assistance that, while promising for economic development and stability, could have a corrosive effect on transparency.

The president declared 2014 to be a year dedicated to the fight against corruption in Mali. However, corruption is seen by many as one of the factors that contributed to the Islamist takeover in the North, and several reports involve IBK in lavish expenses during his tenure as prime minister from 1994 to 2000. More recently, IBK has been criticized for appointing family members to key posts. His son, Karim Keita, is a parliamentary deputy and president of the parliamentary defense commission.

A high-profile spending scandal emerged over the government's \$40 million purchase in April 2014 of a new Boeing 737 for the president's use, and a \$200 million loan guarantee the government had made to a private company contracted to supply the Malian military. The scandals led the International Monetary Fund (IMF) and other international donors to suspend some of their aid to Mali. The IMF restored the suspended aid in December, after Mali had undergone two independent audits and had taken agreed-upon steps to address spending irregularities. Mali was ranked 115 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES: 27 / 60****D. Freedom of Expression and Belief: 11 / 16**

Mali's media were considered among the freest in Africa before the 2012 rebellion and coup. During 2012, however, an unprecedented number of journalists were illegally detained and tortured by the military and Islamist militants. While attacks on journalists subsequently decreased significantly, in 2013 Reporters Without Borders accused the Malian government of censoring reporting on government abuses in the volatile North. Reporting on the situation in the North remains the deepest challenge to freedom of information and expression. The capital and the South have returned to a semblance of normalcy.

At under 3 percent, internet penetration is one of the lowest in West Africa. However, internet news websites are popular with the educated elite.

Mali's population is predominantly Muslim, and the High Islamic Council has a significant influence over politics, especially through support for political candidates and parties. However, the state is secular, and minority religious rights are protected by law.

In 2012 in the North, Islamist militants imposed a form of Sharia (Islamic law) and destroyed Sufi Muslim shrines and other sacred sites that they deemed un-Islamic. Academic freedom was also suppressed in rebel-held regions. The situation improved in the second half of 2013 and into 2014, as the defeat of the Islamists allowed greater freedom of belief, as well as more academic freedom. In 2014, Academic Freedom Monitor reported no violations of academic freedom, in contrast to 2013 incidents in Bamako.

**E. Associational and Organizational Rights: 6 / 12**

Under the state of emergency that was in effect in 2013, gatherings of more than 50 people were banned. However, with the reduction of the rebels' strength in the North and the restoration of an elected government in Bamako, people's freedom to protest, engage in civic advocacy, and assert labor rights improved in 2014, especially in the South. The constitution guarantees workers the right to form unions and to strike, with some limitations regarding essential services and compulsory arbitration. In February 2014, 2,000 gold mine workers in Sadiola and Yatela went on a five-day strike, though mining operations continued.

**F. Rule of Law: 6 / 16**

The judiciary, whose members are appointed by the president under the constitution, is beholden to the executive. Traditional authorities decide the majority of disputes in rural areas. In a sign of relative judicial independence from military control, the 2012 coup leader, Amadou Sanogo, was arrested in November 2013. Sanogo was initially charged only with kidnapping, but the charge was changed to conspiracy to murder following the discovery of approximately 30 bodies in mass graves; the dead were believed to be mutinous soldiers who had opposed Sanogo and had been summarily executed in 2012. Sanogo remains in detention pending trial.

Detainees are not always charged within the 48-hour period set by law, and police brutality has been reported; the courts have convicted some perpetrators. According to Human Rights Watch, the Malian army committed at least 26 extrajudicial executions, 11 forced disappearances, and more than 50 cases of torture or mistreatment during 2013. In 2014 there were fewer reports of extrajudicial killings, but the numbers are inconclusive given constraints on reporting in the North. Because of the ongoing peace talks, there is considerable ambiguity about whether those responsible for crimes will be held accountable.

The Malian justice system—which was already out of reach to many ordinary Malians—has so far largely failed to provide justice to victims of the 2012–13 violence, and the national justice system remains largely absent in the North. Amnesty International reported in August 2014 that many juveniles between ages 16 and 18 accused by the government of belonging to armed groups during the unrest were being detained alongside adult prisoners without access to representation or to their families.

Two incidents of violence against humanitarian workers in 2014 highlighted the continued insecurity in the North. In February, five Malian aid workers, four of whom worked for the International Committee for the Red Cross, were kidnapped by members of the Islamist militant group the Movement for Unity and Jihad in West Africa; French forces freed the captives in April. In May, two Malian aid workers for the Norwegian Refugee Council were killed by a roadside land mine near Timbuktu.

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 (lesbian, gay, bisexual, and transgender) people face discrimination, including cases of violence with the aim of changing gender identity.

**G. Personal Autonomy and Individual Rights: 4 / 16**

During the intense fighting in 2012 and 2013, there was a significant uptick in Malian refugees fleeing into neighboring countries. Despite a somewhat improved security situation in 2014, conditions in northern Mali left many refugees unable to return. According to the UN Refugee Agency, more than 147,000 Malian refugees lived outside the country and there were more than 128,000 internally displaced persons inside the country as of July 2014. The World Food Program reported that more than 1.5 million people in Mali were experiencing food insecurity in March 2014, with the number expected to rise to 1.9 million later in the year.

Mali's economy has a large informal sector. Citizens have the right to own property and conduct business activity. Nonetheless, the economy remained weak in 2014.

Mali had its first female prime minister in 2011. Women won 14 seats in the 2013 legislative elections. In February 2014, a group of legal and gender experts drafted a law to

establish a 30 percent quota of female candidates for each political party's list; the National Assembly had not voted on the legislation by the end of the year.

Domestic violence against women is widespread, and cultural traditions hinder reform. Women faced heightened harassment, threats, and violence in the North in 2012 due to militants' enforcement of harsh restrictions on dress and behavior. The situation had improved slightly by 2014.

Despite the creation of the National Coordinating Committee for the Fight Against Trafficking and Related Activities in 2011, trafficking in adults has not been criminalized, and Mali remains a source, destination, and transit country for the purposes of sexual exploitation and forced labor. Prosecution of suspected traffickers is infrequent. Traditional forms of slavery and debt bondage persist, particularly in the North, with thousands of people estimated to be living in conditions of servitude. In 2014, the U.S. State Department again placed Mali on the Tier 2 Watch List in its Trafficking in Persons Report.

Significant concerns about child labor persist, especially in the artisanal gold-mining sector. Regulation is challenging because of the decentralized nature of the mining. According to a December 2011 report by Human Rights Watch, children as young as 6 years old were working in the sector, exposed to mercury and other hazards.

## Malta

**Political Rights Rating:** 1

**Population:** 427,000

**Civil Liberties Rating:** 1

**Capital:** Valletta

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

Scandals surrounding Malta's state energy provider, Enemalta, continued in 2014. Multiple investigations into bribery, misappropriation, and abuse of office were ongoing at year's end.

In April 2014, the government extended the right to form civil unions to same-sex couples, who also gained adoption rights.

**POLITICAL RIGHTS:** 39 / 40

**A. Electoral Process:** 12 / 12

The 69 members of Malta's unicameral legislature, the House of Representatives, are elected for five-year terms. Lawmakers elect the president, who also serves for five years. In April 2014, the legislature elected Marie Louise Coleiro Preca to the presidential office, replacing George Abela. The president names the prime minister, who is usually the leader of the majority party or coalition.

In elections held in March 2013, Joseph Muscat and his Labor Party (PL) unseated the Nationalist Party (PN), which had been in power for 15 years. The PL won by over 35,000

votes, the largest gap since independence in 1964, giving it 39 seats against the PN's 26. The PN also gained an additional 4 seats to reflect the proportion of votes won.

In February 2014, the government launched a white paper requiring that parties disclose all donations over €10,000 (\$13,000) and prohibiting donations over €50,000 (\$67,000) from a single donor. A draft party financing law was introduced in July but had not been passed at year's end.

**B. Political Pluralism and Participation: 16 / 16**

The ruling PL and opposition PN dominate national politics. The smaller Alternativa Demokratika party also competes but is not represented in the legislature.

**C. Functioning of Government: 11 / 12**

In February 2014, the state oil company Enemalta again became the target of public scrutiny amid revelations that hundreds of customers had bribed Enemalta employees to tamper with energy meters in order to avoid paying energy fees. The government responded by offering amnesty to customers who admitted involvement. In September, local media reported that officials had brought charges against a number of customers who had not responded to the amnesty. A case involving abuse of office and the acceptance of bribes by members of Enemalta's procurement committee, which local media first revealed in 2013, was ongoing in 2014.

Amendments to the Criminal Code in 2013 removed the statute of limitations on officials charged with corruption, and allowed for stricter penalties for those found guilty.

A Whistleblower Act applicable in both the public and private sectors went into effect in September 2013. The act established a whistleblowing officer in every ministry, as well as an External Whistle Blowing Unit to investigate allegations.

Malta's first Freedom of Information Act went into effect in 2012. However, access to information remains constrained by bureaucratic processes.

**CIVIL LIBERTIES: 58 / 60**

**D. Freedom of Expression and Belief: 16 / 16**

The constitution guarantees the freedoms of speech and the press, though incitement to racial hatred is punishable by a jail term of six to eight months. Blasphemy is also illegal, and censorship remains an ongoing issue. There are several daily newspapers and weekly publications in Maltese and English, as well as radio and television stations. Residents also have access to Italian television broadcasts. The government does not restrict internet access.

Journalists in Malta often face defamation suits; this practice is particularly common between opposing party members and party-affiliated newspapers.

In January 2014, police asked a judge to require journalist Saviour Balzan to reveal a source related to the Enemalta procurement scandal. The police claimed that only police officers, not journalists, have legal protection not to disclose sources under the Press Act.

The constitution establishes Roman Catholicism as the state religion, and the state grants subsidies only to Catholic schools. While the population is overwhelmingly Roman Catholic, small communities of Muslims, Jews, and Protestants are tolerated and respected. There is one Muslim private school. Academic freedom is respected.

**E. Associational and Organizational Rights: 12 / 12**

The constitution provides for freedoms of assembly and association, and the government generally respects these rights in practice. Nongovernmental organizations (NGOs)



investigating human rights issues operate without state interference. The law recognizes the right to form and join trade unions as well as the right to strike. A compulsory yet seldom-used arbitration clause in the country's labor law allows the government to force a settlement on striking workers.

#### **F. Rule of Law: 15 / 16**

The judiciary is independent, and the rule of law prevails in civil and criminal matters. Prison conditions generally meet international standards, though the Council of Europe's Commission for Human Rights has criticized poor detention conditions for irregular migrants and asylum seekers.

In March 2014, the Association of Judges and Magistrates issued a statement claiming that frequent bomb scares hamper the ability of the courts of law to work efficiently.

Over the last decade, Malta has received an increasing number of immigrants, refugees, and asylum seekers, who subsequently settle in the country or proceed to other EU countries. Malta's treatment of migrants in detention and refusal to assist migrants trapped off its shores has been criticized.

There are reports of poor conditions in holding centers for refugees and asylum seekers, which have led to rioting and even death. During a visit by legislators to the Hal Far Detention Center in February 2014, a riot broke out, and security personnel used rubber bullets and electroshock weapons in response. The government established a board of inquiry to investigate the incident.

Legislative amendments in 2013 allowed transgender people to express their chosen gender identity on government-issued documents.

#### **G. Personal Autonomy and Individual Rights: 15 / 16**

The constitution prohibits discrimination based on gender. However, women are underrepresented in national government, occupying only 9 legislative seats and 1 cabinet seat. Coleiro Preca became the country's second female president in 2014. A law legalizing divorce has been in effect since 2011. Violence against women remains a problem, and abortion is strictly prohibited in all cases.

In April 2014, Malta approved same-sex civil unions as well as adoption by same-sex couples.

Malta is a source and destination country for human trafficking for the purposes of forced labor and sexual exploitation. Migrant workers are reportedly often exploited and subjected to substandard working conditions.

## Marshall Islands

**Political Rights Rating:** 1

**Population:** 55,000

**Civil Liberties Rating:** 1

**Capital:** Majuro

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

## INTRODUCTION

The Marshall Islands maintains close relations with the United States under a Compact of Free Association, which allows U.S. military facilities to operate in the country in exchange for defense guarantees and development assistance. Citizens can work, live, study, and obtain federal health care and social services in the United States. Compact funds pay for three quarters of the annual budget of the Marshall Islands, and U.S. military facilities provide nearly 1,000 local jobs. The compact will run through 2023.

The country is the primary U.S. testing ground for long-range nuclear missiles, and 67 atomic and nuclear bomb tests in the Bikini and Enewetak Atolls have left the former uninhabitable and the latter partly contaminated, leading local populations to worry about health and environmental hazards from testing activities. The United States has created a \$150 million fund to help victims, though critics doubt that the fund can fulfill the \$2 billion awarded to Marshall Islands residents by the Nuclear Claims Tribunal, which was established in 1988 as part of the first compact. In April 2014, the Marshall Islands sued the United States and eight other countries for failing to negotiate nuclear disarmament as required under the 1968 Nuclear Nonproliferation Treaty.

The Marshall Islands is threatened by climate change and rising sea levels. Additionally, a prolonged lack of rainfall has increased reliance on international donations of emergency food, water, desalination machines, and other resources to avert hunger and disease.

### **POLITICAL RIGHTS:** 36 / 40

#### **A. Electoral Process:** 11 / 12

The unicameral parliament (Nitijela) has 33 members who are elected to four-year terms from 24 electoral districts that roughly correspond to each atoll. All citizens 18 years and older can vote. The senators elect one of their own as president for a four-year term; the president holds most executive power. An advisory body, the Council of Chiefs (Iroij), has 12 traditional leaders who are consulted on customary law.

In the 2011 parliamentary elections, Aelon Kein Ad (AKA) took 20 seats, and Christopher Loeak was elected to replace Jurelang Zedkaia as the president.

Loeak defeated a no-confidence motion in March 2014 that was sparked by the controversial appointment of Jami el-Sayed, former head of Lebanon's secret service, to represent the Marshall Islands in the UN Educational, Scientific and Cultural Organization (UNESCO). The government rescinded the appointment following complaints from the parliament, which had not been consulted in the matter.

#### **B. Political Pluralism and Participation:** 15 / 16

Citizens enjoy a high degree of political freedom. The AKA and the United Democratic Party (UDP) are the two main parties. In 2011, Zedkaia left the AKA and formed Kien Eo Am to contest that year's elections. However, politicians typically run as independents and align with a party after they are elected.

#### **C. Functioning of Government:** 10 / 12

Corruption is a serious problem, and international donors have demanded improvements in accountability and transparency. In 2013, the United States withheld \$1 million in compact funds when the government could not account for approximately \$3 million in spending, \$2.5 million of which had originated compact funds. The Public Service Commission has expressed that reform of the civil service is critically needed, as a 2013 audit uncovered many positions with no descriptions, titles that did not match the work performed, and other problems. In January 2014, the government announced plans to reform

the procurement system after eight officials, including the procurement chief, became the focus of a bribery investigation.

**CIVIL LIBERTIES:** 55 / 60

**D. Freedom of Expression and Belief:** 16 / 16

The government generally respects the freedoms of speech and the press. A privately owned newspaper publishes articles in English and Marshallese. The government's *Marshall Islands Gazette* provides official news but avoids political coverage. 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 but remains limited due to an outdated communication network and high costs.

Religious and academic freedoms are respected in practice. The quality of secondary education remains low.

**E. Associational and Organizational Rights:** 11 / 12

Citizen groups, many of which are sponsored by or affiliated with church organizations and provide social services, are able to operate freely. The government broadly interprets constitutional guarantees of freedoms of assembly and association to also apply to trade unions.

**F. Rule of Law:** 15 / 16

The constitution provides for an independent judiciary. In 2012, the Pacific Judicial Development Program gave the Marshall Islands the highest marks among 14 Pacific island states for judicial transparency. Nearly all judges and attorneys are recruited from overseas. The government revived use of Traditional Rights Courts in 2010 to make advisory rulings to the High Court as a way of alleviating a backlog of land dispute cases. Limited resources in personnel and funding are the most fundamental problems, contributing to long waits. Police brutality is generally not a problem. Detention centers and prisons meet minimum international standards.

Tensions persist between the local population and Chinese migrants, who control much of the retail sector.

Same-sex sexual activity was legalized in 2005, but there are no legal protections against discrimination based on sexual orientation or gender identity.

**G. Personal Autonomy and Individual Rights:** 13 / 16

Societal discrimination against women remains widespread despite a tradition of matrilineal inheritance in the country. Only one woman sits in the parliament. Domestic violence against women and girls, while illegal, frequently goes unreported. Along with increased awareness of the problem, legal protections adopted in 2012 have encouraged more victims to seek help. Both courts and police have also shown improved responsiveness to cases of domestic abuse in recent years.

The Marshall Islands was on the Tier 2 Watch List of the U.S. State Department's 2014 *Trafficking in Humans Report* for lack of efforts to prevent trafficking. The government has contested the rating, claiming that there is no evidence of human trafficking in the Marshall Islands.

# Mauritania

**Political Rights Rating:** 6

**Population:** 3,984,000

**Civil Liberties Rating:** 5

**Capital:** Nouakchott

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,4,PF	5,4,PF	4,4,PF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF

## INTRODUCTION

President Mohamed Ould Abdel Aziz and his Union for the Republic party (UPR) handily secured a second term in June 2014 against independent runner-up Biram Dah Abeid, the head of the Initiative for the Resurgence of the Abolitionist Movement (IRA-Mauritania).

In an extension of the national agency to combat slavery, established in 2013, a special tribunal to prosecute slavery-related crimes was formed in March 2014. By year's end, the tribunal had yet to prosecute any cases of slavery or enforce criminal laws against it.

In November 2014, amid local and international outcry, police arrested Abeid and at least eight other human rights defenders for staging a peaceful march in southern Mauritania to raise awareness around the issue of slavery and exploitation. The arrests were followed by a severe crackdown on the IRA-Mauritania offices and members. Those arrested remained in detention pending trial at year's end.

**POLITICAL RIGHTS:** 9 / 40 (-2)

**A. Electoral Process:** 3 / 12

Under the 1991 constitution, the president has the power to appoint and dismiss the prime minister and cabinet. A 2006 amendment imposed a limit of two five-year presidential terms.

President Abdel Aziz first came to power through a military coup in 2008. The international community strongly condemned the coup, but at home a majority of lawmakers and mayors expressed support. A coalition of four political parties that supported ousted president Sidi Mohamed Ould Cheikh Abdallahi formed the National Front for the Defense of Democracy (FNDU) and refused to participate in the junta-led government.

After winning the presidential election in 2009, Abdel Aziz won a second term in June 2014, with 82 percent of the vote. The FNDU, currently a group of about a dozen opposition groups, boycotted the election, claiming that Abdel Aziz would not engage in meaningful dialogue to resolve governance and electoral issues. Abeid ran as an independent and won only 9 percent of the vote. He challenged the election results at the Constitutional Council, citing cases of misconduct and fraud. The council had not responded to these complaints as of year's end. The international community deemed the election satisfactory. Turnout lagged at 56 percent, which political opposition parties cited as a sign of success in their boycott.

Mauritania's bicameral legislature consists of a newly expanded 147-seat National Assembly, elected by popular vote to five-year terms, and a 56-seat Senate, with 53 members elected by mayors and municipal councils and 3 members chosen by the chamber to represent Mauritians living abroad. One-third of the Senate is elected on a rotating basis every two years. After repeated delays, Mauritania held a first round of National Assembly

and municipal elections in November 2013, and a second round in December. The UPR won 74 seats; along with about a dozen allied parties, the number of seats totaled 108. Most major opposition parties—with the exception of Tawassoul, an Islamist party associated with North Africa's Muslim Brotherhood, which won 16 seats—boycotted the elections, claiming the results were predetermined and the process nontransparent.

Under a 2005 law, party lists for the National Assembly elections must include district-based quotas for female candidates, and 20 percent of all municipal council seats are reserved for women.

**B. Political Pluralism and Participation:** 2 / 16 (–1)

Political parties are free to operate, but Mauritania's party system is poorly developed, and clan and ethnic loyalties, as well as the military, strongly influence the country's politics. Most opposition parties boycotted the 2014 presidential and 2013 parliamentary elections, citing a system dominated by the president and the UPR—both of which won by large margins. The government continues to reject the party registration of the IRA-Mauritania.

Although Haratin make up 40 percent and Afro-Mauritanians make up 30 percent of the country's population, Bidhan Mauritians occupy most elite government and military positions. According to a November 2014 report by IRA-Mauritania, they held 30 of 35 ministerial, 52 of 54 prefectural, and 12 out of 13 gubernatorial posts.

The most recent legislative and presidential elections were conducted before the completion of the national census, which began in 2011. As a result, Mauritians without a newly issued identity card were unable to vote. Though the government was forced to implement reforms in 2012 in response to protests around extraordinary obstacles faced by the Haratin and Afro-Mauritanians when trying to enroll in the census and register to vote, critics cite ongoing discrimination against minority groups in the electoral process.

**C. Functioning of Government:** 4 / 12 (–1)

Corruption and fiscal transparency are serious problems, especially in bank loans, fishing license attribution, land distribution, government contracts, and tax payments. In 2014, a collective of opposition parties, civil society groups, and unions denounced a series of contracts that the government negotiated in private, including cases in the boating industry, sugar production, a company for agricultural development, and an electric company. An investigation into the operations of electricity company Somelec found that it installed generators worth 36 million ouguiya (\$125,000) at four senior government officials' homes, including that of President Abdel Aziz. Mauritania ranked 124 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 22 / 60 (–1)

**D. Freedom of Expression and Belief:** 10 / 16

Despite constitutional guarantees of press freedom, journalists practice self-censorship, and private newspapers face closure for publishing material considered offensive to Islam or threatening to the state. In 2011, the government ended a 51-year monopoly on broadcast media with a call for applications for licenses from private outlets. Defamation was decriminalized in 2011, though fines can still be levied. There were no reports of government restrictions on the internet in 2014, though only about 11 percent of the population has access.

In December 2014, a court in Nouadhibou sentenced Mohamed Cheikh Ould Mohamed M'Kheitar, a 28-year-old independent blogger, to death for apostasy in an expedited judicial process. In an anonymous online article published on the website Aqlame in January, Ould M'Kheitar criticized the unequal social order in Mauritania and the prophet Mohammed.

Ould M'Kheitar has been under arrest since January 2014 and was dismissed by his employer and disowned by friends and family. His lawyers have launched an appeal. After the arrest, President Abdel Aziz promised to "take all necessary measures to defend Islam and its prophet," Islam being "above all, democracy and freedom."

The 1991 constitution declares Mauritania an Islamic republic. Proselytizing by non-Muslims is banned, non-Muslims cannot be citizens, and those who convert from Islam lose their citizenship. In practice, however, non-Muslim communities have not been targeted for persecution. Individuals perceived as anti-Islamic are frequently threatened by leading religious leaders. Academic freedom is largely respected.

#### **E. Associational and Organizational Rights: 4 / 12**

The constitution guarantees freedom of assembly. Organizers are required to obtain consent from the authorities for large gatherings, and such permission is often denied. Gatherings of individuals seen as opposed to the government are sometimes subject to surveillance.

The environment for civil society groups and nongovernmental organizations (NGOs) in Mauritania in 2014 was marked by intimidation. Targeted persecution of human rights organizations and their members increased. In January, for example, a peaceful gathering organized by a coalition of human rights organizations to commemorate the deaths of Afro-Mauritanians between 1989 and 1992 was dispersed by police with tear gas.

In November, former presidential candidate Abeid was arrested in Rosso, along with nine fellow human rights defenders, during a peaceful march against slavery in the Senegal River Valley. March participants were met with police brutality and tear gas. In December, the imprisoned activists were given less than 24 hours' notice of their hearing date. They refused to attend the trial without their lawyers. The prosecutor in their case recommended five years in prison for the defendants, the seizure of all IRA-Mauritania assets, and fines amounting to \$1,500. A judge denied provisional release for the detainees. A final verdict was expected in January 2015.

Workers have the legal right to unionize, but unions require approval from the public prosecutor and often face hostility from employers. Although only about a quarter of Mauritanians are formally employed, about 90 percent of workers in the industrial and commercial sectors are unionized. Nevertheless, workers are often wrongfully terminated, and organized workers are sometimes subject to pressure to withdraw their union membership or forgo legal processes. The right to strike is limited by notice requirements and bans on certain forms of strike action.

#### **F. Rule of Law: 4 / 16**

The government heavily influences the judicial system. Many judicial decisions are based on Sharia (Islamic law), especially in family and civil matters, which discriminates against women. Suspects are routinely held for long periods of pretrial detention, and security forces suspected of human rights abuses operate with impunity. Prison conditions are harsh and torture is prevalent, as is the detainment of children, both as criminals and with an imprisoned relative.

Members of Al-Qaeda in the Islamic Maghreb have carried out a number of attacks in Mauritania in recent years. A 2010 antiterrorism law removed previous restrictions on wiretaps and searches, allowed for individuals under age 18 to be charged (which is illegal under Sharia), and granted immunity to terrorists that inform the authorities of a terrorism plot. President Abdel Aziz is seen as a crucial partner of the United States and Europe in the fight against terrorism in the Sahel region.

Racial and ethnic discrimination persists in all spheres of political and economic life, with discrimination almost exclusively targeting Afro-Mauritanians and the Haratin.

Same-sex sexual activity is illegal in Mauritania and punishable by death for men. LGBT (lesbian, gay, bisexual, and transgender) individuals generally hide their sexual orientation.

**G. Personal Autonomy and Individual Rights: 4 / 16 (-1)**

Freedom of choice of residence, employment, and education is fully awarded to members of the Bidhan class. However, Mauritanian society is deeply rooted in a caste-based system, where employment and place of residence are inherited through generations. The Haratin and Afro-Mauritanians are often excluded.

Discrimination against women persists. Under Sharia, which is widely applied, a woman's testimony is given only half the weight of a man's. Legal protections regarding property and pay equity for women are rarely respected in practice. Female genital mutilation is illegal but widely practiced. Abortion is legal only when the life of the mother is in danger.

Aminetou Mint El Moctar, a prominent women's and children's rights activist and founder of the Women's Association of Heads of Household, was the subject of a fatwa issued by the extremist group Friends of the Prophet in June 2014. The Islamist extremists called for her death in response to public statements she made in defense of Ould M'Kheitar, the blogger charged and sentenced to death for apostasy. When El Moctar reported the danger she and her family members faced, Mauritanian authorities failed to offer protection, and police advised her to resolve the issue on her own.

Mauritania is a source and destination for women, men, and children trafficked for the purposes of forced labor and sexual exploitation.

According to the 2014 Global Slavery Index, Mauritania has the highest occurrence of slavery in the world. Despite a 1981 law banning slavery in Mauritania, an estimated 155,600 black Mauritanians are believed to live in conditions of servitude. The government's official stance is to deny the existence of slavery within its borders. A 2007 law set penalties of 5 to 10 years in prison for all forms of slavery, but the law is hampered by a requirement that victims themselves must file a legal complaint before any prosecution can occur (an NGO cannot represent their case for them). A 2014 report by the UN special rapporteur on contemporary forms of slavery noted that information on antislavery conventions is not disseminated in a public forum, limiting people's knowledge of their rights. The national agency to combat slavery is tasked with handling these issues, but the agency lacks independence from executive influence. More than a year into its existence, it has failed to receive or act on any complaints of slavery or slavery-related practices or crimes.

## Mauritius

**Political Rights Rating:** 1

**Civil Liberties Rating:** 2

**Freedom Rating:** 1.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 1,261,000

**Capital:** Port Louis

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F

**INTRODUCTION**

The opposition Alliance Lepep won a surprising electoral victory in December 2014, unseating incumbent prime minister Navinchandra Ramgoolam's coalition. The results were widely interpreted as a reaction to Ramgoolam's proposed constitutional reform to increase the power of the president. Former prime minister Anerood Jugnauth was appointed to the post for his sixth non-consecutive term since 1982.

**POLITICAL RIGHTS: 38 / 40****A. Electoral Process: 12 / 12**

The president, whose role is largely ceremonial, is elected by the unicameral National Assembly. 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. Of the National Assembly's 70 members, 62 are directly elected and up to 8 "best losers" are appointed from among unsuccessful candidates who gained the largest number of votes. The members of the National Assembly and the president serve five-year terms. Governance of the country's small island dependencies is largely decentralized. The largest dependency, Rodrigues Island, has its own government and local councils, and two seats in the National Assembly.

In September 2014, Mauritius's two main political parties—Ramgoolam's ruling Mauritian Labour Party (PTR) and former prime minister Paul Bérenger's Mauritian Militant Movement (MMM)—entered into a coalition and dissolved the parliament. Elections originally scheduled for May 2015 were pushed forward to December 2014. Electoral debate focused on the ruling coalition's proposal to increase the power of the ceremonial presidency by holding direct elections for the position. Although regarded as clear front-runners, the PTR-MMM coalition lost the election to the Alliance Lepep coalition, led by Jugnauth's Militant Socialist Movement (MSM), by a wide margin. The Alliance Lepep won 47 of the 62 elected seats, and Jugnauth was appointed prime minister.

In 2012, the UN Commission on Human Rights (UNCHR) ruled that a law requiring potential candidates to declare their ethnic and religious status constitutes a human rights violation. Ramgoolam's electoral reforms would have abolished the requirement and also redesigned the best loser system.

**B. Political Pluralism and Participation: 15 / 16**

Political parties operate freely, and the two highest political positions, the president and prime minister, have rotated between the three largest parties—the PTR, the MSM, and the MMM. The three parties champion democratic socialist doctrine. Smaller parties are often included in governing coalitions. More than 700 candidates registered for the December 2014 general elections. Only four different individuals have held the post of prime minister since independence in 1968.

**C. Functioning of Government: 11 / 12**

The country's generally positive reputation for transparency and accountability has been damaged by an ongoing scandal surrounding the government purchase of a private hospital in 2010. Separately, in 2010, the Independent Commission Against Corruption (ICAC) launched an investigation into corruption allegations against Minister of Higher Education Rajesh Jeetah involving conflicts of interest in the operation of a local university branch. Mauritius was ranked 47 out of 175 countries surveyed in Transparency International's 2014 Corruption Perceptions Index, and the country has been ranked first in the Ibrahim Index of African Governance for eight consecutive years.



**CIVIL LIBERTIES:** 52 / 60**D. Freedom of Expression and Belief:** 15 / 16

The constitution guarantees the freedom of expression. Several private daily and weekly publications freely 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. In December 2014, two suspects were arrested in connection with the release of an audio recording deemed defamatory toward the Jugnauth family. The case was pending at year's end. In August, charges against singer Nitin Chinien were dropped. Chinien was arrested in 2013 under the Information and Communications Technologies for posting online videos that, among other things, included threats to the prime minister. The internet is not generally restricted by the government.

Religious and academic freedoms are respected.

**E. Associational and Organizational Rights:** 12 / 12

Freedoms of assembly and association are honored, though police have occasionally used excessive force in response to riots in the past. There are more than 300 unions in Mauritius. However, tens of thousands of foreign workers employed in export processing zones suffer from poor living and working conditions, and their employers are reportedly hostile to unions. In 2013, striking Bangladeshi textile workers demanding better working conditions clashed with riot police.

**F. Rule of Law:** 13 / 16

The generally independent judiciary, headed by the Supreme Court, administers a legal system that combines French and British traditions. The judicial system is considered transparent and nondiscriminatory. Mauritius has maintained the right of appeal to the Privy Council in London. Civil rights are largely respected, though individual cases of police brutality have been reported.

Various ethnic cultures and traditions coexist peacefully, and constitutional prohibitions against discrimination are generally upheld. However, Mauritian Creoles—descendants of African slaves who comprise about a third of the population—are culturally and economically marginalized. Tensions between the country's Hindu majority and Muslim minority persist. In a 2011 report, the Truth and Justice Commission (TJC)—established to examine the country's history of slavery and indentured labor—recommended measures to encourage national reconciliation, such as promoting increased economic and political participation by non-Hindu Mauritians.

Antisodomy laws exist, but the 2008 Equal Opportunities Act prohibits employment discrimination based on sexual orientation. Faced with a complaint to the Equal Opportunities Commission in 2013, the Ministry of Health removed a controversial measure requiring blood donors to report their sexual orientation.

**G. Personal Autonomy and Individual Rights:** 12 / 16

Women comprise about a third of the labor force, but they receive less compensation than men for similar work. Women hold only 8 seats in the National Assembly and three positions in the cabinet. A 2012 gender quota law mandates that at least one-third of candidates in local elections be women, and women's representation at the local government level is 26 percent. Similar legislation has been proposed at the national level. Rape and domestic violence remain major concerns.

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To protect its aging population, the government has passed the Protection for Elderly Persons Act of 2005, the Residential Care Homes Act of 2003, and the National Policy on Ageing 2008. However, abuse of the elderly remains a growing problem.

## ↓ Mexico

**Political Rights Rating:** 3

**Population:** 119,713,000

**Civil Liberties Rating:** 3

**Capital:** Mexico City

**Freedom Rating:** 3.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Trend Arrow:** Mexico received a downward trend arrow due to the forced disappearance of 43 students who were engaging in political activities that reportedly angered local authorities in the town of Iguala, Guerrero, an atrocity that highlighted the extent of corruption among local authorities and the environment of impunity in the country.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,3,F	2,3,F	2,3,F	2,3,F	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF

### INTRODUCTION

Despite incremental advances on some issues, including a decrease in homicide rates, several grave setbacks marred Mexico's attempts to improve its human rights record in 2014. Over the past two years, President Enrique Peña Nieto has sought to emphasize improvements in the economic and security environments. However, the government's narrative of progress was undermined when 43 college students disappeared in Iguala, Guerrero, in September 2014 after engaging in political protests. Reports alleging that local officials had turned the students over to a drug gang drew public attention back to the country's ongoing epidemic of violence, corruption, and impunity. As international scrutiny mounted and protests were held in Guerrero and Mexico City, the government announced in November that the students' charred remains had been found in a municipal dump. Protests demanding wider investigations intensified after DNA testing of the remains was able to confirm the identity of only one student.

Although murder rates declined for a third straight year, the incidence of other serious crimes, including kidnapping and extortion, remained high as increasingly fragmented crime syndicates diversified their operations beyond drug trafficking. In the state of Michoacán, the government moved to take control of armed self-defense groups that had formed in 2013 to combat frequent criminal violence and crippling levels of extortion. Authorities made progress in their attempts to thwart cartels throughout the year, capturing the country's most infamous gangster, Joaquín "El Chapo" Gúzman Loera, along with several other influential members of crime syndicates. Nevertheless, increasing episodes of violence led to the deployment of the National Gendarmerie, Mexico's new police-military hybrid, to the states of Tamaulipas and Guerrero.

Allegations of severe human rights violations continued to emerge in conjunction with the security operations conducted throughout the country by more than 45,000 soldiers. In June, a confrontation between criminals and an army unit in the state of Mexico left

22 people dead. After the media refuted the initial explanation that all the deaths occurred during a firefight, investigations were stepped up. Eight soldiers were eventually arrested and accused by the National Commission on Human Rights (CNDH) of massacring at least 15 people who had already surrendered. Seven of the soldiers were arraigned on murder charges in the civilian justice system, which marked the first instance of military personnel being charged in a civilian court since the April passage of long-awaited reforms to the military justice code.

**POLITICAL RIGHTS:** 28 / 40

**A. Electoral Process:** 9 / 12

The president is elected to a six-year term and cannot be reelected. The bicameral Congress consists of the 128-member Senate and the 500-member Chamber of Deputies. 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, 300 members are elected through direct representation and 200 through proportional representation, each for three-year terms. Under a December 2013 electoral reform, current members of Congress are no longer barred from reelection. As of 2018, elected senators will be eligible to serve up to two six-year terms; deputies will be permitted to serve up to four three-year terms. In Mexico's federal system, the elected governor and legislature in each of the 31 states have significant governing responsibility, including oversight of the majority of the country's beleaguered police force.

Peña Nieto of the Institutional Revolutionary Party (PRI) won the July 2012 presidential election with 38 percent of the vote, followed by veteran Party of the Democratic Revolution (PRD) leader Andrés Manuel López Obrador with 31 percent. Although López Obrador initially refused to accept the results, alleging infractions such as widespread vote buying, overspending, and media bias, the Federal Electoral Tribunal found insufficient evidence to invalidate the election. In concurrent congressional elections, the PRI and allied parties garnered a narrow majority of 251 seats in the lower chamber. The PRD and its allies won 135 seats, followed by the National Action Party (PAN) with 114. No coalition gained a majority in the Senate, where the PRI–Green Party alliance held 61 seats, the PAN took 38, and the PRD won 22.

Mexico's National Electoral Institute (INE, known until early 2014 as the Federal Electoral Institute), which supervises elections and enforces political party laws, has come to be viewed as a model for other countries. Electoral law strictly regulates campaign financing and the content of political advertising, although control is weaker in practice. The 2012 elections were generally considered free and fair, but complaints persisted. The primary accusations—which concerned alleged instances of vote buying and collusion between the PRI and dominant broadcaster Televisa—were instrumental in sparking a significant anti-PRI student movement. At the state level, allegations of misuse of public resources to favor specific gubernatorial candidates have increased in recent years. While the 2013 political reform broadened the INE's power to include oversight of state elections, analysts have expressed concern that several of the new provisions threaten to overwhelm the INE's capacity and may also institutionalize electoral conflict.

**B. Political Pluralism and Participation:** 12 / 16

Mexico's multiparty system features few official restrictions on political organization and activity. Power has changed hands twice at the national level since 2000, and opposition parties are also competitive in many states. However, in states with lower levels of multiparty contestation, locally dominant political actors often govern in a highly opaque manner

that limits political activity and citizen participation and opens the door to corruption and organized crime.

The PRI returned to national government in 2012 after losing two consecutive presidential races to the right-leaning PAN. The PRI ruled Mexico without interruption from 1929 to 2000, and many Mexicans question its commitment to full democracy, although the party has not silenced its detractors.

Politicians and municipal governments have been subject to growing pressure from criminal groups in recent years, with more than 300 attempted or successful assassinations of local officials registered between 2008 and 2013. PRI federal deputy Gabriel Gómez Michel was murdered in Jalisco in September 2014; the same month, Braulio Zaragoza, a leader of the PAN, was killed in Guerrero.

While the 2013 political reform included a provision for citizen consultations, in October 2014 the Supreme Court ruled that the first three referendums proposed—including a leftist-sponsored attempt to undo energy reforms—were unconstitutional.

Indigenous Mexicans are not blocked from participating in the political process, and federal and state laws prescribe procedures for the integration of traditional community customs, but indigenous groups remain underrepresented in formal political institutions.

### **C. Functioning of Government: 7 / 12**

Organized crime and related violence have limited the effective governing authority of elected officials in some areas of the country. In the most violent regions, the provision of public services has become more difficult as public-sector employees such as teachers increasingly face extortion. Members of organized crime have persisted in their attempts to infiltrate local governments in order to ensure their own impunity. The success of such efforts was illustrated by a series of videos leaked in 2014 that showed ties between officials in Michoacán and leaders of the Knights Templar crime syndicate.

The mass student disappearance that occurred in Iguala in September has been linked to a deeply flawed local government working in conjunction with a drug gang. In November, former Iguala mayor José Luis Abarca and his wife, María de los Ángeles Pineda Villa, were arrested for their role in the disappearance and murder of the 43 students. As of late 2014, they were still awaiting trial.

Official corruption remains a serious problem. Billions of dollars in illegal drug money enter the country each year from the United States, and such funds affect politics, particularly at the state and local levels. 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. Punitive measures have generally focused on low- and mid-level officials, hundreds of whom have been dismissed or charged with links to drug traffickers. An anticorruption prosecutor position was established in March 2014, though the post remained empty at year's end. Debate over various proposals to reform the anticorruption system intensified during 2014 after it was revealed that the president's wife and the finance minister had purchased houses from an active government contractor in a conflict-of-interest scandal. Mexico was ranked 103 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

The February 2014 discovery of a fraudulent \$500 million loan from the Mexican affiliate of Citigroup to Oceanografía, an oil services firm with strong political ties, illustrated the scale of corruption inside large enterprises.

Despite some limitations, a 2002 freedom of information law has successfully strengthened transparency at the federal level, though implementation has slowed and many states lag far behind.

**CIVIL LIBERTIES:** 36 / 60 (-1)**D. Freedom of Expression and Belief:** 12 / 16 (-1)

Legal and constitutional guarantees of free speech have been improving gradually, but the security environment for journalists remains highly problematic. While some major media outlets have reduced or eliminated their dependence on the government for advertising and subsidies, investigative reporting is scarce and the distribution of government advertising still affects coverage, particularly at the local level. Broadcast media are dominated by a corporate duopoly composed of Televisa and TV Azteca, which together control approximately 95 percent of the market. Televisa has faced accusations of supporting specific politicians over the years, usually from the PRI. Secondary legislation pertaining to a 2013 telecommunications law was approved in July 2014. It facilitates the establishment of a new telecommunications regulator, strengthens the Federal Economic Competition Commission, and resulted in the creation of two new free-to-air channels. However, civil society groups have criticized the limited scope of the reforms.

Reporters probing police issues, drug trafficking, and official corruption have faced an increasingly high risk of physical harm since 2006, when violence spiked. At least three journalists were killed during 2014. 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, but they have decried the slow pace of the federal government's special prosecutor for crimes against freedom of expression since the office gained authority in May 2013.

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. In October 2014, María del Rosario Fuentes Rubio, an activist in Tamaulipas who used Twitter to report on criminal activity, was kidnapped and murdered; images of her corpse later appeared on her Twitter account.

Religious freedom is protected by the constitution and is generally respected in practice. The government does not restrict academic freedom, though university students are sometimes threatened for their political activism. In the Iguala case, the kidnapped students were targeted in retaliation for a protest action.

**E. Associational and Organizational Rights:** 8 / 12

Constitutional guarantees regarding free assembly and association are largely upheld, but political and civic expression are restricted in some regions. During 2014, the largest and most publicized protests involved university students in Mexico City, as well as various groups in cities throughout Guerrero protesting the student disappearances. These demonstrations became violent on several occasions, with police using excessive force and making arbitrary arrests. In May, the state of Puebla passed a bill known as the "Bullet Law" that allowed police to use force to break up protests. In July, following the death of a protester at the hands of police, the governor announced that the law would be rescinded.

Although highly active, nongovernmental organizations sometimes face violent resistance, including threats and murders. Dario Ramirez, director of the regional chapter of press freedom watchdog Article 19, received threats throughout 2013 and suffered a break-in at his home in March 2014.

Trade unions, long a pillar of the PRI, have diminished significantly, but independent unions still face interference from the government. Informal, nontransparent negotiations between employers and politically connected union leaders often result in "protection contracts" that govern employee rights but are never seen by workers. Several large unions are

considered opaque and antagonistic to necessary policy reforms. Longtime teachers' union leader Elba Esther Gordillo—widely perceived as extremely corrupt—was arrested in February 2013 and charged with embezzling more than \$150 million.

**F. Rule of Law: 6 / 16**

Mexico's justice system is plagued by delays and unpredictability. A 2008 constitutional reform replaced the civil-inquisitorial trial system with an oral-adversarial one. Although it was expected to strengthen due process while increasing efficiency and impartiality, human rights groups have raised concerns about the reform's vague definition of organized crime and the weak protections it affords to suspects. Implementation of the new system was expected to take eight years; in 2014, civil society groups noted progress in some states but significant delays in many others. Abuses during criminal investigations are rife; in May, a UN special rapporteur characterized torture as "generalized" within Mexican police forces.

Coordination among law enforcement entities has long been problematic, and communication and cooperation between different branches of the federal government, as well as between federal authorities and the state and local police, have been difficult. Accordingly, the Peña Nieto administration has pursued streamlined chains of command. In zones plagued by crime, federal troops have temporarily replaced local police forces. While critics contend that federal intervention decreases incentives for governors to undertake systemic reforms, in practice implementation of such reforms at the local level has been largely unsuccessful. Despite a 2009 law ordering all members of the police to be vetted, thousands of police who failed to meet requirements have remained on the job.

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 2014, nearly 94 percent of crimes committed in 2013 went unreported because the underpaid police are viewed as either inept or in league with criminals. Even when investigations are conducted, only a handful of crimes end in convictions. Prisons are violent and overcrowded, and it is not uncommon for prisoners to continue criminal activity while incarcerated. In 2013, officials estimated that 90 percent of telephone extortion attempts—in which victims receive a phone call demanding ransom for relatives who have not actually been kidnapped—originated inside prisons. The frequently maligned CNDH was the subject of criticism in 2014 due to its perceived passivity in the face of rampant rights abuses; the head of the organization was replaced in November.

Presidential authority over the armed forces is extensive, but the military has historically operated beyond public scrutiny. Human rights advocates have long complained about a lack of accountability for rights abuses including torture, forced disappearances, and extrajudicial executions. Military personnel are generally tried in military courts, but in a series of cases starting in August 2012, the Supreme Court ruled that human rights violations against civilians must be tried in civilian courts. The change was formalized through a bill passed in April 2014.

The number of deaths attributed to organized crime declined for a third straight year in 2014, after rising sharply each year between 2007 and 2011. Violence remained acute in many areas, however, including Acapulco and parts of the states of Mexico, Jalisco, and Michoacán. The murders often featured extreme brutality designed to maximize the psychological impact on civilians, authorities, and rival groups. In order to combat the growing perception of insecurity, certain government agencies have agreed to suppress news of violent activity throughout the country; nonetheless, the public appears fully aware of the nation's high rate of violent crime.

In recent years, the government has taken a number of steps to curb violence and ease popular frustration. These include engaging in consultations with civic leaders, the continued deployment of troops, the reformation of the federal police and development of the National Gendarmerie, and the decriminalization of possession of small quantities of drugs. The Peña Nieto administration has been less vocal on matters of public safety than its predecessor, but it has maintained many of the former administration's strategies, such as use of the military.

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, with many groups relegated to extreme poverty in rural villages that lack essential services. Southern states with high concentrations of indigenous residents suffer from particularly deficient services and limited political voice. Indigenous groups have been harmed by criminal violence in recent years; in 2013 a series of communities in Guerrero formed self-defense groups, several of which were legalized by the state government. In addition, disputes over land issues within indigenous groups have occasionally become violent, particularly in the states of Chiapas and Oaxaca.

#### **G. Personal Autonomy and Individual Rights: 10 / 16**

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. Rights groups frequently detail the persecution and criminal predation faced by migrants from Central America, many of whom move through Mexico to reach the United States. Mass graves containing hundreds of bodies found in Tamaulipas in 2011 included many migrants, and a wide range of abuses against migrants was reported in 2014 despite government initiatives to improve protections.

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.

Sexual abuse and domestic violence against women are common. According to a 2012 study, 46 percent of women have suffered some form of violence, and perpetrators are rarely punished. Implementation of a 2007 law designed to protect women from such crimes remains halted, particularly at the state level, and impunity is the norm for the killers of hundreds of women each year. 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.

Abortion has been a contentious issue in recent years, with many states reacting to Mexico City's 2007 liberalization of abortion laws by strengthening their own criminal bans on the procedure. Female representatives have held more than one-third of congressional seats since the 2012 elections.

In September 2014, Coahuila became the first state in Mexico to legalize same-sex marriage explicitly. Mexico City has also made same-sex marriage legal, and a variety of provisions for partnerships exist in other areas of the country.

# Micronesia

**Political Rights Rating:** 1

**Population:** 103,000

**Civil Liberties Rating:** 1

**Capital:** Palikir

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

## INTRODUCTION

The Federated States of Micronesia (FSM)—consisting of the four states of Yap, Chuuk, Pohnpei, and Kosrae—relies on economic and defense assistance from the United States for about a third of its revenue. This assistance, provided under a Compact of Free Association, also gives FSM citizens visa-free entry to the United States for education, work, and social services. In exchange, the United States maintains military bases in the islands. China has also become an important donor in recent years, funding several major projects.

In March 2014, FSM agreed to allow U.S. Navy ships to conduct maritime surveillance in its territorial waters in an effort to combat illicit transnational maritime activities.

**POLITICAL RIGHTS:** 37 / 40

**A. Electoral Process:** 12 / 12

FSM's unicameral, 14-member Congress has one directly elected representative serving four-year terms from each of the four constituent states. The other 10 representatives are directly elected for two-year terms from single-member districts. Chuuk state, home to nearly half of the total population, holds the largest number of congressional seats, which has been a source of resentment among the three smaller states. The president and vice president are chosen by Congress from among the four state representatives to serve four-year terms. By informal agreement, the two posts are rotated among the representatives of the four states. Each state has its own constitution, elected legislature, and governor; the state governments have considerable power, particularly in budgetary matters. Traditional leaders and institutions exercise significant influence in society, especially at the village level.

President Emanuel Mori and Vice President Alik L. Alik were elected to second terms in 2011. Elections in 2013 for the 10 single-district seats were considered free and fair.

In June 2014, Mori recommended reducing the required approval for constitutional amendments from 75% to 66% as well as shifting to a direct election model for the presidency. No changes had been made at year's end.

**B. Political Pluralism and Participation:** 15 / 16

There are no formal political parties, but there are no restrictions on their formation. Political loyalties are based mainly on geography, clan relations, and personality. All candidates ran as independents in the 2013 parliamentary elections.

**C. Functioning of Government:** 10 / 12

Official corruption is a problem and a major source of public discontent. A tracking system was adopted in 2009 to meet U.S. demand for transparency and accountability in



the use of compact funds. A 2012 public audit report found fundamental weaknesses in the public payroll system, such as paychecks going to past employees and overpayment for unauthorized work hours. In the same year, lawmakers agreed to improve the efficiency of tax collection and acceded to the UN Convention against Corruption.

**CIVIL LIBERTIES: 56 / 60****D. Freedom of Expression and Belief: 16 / 16**

The news media operate freely. Print outlets include government-published newsletters and several small, privately owned weekly and monthly newspapers. Each state government runs its own radio station, and the Baptist church runs a fifth station. Television stations operate in three of the four states. Cable television is available in Pohnpei and Chuuk, and satellite television is increasingly common. In April 2014, legislators passed the Telecom Liberalization Act, under which an independent telecommunications regulatory authority—the country's first—will be established in 2015. Internet use is growing, but low income and small populations make it difficult for service providers to expand coverage. Funding from the World Bank for a system of submarine cables is expected to expand broadband internet access.

Religious freedom is respected. There were no reports of restrictions on academic freedom in 2014, but lack of funds negatively affects the quality of and access to education.

**E. Associational and Organizational Rights: 11 / 12**

Freedom of assembly is respected, and citizens are free to organize in civic groups. Several students' and women's organizations are active. No labor unions exist, though there are no laws against their formation. No specific laws regulate work hours or set workplace health and safety standards. The right to strike and bargain collectively is not legally recognized.

**F. Rule of Law: 15 / 16**

The judiciary is independent but lacks resources to improve the efficiency of the courts. The small national police force is responsible for local law enforcement, while the United States provides national defense. There were no reports of abuses or inhumane treatment by police or prison officials in 2014.

In November 2014, a group of 35 asylum seekers from India and Nepal and their two Indonesian boat operators landed in Yap. They claimed that human smugglers had promised them access to Australia. This was the first arrival of asylum seekers in FSM, though the men did not formally apply for asylum in the country. The migrants were given medical attention, food, and water, and they remained in a temporary shelter by their vessel at year's end.

Same-sex sexual activity is legal, but no laws protect against hate crimes or discrimination based on sexual orientation.

**G. Personal Autonomy and Individual Rights: 14 / 16**

Women enjoy equal rights under the law, including those regarding property ownership and employment, though societal discrimination against women persists in the male-dominated culture. Although well represented in the lower and middle ranks of the state and federal governments, women do not hold seats in Congress. A constitutional amendment in 2012 created four new congressional reserved seats for women, which will take effect in the 2015 parliamentary elections. Domestic violence is a problem, and cases often go unreported because of family pressure or expectations of inaction by the authorities. Offenders rarely face trial, and those found guilty usually receive light sentences.

The Human Trafficking Act of 2012 makes all trafficking activities a criminal offense. FSM is a Tier 2 country in the U.S. State Department's 2014 *Trafficking in Persons Report* for showing efforts to comply with minimum standards to prevent and prosecute trafficking and assist victims as established by the U.S. Trafficking Victims Protection Act.

## Moldova

**Political Rights Rating:** 3

**Population:** 4,100,000

**Civil Liberties Rating:** 3

**Capital:** Chişinău

**Freedom Rating:** 3.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

*Note:* The numerical ratings and status listed above do not reflect conditions in Transnistria, which is examined in a separate report.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,4,PF	3,4,PF	3,4,PF	4,4,PF	3,4,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF

### INTRODUCTION

In the months before the November 2014 parliamentary elections, the Moldovan political landscape remained sharply divided over the goal of European integration. The ruling alliance—the Coalition for Pro-European Governance (CEG)—pursued closer ties with the European Union (EU), while the opposition—headed by the Communist Party of the Republic of Moldova (PCRM)—favored accession to a Russia-led customs union. Despite Russian threats and attempts by the opposition to derail the process, Moldova signed an Association Agreement and related free-trade pact with the EU on June 27. In October, the Constitutional Court rejected a PCRM legal challenge claiming that the agreement violated Moldova's sovereignty. In addition, the EU granted visa-free travel to Moldovans with biometric passports beginning in late April.

The three main pro-European parties won a majority in the November elections, but the Party of Socialists of the Republic of Moldova (PSRM), a hard-line Russophile faction, emerged as the largest single party in the new parliament, displacing the more moderate PCRM. Coalition talks were ongoing at year's end.

**POLITICAL RIGHTS:** 28 / 40 (–1)

**A. Electoral Process:** 10 / 12 (–1)

Voters elect the 101-seat unicameral Parliament by proportional representation for four-year terms. Parliament elects the president, who serves up to two four-year terms, with a three-fifths supermajority. Parliament must approve the prime minister, who holds most executive power. Nicolas Timofti was elected president in 2012, filling a post that had been vacant since 2009 due to partisan gridlock.

In the November 2014 parliamentary elections, the PSRM dominated the opposition vote with 25 seats, leaving the PCRM with 21. Among the pro-European parties, the reformist, center-right Liberal Democratic Party of Moldova (PLDM) won 23 seats, the center-left Democratic Party of Moldova (PDM) took 19, and the pro-Romanian Liberal Party (PL) secured 13.

Although observers praised the elections as genuinely competitive and generally well administered, there were some significant deficiencies. The fiercely pro-Russian Patria Party was abruptly disqualified just days before the voting on the grounds that it received campaign funds from abroad, which is illegal. Meanwhile, a party whose name and symbols closely resembled those of the PCRM was allowed to participate, potentially confusing voters. The distribution of overseas polling places favored residents of EU countries over those living in Russia. Nevertheless, the Constitutional Court approved the election results in early December, rejecting challenges by opposition parties.

#### **B. Political Pluralism and Participation:** 12 / 16

Moldova's multiparty system features rivalry and diversity within the loosely defined pro-European and pro-Russian camps. In a first for the country, the PDM held primary voting to determine its candidate list in 2014. In response, the PCRM filed a complaint on the grounds that the primary activities, which began in early September, constituted campaigning outside the official campaign period.

Throughout the year, Russia threatened and imposed economic penalties on Moldova for its moves toward European integration, though some of the Russian actions were supposedly taken for health or safety reasons. A Russian ban on imports of Moldovan wine had been in place since 2013, and separate bans on Moldovan fruit and meat imports were announced in July. In September, Russia imposed customs duties on more goods from Moldova. Some analysts argued that the restrictions were designed to affect the November elections by alienating voters who were dependent on the agricultural sector. The EU responded in August by doubling import quotas for Moldovan produce.

Moldovan intelligence officials warned of possible provocations by Russian proxies in Moldova, such as political parties, civic groups, ethnic minority activists, and authorities in the separatist region of Transnistria, ahead of the elections. The November disqualification of the Patria Party was accompanied by police raids on an affiliated "antifascist" movement, the reported seizure of arms and explosives, and the arrest of several members. Patria Party leader Renato Usatii fled to Moscow. Russian media heavily favored the PSRM during the campaign. In November, the Russian government announced that Moldovan workers who left Russia that month, presumably to vote at home, would be able to return freely regardless of their legal status.

The Gagauz, a Turkic minority concentrated in the country's south, enjoy regional autonomy, but their leaders complain that their interests are not well represented at the national level. They and Moldova's various Slavic minorities tend to look to leftist parties and Russia for political support.

Gagauzia held a referendum in February asking local residents whether they favored EU integration or a customs union with Russia. Amid 70 percent turnout, more than 98 percent backed closer ties with Russia, and nearly 99 percent supported secession if Moldova were to lose its independence—namely through a union with Romania. Moldova's central authorities deemed the vote illegal; a Russian businessman provided funding for it after a court barred the use of public resources.

#### **C. Functioning of Government:** 6 / 12

Corruption remains a problem in Moldova, and the country's politicians regularly trade accusations of graft and illegal business activities. In early 2014, a number of Parliament members were reportedly approached with bribes to leave the CEG parties in order to weaken the governing majority. Two suspects accused of involvement in such a scheme were arrested in March with \$250,000 in cash.

The politicization of anticorruption mechanisms became especially apparent during partisan feuding within the ruling coalition in early 2013, with the National Anticorruption Center (CNA), led by a PDM nominee, launching cases against officials linked to the PLDM. In 2014, a parliamentary panel reported that some senior officials at the CNA itself had undeclared income and property.

After steady criticism of a 2013 government decision to partly privatize Banca de Economii, which left a Russian state bank with a major stake, a November 2014 Supreme Court ruling reversed the share issue and effectively restored Moldovan state control. The original sale was deemed necessary because the bank had apparently been weakened by corruption. Moldova was ranked 103 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES: 35 / 60**

**D. Freedom of Expression and Belief: 11 / 16**

The public broadcaster has grown more impartial since 2009, and the entry of new private outlets has added to the diversity of national news coverage. Internet penetration has increased in recent years to nearly 50 percent of the population, and access is limited only by high costs and underdeveloped infrastructure. Many media outlets are perceived as party affiliates, with wealthy businessman and PDM powerbroker Vladimir Plahotniuc reportedly controlling four national television stations, among other assets. In 2014, the Audiovisual Coordinating Council (CCA), the broadcast media regulator, repeatedly issued warnings and fines to television channels for violating rules that require pluralism and balance in news coverage. In addition to bias toward various political parties, the council said channels carrying Russian content skewed coverage of the Ukraine crisis. In its harshest action of the year, in July the CCA banned the Russian news channel Rossiya 24 from the airwaves for six months, an interval that included the election period.

In January, major cable services dropped three channels known for critical reporting on the government and for carrying Russian content, allegedly under political pressure. After an outcry from international institutions and local nongovernmental organizations (NGOs), the channels were quickly restored.

Reporters in Moldova sometimes face physical abuse, threats of violence, or selective exclusion from events of public interest. In September, weekly newspaper *Ziarul de Gardă* received threats after publishing investigative reports on the assets and personal life of the leader of Moldova's Orthodox Church.

Although the constitution guarantees religious freedom, Moldovan law recognizes the "special significance and primary role" of the Orthodox Church. Despite some positive steps by the government in recent years, the country's small religious minorities continue to encounter discrimination or hostility from local authorities, Orthodox clergy, and residents in some areas.

Moldovan officials do not restrict academic freedom, though opposition parties have accused the coalition government of seeking to inject pro-Romanian ideology into school curriculums. The Gagauz community has complained of exclusion from the mainstream higher education system, as most Gagauz are more fluent in Russian than Romanian, the language spoken by most Moldovans.

**E. Associational and Organizational Rights: 8 / 12**

The government upholds freedom of assembly. Opposition parties repeatedly mounted antigovernment or anti-EU protests during 2014. In October, they temporarily blocked the entrance to the Constitutional Court as it prepared to rule on the ratification of the EU

Association Agreement, prompting the court chairman to call on law enforcement bodies to ensure the institution's safety. In May, LGBT (lesbian, gay, bisexual, and transgender) activists held a small pride march, marking the third such event ever carried out in Moldova after two were successfully organized in 2013. Large numbers of police officers protected marchers from counterprotesters, as opposed to past years, when authorities prevented the parades or counterprotesters broke them up.

State relations with civil society groups have improved since 2009, though some leading politicians have displayed wariness or hostility toward NGOs. Enforcement of trade union rights and labor standards is weak, with employers rarely punished for violations. Workers participating in illegal strikes face possible fines or prison time.

#### **F. Rule of Law: 7 / 16**

Although the constitution provides for an independent judiciary, judicial and law enforcement officials have a reputation for politicization and corruption. The 2013 political crisis further exposed partisanship in judicial institutions, driven in part by agreements in which key positions are parceled out among the ruling parties. In 2014, lawmakers were considering reforms to the judiciary and the prosecution service, including a less partisan process for appointing the prosecutor general—the post at the center of the 2013 dispute.

Ill-treatment in police custody, excessive pretrial detention, and poor prison conditions persist despite some improvements in recent years. Abuse of military conscripts remains a concern.

Roma suffer discrimination in housing, education, and employment, and have been targets of police violence. LGBT people are subject to harassment. While discrimination based on sexual orientation is not explicitly banned by the main article of the 2012 Law on Ensuring Equality, it is understood to be covered under a reference to “any other similar grounds.” Sexual orientation, though not gender identity, is listed in a section on workplace discrimination. An alliance of opposition parties and Orthodox clergy has criticized the law. In June 2014, an Orthodox bishop was ordered to pay 22,000 lei (\$1,700) in compensation and court costs for public anti-LGBT slurs he made in 2012.

#### **G. Personal Autonomy and Individual Rights: 9 / 16**

In the months surrounding the EU decision to grant visa-free travel to Moldovans, more than 100,000 citizens obtained or renewed passports at state expense so as to take advantage of the new privilege. Hundreds of thousands of Moldovans work abroad, and remittances accounted for 25 percent of gross domestic product in 2013. More than two-thirds of remittances reportedly come from workers in Russia, and Moscow's warnings against EU integration include threats to close the Russian labor market to Moldovan migrant workers or restrict access.

Private business activity is hampered by factors such as corruption and the role of powerful businessmen who use political connections for personal gain.

Women are underrepresented in public life; just 19 were elected to Parliament in 2014. Orders of protection for victims of domestic violence are inadequately enforced. Moldova is a source for women and girls trafficked abroad for forced prostitution.

# Monaco

**Political Rights Rating:** 2

**Population:** 37,000

**Civil Liberties Rating:** 1

**Capital:** Monaco

**Freedom Rating:** 1.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,1,F	2,1,F	2,1,F	2,1,F	2,1,F	2,1,F	2,1,F	2,1,F	2,1,F	2,1,F

## INTRODUCTION

Monaco has come under fire in recent years for neglect in investigating cases of suspected money laundering. However, in 2014, Monaco's general prosecutor launched a preliminary investigation into a case involving the French bank BNP Paribas and an alleged money laundering network of several African countries.

**POLITICAL RIGHTS:** 31 / 40

**A. Electoral Process:** 10 / 12

Monaco is a principality governed as a constitutional monarchy. Only the prince, who serves as head of state, may initiate legislation and change the government, though all legislation and the budget require the approval of the Conseil National. Prince Albert II took the throne after his father's death in 2005. No constitutional provisions allow citizens to change the monarchical structure of government.

The 24 members of the unicameral Conseil National are elected for five-year terms; 16 are chosen through a majority electoral system and 8 by proportional representation. Horizon Monaco, the conservative former opposition, won the general election in February 2013. The former ruling party, Union Monegasque, dropped from 21 seats to only 3, and Renaissance claimed the remaining seat. Laurent Nouvion of Horizon Monaco became president of the Conseil National, and Christophe Steiner became vice president. Voter turnout was approximately 75 percent.

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. The current minister of state, Michel Roger, has held the post since March 2010. The monarch also appoints five other ministers who comprise the cabinet.

**B. Political Pluralism and Participation:** 11 / 16

Monaco's political system is constructed of political associations, led by Horizon Monaco and Union Monegasque. Renaissance, the new association that first competed in the general election in 2013, was established by Monaco's largest hotel and casino company, SBM, along with trade union members.

Monaco's law on campaign finance was adopted in 2012 in response to the recommendations of Group of States against Corruption (GRECO). Changes included a €400,000 (\$526,000) limit on campaign expenditures.

The constitution differentiates between the rights of Monegasque nationals and those of noncitizens. Only about 8,000 of the principality's residents are citizens, and they alone

may elect the Conseil National. Citizens also benefit from free education, unemployment assistance, and the ability to hold elective office.

**C. Functioning of Government:** 10 / 12

Inadequate financial record keeping has traditionally made the country's level of corruption difficult to measure.

In March 2013, senior official Jean-Sébastien Fiorucci and former Conseil National president Jean-François Robillon were charged for involvement in a 2012 polling scandal in which the privacy of Monegasque citizens was compromised when a French-based polling company sought information about people's opinions of candidates in Monaco's election. Both men were found guilty in July 2014 and were each required to pay a €2,500 (\$3,300) fine.

In 2009, the principality started providing foreign tax authorities with information on accounts held by noncitizens, and by October of that year, the Organisation for Economic Co-operation and Development (OECD) removed Monaco from its list of uncooperative tax havens.

In February 2014, the General Prosecutor Jean-Pierre Dréno launched a preliminary investigation into BNP Paribas after a French nongovernmental organization (NGO) raised concerns over an alleged money laundering network between Monaco and several African countries, including Madagascar, Gabon, Senegal, and Burkina Faso.

**CIVIL LIBERTIES:** 57 / 60

**D. Freedom of Expression and Belief:** 16 / 16

The constitution provides for the freedoms of speech and the press, although insulting the ruling family is prohibited. There is a weekly government newspaper, an English-language monthly, and foreign and online newspapers that cover Monaco. Monaco Channel is the only local television channel.

In March 2014, the Fairmont Monte Carlo hotel sued a former employee for defamation, asking for €30,000 in damages for a 2010 campaign in which he wrote to news outlets and blogs, as well as to Prince Albert II, about poor work conditions in the hotel.

The constitution guarantees freedom of worship, though Roman Catholicism is the state religion. There are no laws against proselytizing by formally registered religious organizations, but authorities strongly discourage proselytizing in public. Academic freedom is not restricted. The country's only institution of higher education, the private International University of Monaco, offers graduate and undergraduate programs in business administration, finance, and related fields. Monegasque students may attend French colleges and universities under various agreements between the two countries.

**E. Associational and Organizational Rights:** 12 / 12

The constitution provides for freedom of assembly, which is generally respected in practice. No restrictions are imposed on the formation of NGOs.

Workers have the legal right to organize and bargain collectively, although they rarely do so. All workers except state employees have the right to strike. Two trade unions operate in the country. On January 8, 2014, the staff of Hotel de Paris in Monaco ended a nine-day strike, the longest in Monegasque history. The strikers had grievances over the question of wages during the hotel's planned four-year renovation.

**F. Rule of Law:** 15 / 16

The legal rights to a fair public trial and an independent judiciary are generally respected. The justice system is based on the French legal code, and under the constitution, the

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prince delegates his judicial powers to the courts. The prince names five full members and two judicial assistants to the Supreme Court based on nominations by the Conseil National and other government bodies. Jail facilities generally meet international standards. After sentencing, non-Monegasque inmates are often transferred to French prisons.

**G. Personal Autonomy and Individual Rights:** 14 / 16

Property rights are respected. Noncitizens holding a residence permit may purchase property and open businesses.

Women generally receive equal pay for equal work. There are five women in the Conseil National and two in the Crown Council. Abortion is legal only under special circumstances, including rape. Monaco does not recognize same-sex unions or marriages.

## Mongolia

**Political Rights Rating:** 1

**Population:** 2,857,000

**Civil Liberties Rating:** 2

**Capital:** Ulaanbaatar

**Freedom Rating:** 1.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	1,2,F	1,2,F	1,2,F

### INTRODUCTION

Prime Minister Norov Altankhuyag was ousted by members of his own ruling coalition in November 2014. He was replaced two weeks later by Chimed Saikhanbileg.

Mongolia continued to experience economic challenges in 2014 despite the continuation of moderate growth based on mineral wealth. Corruption, declining foreign investment, and public officials' involvement with business interests remained key issues throughout the year.

**POLITICAL RIGHTS:** 36 / 40

**A. Electoral Process:** 11 / 12

Under the 1992 constitution, the president and the 76-member parliament (the State Great Khural) are both directly elected for four-year terms. The prime minister, who holds most executive power, is nominated by the party or coalition with the most seats in the parliament and approved by the parliament with the agreement of the president. The president is head of state and of the armed forces, and can veto legislation, subject to a two-thirds parliamentary override.

Parliamentary balloting in the past has been both by multimember and single-member districts. In 2012, 48 of parliament's 76 seats were awarded through majoritarian voting in single-member districts, while the remaining 28 were allocated through a proportional system according to parties' share of the national vote. The Democratic Party (DP) won 33 seats, the Mongolian People's Party (MPP) captured 25, and the Justice Coalition—comprising the revived Mongolian People's Revolutionary Party (MPRP) and the Mongolian National Democratic Party (MNDP)—took 11, with 3 seats going to independents and 2 to



the Civil Will–Green Party. Altankhuyag of the DP became prime minister, leading a coalition cabinet that consisted of the DP, the Justice Coalition, and the Civil Will–Green Party.

Altankhuyag was replaced as prime minister by Saikhanbileg in November 2014 after an internal revolt from DP members amid Mongolia’s continuing economic downturn. Saikhanbileg now leads a coalition of 73 out of 76 members of parliament; only the three independent members remain outside.

In the 2013 presidential election, DP-backed Tsakhiagiin Elbegdorj won a second term, garnering just over 50 percent of the votes in the first round against two other candidates. The Organization for Security and Co-operation in Europe (OSCE) monitored the 2013 presidential election, declaring it free and open despite administrative challenges with election officials and some criticism of politicization in news coverage.

In both 2012 and 2013, the General Election Commission introduced new practices, such as the release of voting statistics by time of day and age group, and free mobile-phone credits as a reward for voting.

#### **B. Political Pluralism and Participation:** 16 / 16

A vibrant multiparty system exists in Mongolia. The MPRP, which had ruled the country since the early 20th century, legalized opposition parties in 1990, and competitive elections have led to several peaceful transfers of power. In 2010, the MPRP rebranded itself as the MPP, but a faction led by former president Nambaryn Enkhbayar broke off the following year and formed a new MPRP.

While the DP and the MPP command a large share of votes and dominate the parliament, smaller parties continue to be represented and remain viable. Political parties are largely built around patronage networks rather than political ideologies. Representatives of large business groups play an important role in funding and directing the large parties. In 2014, the parliament discussed having some elected members serve as ministers. Some argued that this practice would undermine parliamentary rights by giving the cabinet too much power. Contention over the issue was a factor in the vote-of-no-confidence against Prime Minister Altankhuyag. Half of the Saikhanbileg cabinet is comprised of MPP members.

#### **C. Functioning of Government:** 9 / 12

Corruption remains a serious problem in Mongolia and is viewed as pervasive. The Independent Authority Against Corruption (IAAC) actively investigates corruption allegations. In May 2014, the Organisation for Economic Co-operation and Development released a report containing several recommendations for reducing corruption, including creating a new anticorruption strategy and strengthening and affirming the independence of the IAAC.

Although the government operates with limited transparency, some progress has been made in recent years. Citizens’ Halls, forums established in 2009 to encourage civic participation in the legislative process, were given budgetary authority for the first time in 2013 through the disbursement of Local Development Funds. This measure is intended to foster local participation in politics as well as to increase accountability regarding the spending of funds. In July 2014, the parliament approved the Budget Transparency Law, which obliges state bodies and state-funded organizations to publicly disclose budgetary information.

#### **CIVIL LIBERTIES:** 50 / 60

#### **D. Freedom of Expression and Belief:** 15 / 16

While the government generally respects press freedom, many journalists and independent publications practice a degree of self-censorship to avoid legal action under libel laws

that place the burden of proof on the defendant. Journalists have been charged in defamation suits by legislators and businesspeople; in many cases, the charges have been dropped.

There are hundreds of privately owned print and broadcast outlets, including several with online editions, and some international media operations have moved into the Mongolian market in recent years. However, the main source of news in the vast countryside is the state-owned Mongolian National Broadcaster. The government does not interfere with internet access.

Journalistic standards in Mongolia remain low, and media outlets tend to report rumors without confirmation. Political parties and their members have increasingly purchased media outlets, particularly television stations, in recent years. Although ownership of outlets is not routinely disclosed, most Mongolians are aware of the political positions of different media outlets. In August 2014, a blogger was found guilty of defaming a government official for comments made on social media and sentenced to three months in prison. The sentence, which was criticized by the OSCE, marked the first time Mongolia's libel laws were extended to comments made on social media.

Freedom of religion is guaranteed by the constitution. The fall of communism led to an influx of Christian missionaries to Mongolia and a revival of the country's traditional Buddhism and shamanism. Enforcement of protections for religious freedom varies across the country, as it is largely dependent on the practices of local governments; some Christian groups have reported registration obstacles and harassment by local authorities. The Kazakh Muslim minority generally enjoys freedom of religion. Academic freedom is respected, and private discussion is free and open.

#### **E. Associational and Organizational Rights:** 11 / 12

Freedoms of assembly and association are observed in law and in practice. Numerous environmental, human rights, and social welfare groups operate without government restriction. Trade unions are independent and active, and the government generally respects their rights. Collective bargaining is legal. However, labor rights are restricted for certain groups, such as foreign and temporary workers. Some employers unlawfully disrupted union activity in 2014.

#### **F. Rule of Law:** 12 / 16

The judiciary is independent, but corruption among judges persists. The police force has been accused of making arbitrary arrests and traffic stops, holding detainees for long periods, and beating prisoners. In 2014, the government continued to make regulatory and legislative changes to combat abuse by police and security forces, and there were no reported cases of torture or inhuman treatment during the year. Prison deaths continue to be reported, as insufficient nutrition, heat, and medical care remain problems. A moratorium on the death penalty has been in effect since 2010.

Antidiscrimination laws do not address sexual orientation or gender identity, and LGBT (lesbian, gay, bisexual, and transgender) people face societal bias, cases of assault, and mistreatment by police. In May 2014, the government announced plans to review current antidiscrimination legislation, considering a draft proposal to strengthen measures for equality. Civil society organizations, criticizing the broadness of the draft's language, urged the authorities to consider enacting specific measures against hate crimes and protections for the rights of LGBT people.

#### **G. Personal Autonomy and Individual Rights:** 12 / 16

While the law protects the freedom of both internal movement and foreign travel, foreign citizens require exit visas to leave Mongolia, which can be denied on various grounds,

including involvement in commercial disputes or civil complaints. In 2014, the Office of the UN High Commissioner for Human Rights (OHCHR) accepted a claim against Mongolia lodged by a U.S. businessman who, along with two colleagues, had been denied exit since 2012 because of allegations of tax evasion. The exit ban had remained in place despite multiple court rulings that the allegations are not supported by sufficient evidence.

The rights to own property and to establish private businesses are legally protected but sometimes constrained by bureaucratic obstacles or weak enforcement of laws. In recent years, the government has simplified requirements and procedures for the establishment and operation of businesses.

The 2011 Law on Gender Equality was intended to increase the participation of women in the political, economic, and civic spheres. While women comprise 60 percent of all university students as well as 60 percent of all judges, they hold only 9 parliamentary seats despite a 20 percent quota on female candidates in the 2012 parliamentary elections. Spousal abuse is prohibited by law, but social and cultural norms continue to discourage victims from reporting such crimes, and the incidence—particularly in connection with alcohol abuse—remains high. In 2014, the government enacted a hotline to provide emergency assistance to victims of domestic abuse.

Mongolia is a source, transit, and destination country for men, women, and children who are subjected to sex trafficking and forced labor. The government has continued efforts to eliminate trafficking, though funding for such programs has been inadequate.

Although Mongolia's mineral-based mining boom has led to high economic growth since 2011, the country suffers from high levels of poverty, particularly in rural areas. Rural migrants to the capital have in recent years settled in the city's outskirts, where there is often poor access to sanitation, employment, and education. Moreover, underdeveloped fiscal policies and the mismanagement of resource revenues have limited the impact of the economic boom on human development.

## Montenegro

**Political Rights Rating:** 3

**Population:** 619,000

**Civil Liberties Rating:** 2

**Capital:** Podgorica

**Freedom Rating:** 2.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

*Note:* The ratings from 2005 are for the State Union of Serbia and Montenegro.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,2,F	3,3,PF	3,3,PF	3,3,PF	3,2,F	3,2,F	3,2,F	3,2,F	3,2,F	3,2,F

### INTRODUCTION

Prime Minister Milo Đukanović's Democratic Party of Socialists (DPS) performed well in local elections held in May. Numerous electoral irregularities were reported, prompting reruns in some locations. Months of post-election deadlock in the Podgorica city council raised the possibility of snap local elections, but the DPS and the Social Democratic Party (SDP) finally struck a coalition deal in September to end the impasse.

Montenegro and the European Union (EU) in 2014 opened a number of negotiation chapters, signaling progress toward the country's EU membership, although the European Commission (EC) stated in June that profound improvements in the rule of law were needed, expressing particular concern about violations in the May elections and attacks against independent journalists in 2013 and 2014. In its annual progress report on Montenegro, issued in October, the EC noted some progress on judicial reforms.

In June, the North Atlantic Treaty Organization (NATO) indicated that it would not extend membership to Montenegro in 2014. While Đukanović has undertaken an active campaign to build support for the alliance, there is low public support for membership in NATO, which carried out a bombing campaign against Serbia and Montenegro in 1999 during the Kosovo War.

**POLITICAL RIGHTS: 27 / 40**

**A. Electoral Process: 9 / 12**

Members of the unicameral, 81-seat Parliament—the Skupština—are directly elected for four-year terms. The president, directly elected for up to two five-year terms, nominates the prime minister, who requires legislative approval. International observers have deemed past national elections generally free and fair.

In 2012, legislators dissolved Parliament and called early elections to allow the government to begin talks with the EU with a fresh mandate. A DPS-led coalition won polls held that October with a simple majority of 46 percent, or 39 seats. The Democratic Front took 20 seats, followed by the Socialist People's Party with 9, Positive Montenegro with 7, and the Bosniak Party with 3. The Croat Citizens' Initiative and two Albanian parties won 1 seat each. The DPS-led coalition took power with support from Albanian and Croatian minority parties, and Đukanović, who has served as Montenegro's prime minister or president for most of the last two decades, was elected to his seventh term as prime minister in December. In 2013, President Filip Vujanović was reelected with 51 percent of the vote. Miodrag Lekić of the Democratic Front followed with 49 percent.

Numerous violations were reported during local elections in May 2014, prompting re-runs in some locations. The EC noted a lack of trust in the electoral process among voters in its 2014 progress report. Ultimately, DPS won the majority of seats in 11 of Montenegro's 12 municipalities. A caretaker government administered Podgorica until a DPS-SDP coalition was struck in September.

The conduct of elections in Montenegro is facilitated by a comprehensive legal and administrative framework. Landmark reforms to the electoral law in 2011 aimed to increase gender equality and minority representation in Parliament.

**B. Political Pluralism and Participation: 11 / 16**

Numerous political parties compete for power, though the opposition is weak. The biggest opposition faction, the Democratic Front, comprises the reform-minded Movement for Changes and the New Serb Democracy. The current coalition government comprises the DPS, its ally the SDP, and a handful of lawmakers from parties that represent Montenegro's ethnic minorities, including ethnic Bosniaks and Croats. The Roma ethnic minority is underrepresented in politics.

**C. Functioning of Government: 7 / 12**

Corruption remains a serious problem. Legislative frameworks to improve transparency in party financing and public procurement, among other anticorruption efforts, are in place,

but implementation is mixed. A new anticorruption agency is scheduled to open in 2016, but local nongovernmental organizations (NGOs) have complained that the framework fails to include adequate protections for whistleblowers and effective requirements that public servants disclose assets. Graft and misconduct remain widespread in areas such as health care and public procurement, convictions in high-profile cases are low, and oversight of conflicts of interest is relatively weak. Law enforcement does not take an active approach to corruption investigations, particularly those involving top officials. Organized crime groups have significant influence in both the public and private sectors. In an April 2013 report, Europol expressed concern that Russian business magnates were laundering large amounts of money in Montenegro. The report also highlighted the country's persistent drug smuggling problem.

In a December 2014 poll, only 44 percent of respondents voiced trust in Đukanović's government, compared to 55 percent in 2010. Montenegro was ranked 76 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 44 / 60 (-1)

**D. Freedom of Expression and Belief:** 12 / 16 (-1)

A variety of independent media operate in Montenegro. The government does not explicitly censor media outlets, and libel was decriminalized in 2011, but journalists who are critical of Đukanović or the governing party have faced costly civil defamation suits. Attacks against journalists continued in 2014. Among the worst of the year was an assault against Lidiya Nikčević, a journalist at the independent daily *Dan*, who was beaten with a baseball bat in January. Five people were convicted of the attack in December, but convictions in similar cases remain rare. A commission devoted to investigating violence committed against journalists, established by the government in 2013, continued to operate in 2014. Investigations have thus far led to some arrests amid growing international concern about a culture of impunity.

The DPS-led government denies opposition media outlets advertising contracts from publicly owned entities while directing significant funding toward the progovernment newspaper *Pobjeda*, which continued to operate even after the state tax administration declared it bankrupt in July. The public broadcaster is under reform but still lacks sustainable funding. In December, the government assumed its debt of €2.4 million (\$3.2 million). Internet access is unrestricted.

The constitution guarantees freedom of religious belief. However, the canonically recognized Serbian Orthodox Church and a self-proclaimed Montenegrin Orthodox Church continue to clash over the ownership of church properties and other issues. Academic freedom is guaranteed by law, and private discussion is open and vibrant.

**E. Associational and Organizational Rights:** 10 / 12

Citizens generally enjoy freedoms of association and assembly. In February 2014, two journalists and a number of protesters were arrested at an antigovernment demonstration in Podgorica at which participants denounced government corruption and high unemployment. Civil society participates in state and local government, though the EC has urged closer cooperation. NGOs that investigate corruption or criticize the government face pressure. In particular, MANS, an NGO that in 2014 publicized information implicating Đukanović and the DPS in electoral violations, has faced pressure from the government and harassment in the press.

Most formally employed workers belong to unions, and the right to strike is generally protected. However, trade union members sometimes face discrimination, and dismissals of striking workers have been reported.

**F. Rule of Law: 10 / 16**

The EC cited progress on judicial reform in its 2014 progress report on Montenegro, noting that Parliament confirmed a chief state prosecutor in October after a vacancy of more than one year. The country's intelligence service has faced sustained criticism from international observers for perceived lack of professionalism; secret service head Boro Vucinić resigned in December, reportedly under pressure from the EU and NATO. In June, Nils Muižnieks, Council of Europe commissioner for human rights, stressed the need to address impunity for crimes committed in the 1990s during the collapse of Yugoslavia. Legal proceedings are lengthy and often highly bureaucratic, particularly for proceedings involving business dealings. Prison conditions do not meet international standards for education or healthcare.

Approximately 16,000 refugees, most of them displaced in the 1990s Balkan conflicts, live in Montenegro, but only about 1,000 have gained full citizenship. In June 2014, the government warned that refugees who had not applied for "resident foreigner" status under a 2011 initiative risked being deemed illegal immigrants and losing state benefits. Ethnic Albanians, who comprise 5 percent of the population, maintain that they are underrepresented in the civil service, particularly in the police and the judiciary, and that authorities neglect the needs of students in Albanian-language schools. Roma, Ashkali, Egyptians, LGBT (lesbian, gay, bisexual, and transgender) people, and other minority groups face discrimination. An LGBT pride march took place in November under extensive police protection.

**G. Personal Autonomy and Individual Rights: 12 / 16**

The freedom of movement and the right of citizens to choose their residence, employment, and institution of higher education are generally respected in practice. The state sector dominates much of Montenegro's economy, though the tourism industry has thrived in recent years, with significant foreign investment to develop coastal towns. Official unemployment was reported to be 15 percent at the end of 2014, a decrease from 19 percent reported in 2012. Many workers officially counted as unemployed, however, work in Montenegro's sizeable gray economy. The government frequently bails out indebted state-owned companies, a habit that has drawn complaints about abuse of taxpayer money.

Women in Montenegro are legally entitled to equal pay for equal work, but patriarchal attitudes often limit their salary levels and educational opportunities. Women are underrepresented in government and business. New provisions requiring women to comprise 30 percent of candidate lists were implemented in the 2012 elections, but women held only 14 seats in the 81-seat Parliament in 2014. Domestic violence remains problematic. Although gender-selective abortion was outlawed in 2009, it has been a growing trend over the past decade and a half. Same-sex marriage is constitutionally banned. Trafficking in persons for the purposes of prostitution and forced labor remains a problem, but the government has taken steps to address the issue, adopting an antitrafficking strategy through 2018.

# Morocco

**Political Rights Rating:** 5

**Population:** 33,304,000

**Civil Liberties Rating:** 4

**Capital:** Rabat

**Freedom Rating:** 4.5

**Freedom Status:** Partly Free

**Electoral Democracy:** No

*Note:* The numerical ratings and status listed above do not reflect conditions in Western Sahara, which is examined in a separate report.

## Ratings Timeline (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF

## INTRODUCTION

In January 2014, the parliament voted unanimously to amend Article 475 of the penal code, which stated that a rapist could escape prosecution if he married his underage victim. Barring marriage, Article 475 mandates a prison term of one to five years for the convicted rapist. The amendment maintains the prison terms but removes the possibility of exoneration. Controversy over the exoneration clause had raged since 2012, when 16-year old Amina Filali committed suicide after she was forced to marry her rapist. Human rights and women's rights activists lauded the amendment, but called for further reform to criminalize violence against women and raise penalties.

The February 20 Movement, which led prodemocracy protests beginning in 2011, seems to have been attenuated, primarily through government harassment and incarceration of its loose coalition of members. Yet civil protests—sit-ins, demonstrations, and marches—remained common in 2014.

The government expressed ongoing concern during the year about Moroccans fighting in Syria and Iraq who might return to the country to launch attacks. There were also concerns that Libyan arms may fall into the hands of Al-Qaeda in the Islamic Maghreb (AQIM). In July, the Interior Ministry announced that it was tightening security, and the government put the military services on a state of high alert. In August and September, Spanish and Moroccan authorities made arrests in the Spanish enclave cities of Ceuta and Melilla, as well as Melilla's neighboring Moroccan town of Nador; officials said the suspects were terrorists recruiting jihadists to fight for the Islamic State (IS) militant group.

In October, the government called for the postponement of the upcoming Africa Cup of Nations, which it had been scheduled to host, citing fears of the spread of the Ebola virus. When the Confederation of African Football declined to postpone the games, Morocco refused to host the tournament. Morocco's decision was sharply criticized and has posed a profound challenge to the country's diplomatic efforts in sub-Saharan Africa.

**POLITICAL RIGHTS:** 15 / 40

**A. Electoral Process:** 5 / 12

King Mohammed VI and his close advisers, often referred to as the *Makhzen*, hold political, social, and economic power in Morocco. The 2011 constitutional referendum was the latest in a series of constitutional reforms the palace has engineered since the first constitution in 1962. Nevertheless, the reform was significant. While it preserved the monarch's existing powers, it required him to appoint the prime minister from the party that wins the

most seats in parliamentary elections, and to consult the prime minister before dissolving parliament. Other provisions included giving official status to the Tamazight (Berber) language, calling for gender equality, and emphasizing respect for human rights.

Even under the 2011 constitution, the monarch can dissolve Parliament, rule by decree, and dismiss or appoint cabinet members. He sets national and foreign policy, commands the armed forces and intelligence services, and presides over the judicial system. One of the king's constitutional titles is "commander of the faithful," giving his authority a claim to religious legitimacy.

The lower house of Parliament, the Chamber of Representatives, has 395 directly elected members who serve for five-year terms. Of these, 60 seats are reserved for women, and 30 for men under age 40. Members of the 270-seat upper house, the Chamber of Counselors, are chosen by an electoral college to serve nine-year terms. Under a rule that took effect in 2009, women are guaranteed 12 percent of the seats in local elections.

Parliamentary elections held in November 2011 resulted in a victory for the Justice and Development Party (PJD) of Prime Minister Abdelilah Benkirane. The PJD formed a coalition with the Istiqlal, the Popular Movement, and the Party of Progress and Socialism (PPS) in January 2012. The government held office until July 2013, when the Istiqlal withdrew in protest of the PJD's handling of the economy. A new government took office in October 2013, with the National Rally of Independents (RNI), previously part of the opposition, joining the coalition.

#### **B. Political Pluralism and Participation: 7 / 16**

Morocco exhibits a multiparty system. However, the parties are fragmented and generally unable to assert themselves. The PJD, which won the 2011 parliamentary vote, had long been a vocal opposition Islamist party, even as it remained respectful of the monarchy. The Islamist Justice and Charity Movement, by contrast, is illegal, and therefore cannot participate in the electoral process, though it is tolerated by the authorities. Other Islamist groups face official harassment and are not permitted to participate in the political process. Parties emerge and disappear periodically, depending on reformation and fractures, as well as individual politicians' careerist maneuvers.

For decades, Rif, Tamazight, and Chleuh peoples—grouped together under the term Berber—had an uneasy relationship to the Makhzen. Prominent Berber elites enjoyed access to the monarchy and also had their interests represented in the parliament by so-called Berber parties, but the bulk of the ethnically indigenous population was marginalized. A legacy of complicated ethnic and identity politics persists.

#### **C. Functioning of Government: 3 / 12**

Elected officials are duly installed in government, although their power to shape policy is sharply constrained, as the king and his advisers control most of the levers of power.

Despite the government's rhetoric on combating widespread corruption, it remains a problem, both in public life and in the business world. Morocco was ranked 80 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. Corruption is rife throughout the economy. For example, Morocco's Central Authority for the Prevention of Corruption found that 30 percent of Moroccans had to pay a bribe to access medical and health services. Abdelaziz Adnane, head of the National Fund for Social Welfare Organizations, has been lauded for efforts to fight corruption in health care.

In the 2011 elections, the PJD ran on an anticorruption platform, though it has found it challenging to root out graft. One of the deepest structural impediments to reducing cor-



ruption is the king's own role in the economy; the king is the majority stakeholder in a vast array of private and public sector firms. According to *Forbes*, Mohammed VI's net worth in 2014 was estimated to be \$2.1 billion, making him one of the wealthiest people in Africa.

**CIVIL LIBERTIES: 27 / 60****D. Freedom of Expression and Belief: 8 / 16**

Although the independent press enjoys a significant degree of freedom when reporting on economic and social policies, the authorities use restrictive press laws and an array of financial and other, more subtle mechanisms to punish critical journalists, particularly those who focus on the king, his family, the status of Western Sahara, or Islam. The monarchy has instructed businesses not to buy ads in publications that have criticized the government.

The state dominates the broadcast media, but people have access to foreign satellite television channels. The authorities occasionally disrupt websites and internet platforms, while bloggers and other internet users are sometimes arrested for posting content that offends the monarchy.

Journalists are also subject to harassment. Mahmoud Lhaisan, a television journalist, was arrested in July 2014 following his reporting on police abuse amid the forced dispersal of Sahrawi demonstrators who had begun to call for independence during a rally after Algeria's loss in the World Cup.

In July, popular singer Mouad Belghouat, who raps under the name El Haqed ("The Enraged"), was sentenced to four months in prison and fined \$1,200. It was the third time he had been arrested since 2011. His 2011 song, "Stop the Silence," was a popular part of the February 20 Movement. In December, Morocco's Cinema Commission, part of the Ministry of Communications, banned the Hollywood film *Exodus* from theaters, citing Islam's prohibition on the depiction of God. Some members of the government criticized the ban, as did Morocco's vibrant association of filmmakers.

In October 2014 an anonymous hacker released a steady stream of confidential diplomatic cables on Twitter. The cables purportedly came from the General Directorate of Studies and Documentation (DGED), the powerful external intelligence agency. The leak roiled the capital until the end of the year. Hundreds of purportedly incriminating documents portrayed the Makhzen as bribing foreign journalists and diplomats to support Morocco's position on Western Sahara and to reveal tensions between Rabat and the UN Secretary-General's special envoy for the Western Sahara, Christopher Ross. While some of the documents include incriminating evidence, the lack of certainty about the identity and agenda of the leaker—and the apparent manipulation of some of the documents—raised questions about their veracity. Government officials have largely remained silent in response, although Foreign Minister Salaheddine Mezouar testified before the Parliament on December 11 that it was a campaign orchestrated by Algerian intelligence officials.

Nearly all Moroccans are Muslims. While the small Jewish community is permitted to practice its faith without government interference, Moroccan authorities are growing increasingly intolerant of social and religious diversity, as reflected in arrest campaigns against Shites, Muslim converts to Christianity, and those opposed to a law enforcing the Ramadan fast.

While university campuses generally provide a space for open discussion, professors practice self-censorship when dealing with sensitive topics like Western Sahara, the monarchy, and Islam.

**E. Associational and Organizational Rights: 6 / 12**

Freedom of assembly is not always respected, though frequent demonstrations by unemployed graduates and unions are generally tolerated. Although such protests often occur

without incident, activists say they are harassed outside of public events. The February 20 Movement was cited as illegal by a Casablanca judge in 2012.

Civil society and independent nongovernmental organizations are quite active, but the authorities monitor Islamist groups, arrest suspected extremists, and harass other groups that offend the government. Moroccan workers are permitted to form and join independent trade unions, and the 2004 labor law prevents employers from punishing workers who do so. However, the authorities have forcibly broken up labor actions that involve criticism of the government.

#### **F. Rule of Law: 6 / 16**

The judiciary is not independent of the palace, and the courts are regularly used to punish government opponents. Arbitrary arrest and torture still occur. The security forces are less supervised with detainees advocating independence for Western Sahara, leading to frequent reports of abuse and lack of due process. Police brutality and torture often go uninvestigated.

The government has continued to accept aid from the European Union to stop migrants at the northern border with Ceuta and Melilla, as well as to thwart passage across the Strait of Gibraltar and the passage to the Canary Islands. Efforts by migrants to storm the fences in Ceuta and Melilla continue apace. Human rights abuses are extensive against the transient population, and the European Union turns a blind eye to Moroccan officials' abuses.

The Moroccan LGBT (lesbian, gay, bisexual, and transgender) community faces harsh discrimination. Homosexuality is illegal, though it is generally tolerated in tourist areas. However, in September 2014, authorities arrested and jailed a 69-year old British tourist, Ray Cole, and his Moroccan partner, Jamal Wald Nass, in Marrakech. They were found guilty of "homosexual acts" and sentenced to four months in prison. Cole was released suddenly in October on health grounds, and Nass was released pending appeal.

Arab culture dominates in Morocco. The government has made some efforts to rectify past practice of Arabizing school curricula and society, though inequalities persist. The 2011 constitutional reforms made Berber an official language, and the Amazigh language and culture have been promoted in schools.

#### **G. Personal Autonomy and Individual Rights: 7 / 16**

Freedom of movement, employment, and education are guaranteed in Morocco, but poor economic conditions and corruption limit these freedoms in practice. Widespread bribery, nepotism, and misconduct within the educational sector constrain merit-based advancement.

Morocco ranked 71 out of 189 countries in the World Bank's 2015 *Doing Business* report and 89 out of 178 countries on the 2015 *Index of Economic Freedom*, indicating a mixed legal environment for the smooth operation of enterprise. Although starting a business is a relatively quick and simple process, regulatory and market hurdles create difficulties.

The majority of residents are employed as laborers, almost half in the agricultural sector. Nearly 50 percent of Morocco's land is held collectively by tribes, which allocate its use based on the needs of the community, while smallholders and a few larger agricultural outfits hold almost one-third. Most agricultural land is administered according to religious and customary law, which generally respects the ownership and use rights of its residents and laborers.

Women continue to face significant discrimination at the societal level. However, Moroccan authorities have a relatively progressive view on gender equality, which is recognized in the 2011 constitution. The 2004 family code has been lauded for granting women

increased rights in the areas of marriage, divorce, and child custody, and various other laws aim to protect women's interests. While some of the most egregious elements of Article 475 of the penal code, which had previously allowed for the exoneration of rapists who married their victims, were dismantled in January 2014, advocates still press for deeper reform of the legal code.

Child laborers, especially girls working as domestic helpers, are denied basic rights. In October, Parliament debated legislation concerning rural girls trafficked to cities by middlemen. Local NGOs are urging the establishment of a minimum working age of 18.

## Mozambique

**Political Rights Rating:** 4

**Population:** 25,059,000

**Civil Liberties Rating:** 3

**Capital:** Maputo

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,4,PF	3,4,PF	3,3,PF	3,3,PF	4,3,PF	4,3,PF	4,3,PF	4,3,PF	4,3,PF	4,3,PF

### INTRODUCTION

After months of political and armed tension between the opposition Mozambique National Resistance (RENAMO)—a former rebel movement—and the ruling Front for the Liberation of Mozambique (FRELIMO), RENAMO was able to activate at least one military front in each region of the country by January 2014, generating fear among the population and increased civilian deaths. However, after negotiations that restarted that month, in August 2014 they agreed to a cease-fire accord that put an end to the military hostilities and brought peace to Mozambique. The leaders of RENAMO and FRELIMO, Afonso Dhlakama and Armando Guebuza, signed the Peace Accord in September.

In October 2014, RENAMO and 29 other parties participated in elections that international observers deemed transparent and fair, despite some irregularities. Both RENAMO and the Democratic Movement of Mozambique (MDM) called for the annulment of the results. The National Elections Commission and the Constitutional Council denied MDM and RENAMO's claims, and the election results were announced at the end of December.

**POLITICAL RIGHTS:** 23 / 40

**A. Electoral Process:** 6 / 12

The president, who appoints the prime minister, is elected by popular vote for up to two five-year terms. Members of the 250-seat, unicameral Assembly of the Republic are also elected for five-year terms. The national government appoints the governors of the 10 provinces and Maputo. Despite the introduction of elected provincial assemblies and municipal governments, power remains highly centralized, particularly in the hands of the president.

In February 2014, RENAMO and FRELIMO agreed on the composition of the Technical Secretariat for Electoral Administration (STAE), the provincial and city election commissions, and the National Elections Commission. The latter would be comprised of

17 members: five from FRELIMO, two from RENAMO, one from MDM, three from civil society, one judge, and one lawyer. The same month, the National Assembly approved three election laws incorporating several of RENAMO's demands.

In August, the National Elections Commission distributed funds to the parties participating in the legislative and provincial elections and to the three presidential candidates: Filipe Nyusi, Afonso Dhlakama, and Daviz Simango. FRELIMO, RENAMO, and MDM were allocated approximately half of the budget made available. Eight presidential candidates that were excluded by the Constitutional Council, including the representatives of six small parties, accused the council of partiality.

After an intense campaign, international observers agreed that October 15 elections were free, transparent, and fair, despite the occurrence of a few incidents during the electoral campaign and the actual vote. The National Elections Commission recognized that the irregularities that occurred, including violent exchanges in Gaza and Nampula provinces, tarnished the electoral campaign but that the elections were otherwise free.

After the National Election Commission released the preliminary results—an absolute majority for FRELIMO in the assembly and a 57 percent presidential win for FRELIMO's Nyusi—RENAMO and MDM called on the Constitutional Council and the National Elections Commission to annul the elections. Both highlighted irregularities in the electoral process including discrepancies in the number of registered voters and the intervention of the police in Angoche and Nampula. Several civil society organizations also pointed to irregularities that could have compromised the final results. The National Elections Commission investigated the irregularities despite having announced the final results. EU monitors expressed concern about delays in the official and final vote tabulation. In November, the election commission voted against RENAMO's request for the annulment of the elections, alleging that the request was in violation of the law. On December 30, the National Elections Commission declared Nyusi the winner of the presidential election, and the Constitutional Council confirmed the victory. FRELIMO won 144 parliamentary seats, RENAMO took 89, and MDM won 17.

#### **B. Political Pluralism and Participation: 10 / 16**

FRELIMO, the political party that grew out of the former guerrilla group that had fought to win Mozambique's independence, is the only party to have held power nationally. Its unbroken incumbency has allowed it to acquire significant control over state institutions. Popular support for RENAMO—which fought FRELIMO in the 16-year civil war—and Dhlakama has dropped in recent years. MDM, which formed when certain RENAMO politicians broke with the party in 2009, has rapidly established itself as a viable political force.

The 2014 elections demonstrated that FRELIMO's historic predominance is eroding. At the provincial level, FRELIMO lost 219 seats and in some provinces RENAMO won decisively. In the National Assembly, FRELIMO lost 47 seats and its two-thirds majority. Meanwhile, both RENAMO and MDM increased their presence in the National Assembly.

In December 2014, outgoing president Guebuza promulgated a law approving the Special Statute of the Leader of the Second Party, which would grant RENAMO's leader a considerable say in the country's future governance.

Political parties are expressly prohibited from identifying exclusively with any religious or ethnic group.

#### **C. Functioning of Government: 7 / 12**

Corruption in government and business remains pervasive despite a 2012 anticorruption law and the delegation of new powers to the Central Office for Combating Corruption. Ob-

servers note that anticorruption measures are not followed through, and police and judicial bodies cannot enforce them as they are also often corrupt. For example, the members of the Consulting Council for Muembe district have been accused of receiving bribes to approve projects and access the seven million meticaís (\$200,000) allocated by the government to develop the district. At the national level, the Center for Public Integrity revealed a scheme of illegal automobile imports involving political parties, customs workers, importers, and middlemen. The parties say the cars were for its members and not for private use.

There are also some concerns regarding the role of President Guebuza in the allocation of oil and gas exploration blocks in Mozambique. Among other allegations, the president reportedly has pushed for the allocation of the Pemba Logistics Base to Orlean Investments, in which his daughter Valentina has a stake.

Mozambique was ranked 119 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

#### **CIVIL LIBERTIES: 35 / 60**

##### **D. Freedom of Expression and Belief: 12 / 16**

Press freedom is legally protected, but reporters are often pressured, threatened, and censored, in addition to practicing self-censorship. Mozambique has a government-run daily, *Noticias*, and the privately owned *Diário de Moçambique*. There is also a state news agency and a state radio and television broadcaster. Independent media include several weeklies and the daily *O País*, a number of radio stations, and news websites. However, the government persistently controls the media. While there are no official government restrictions on internet use, opposition leaders have claimed that government intelligence services monitor online exchanges.

Religious freedom is well respected. More than 749 religious denominations and 182 religious organizations are currently registered with the Ministry of Justice. Academic freedom is sometimes restricted. A Mozambique academic was questioned in May 2014 after he posted a comment on Facebook that criticized the president. A criminal case had been brought against him in 2013.

##### **E. Associational and Organizational Rights: 7 / 12**

Associational and organizational rights are broadly guaranteed, but with substantial regulations. By law, the right to assemble is subject to notification and timing restrictions, and in practice it is also subject to governmental discretion. In July 2014, the "March for Peace," organized by religious organizations and nongovernmental organizations (NGOs), brought thousands of people to the streets of Mozambique calling for an end to military and political tensions. Two days later, civil society representatives went to the National Assembly to ask for its help in restoring peace. NGOs operate openly but face bureaucratic hurdles in registering with the government, as required by law.

Workers have the right to form and join unions and to strike. In June the National Assembly approved the Law on Public Administration Unionization, which for the first time allows the establishment of unions in the public sector. The new law does not grant public sector workers the right to strike.

##### **F. Rule of Law: 7 / 16**

The National Assembly passed a new penal code in July 2014, despite criticism from the minister of justice, the attorney general, local civil society, and Amnesty International. After the assembly unanimously voted to overturn his veto, in December President Guebuza promulgated the code, which is set to come into force in early 2015.

Judicial independence remains limited due to scarce resources, poor training, a backlog of cases, corruption, and fear of violent retaliation. Minister of Justice Maria Benvinda Levi announced in May 2014 that her ministry is working toward improving the safety of judges. Her statement came two weeks after the brutal assassination of the head judge of the Criminal Investigation Section.

Of the 86 cases ruled on by the Supreme Court in 2013, more than half involved members of the National Assembly and people nominated by the president.

In 2014 the Human Rights Center of the Eduardo Mondlane University in partnership with the Mozambican Human Rights League produced a study on the current state of the prison population in five cities. The study highlighted the difficult conditions prisoners are facing, including being kept in prison for more time than the law authorizes, in part due to the slow processing of cases and the limited number of judges (about 300 judges for more than 22 million inhabitants). As a result, Mozambique's prisons are severely overcrowded. Although the government is trying to address this issue, progress is slow. Amnesty International condemned the use of excessive force by the police throughout 2014.

After a wave of kidnappings in 2013, the number of kidnappings decreased slightly to 42 in 2014. Meanwhile, the overall crime rate rose by 10.8 percent.

During the electoral campaign there were reports of police violence involving the Rapid Intervention Force and both RENAMO and FRELIMO supporters. Violent incidents involving FRELIMO and RENAMO were frequent in 2014. As part of the effort to reduce the tensions, President Guebuza promulgated an Amnesty Law that applies to all crimes committed against people and property in Mozambique linked to military confrontation between March 2012 and August 2014. Shortly thereafter, FRELIMO freed several RENAMO supporters from prison.

A key element of the September 2014 Peace Accord is the demilitarization, integration, and reinsertion of RENAMO militants. The government promised to create 300 posts in its armed forces for RENAMO men. The demilitarization process was set to start in November but was delayed by persistent disagreements between RENAMO and FRELIMO. For example, the government allocated \$10 million to the newly created Fund for Peace and National Reconciliation, a sum that RENAMO says will not cover the needs of the 600,000 people affected by the demilitarization (military plus their families).

Witch hunts continue to be a major problem in Mozambique, particularly in the south, where the elderly are murdered in high numbers after being accused of witchcraft. Police reportedly discriminate against minorities in the country, including Zimbabwean, Somali, and Chinese immigrants.

There are no explicit laws against same-sex sexual acts in Mozambique, and the 2014 Penal Code removes the offence of "vice against nature." Still, after seven years of attempting to obtain legal registration as an NGO, Mozambique's LGBT (lesbian, gay, bisexual, and transgender) rights group, LAMBDA, has yet to succeed. LAMBDA reports that LGBT people face social stigma and occasional violence. Many are afraid to take their cases to court.

#### **G. Personal Autonomy and Individual Rights: 9 / 16**

Movement within Mozambique is hampered by the presence of checkpoints manned by corrupt police officials, who often harass and demand bribes from travelers. Numerous examples of such incidents were reported throughout 2014. In late 2013, the government pledged to reduce the number of checkpoints, but little progress appears to have been made.

The law does not recognize private property; citizens obtain use rights to land from the government. Although this system is designed to provide secure access to land and property, it is plagued by logistical problems. Most citizens are uninformed about the land law and

fail to properly register their traditional holdings. The government must approve all formal transfers of use rights, an often opaque and protracted process. For these reasons, most land transactions occur on an extralegal market unsupervised by the state. A burdensome regulatory environment also constrains the establishment and operation of new businesses.

According to the first National Report on Business and Human Rights in Mozambique (2014), conducted by the Mozambican Human Rights League (LDH) and the Ministry of Justice, the majority of companies operating in the country do not respect the human rights principles set for businesses by the United Nations.

Mozambique has laws and national plans of action to reduce gender-based discrimination and violence against women, but offenses still occur. The new Penal Code has received mixed reviews from women's rights supporters: while it allows for abortion for the first time in Mozambique, it also allows a rapist to avoid punishment if he marries the victim. The latter provision was strongly opposed by civil society as well as government representatives and Attorney General Beatriz Buchili, the first woman to occupy this position.

Women's participation in politics is rising but still relatively small. While 29.6 percent of total candidates for the 2014 legislative elections were women, 97 percent of first-place holders in the party list were men and 87.2 percent of the top three spots were also held by men.

Children are particularly vulnerable to violence due to a fragile national child protection system and persistent impunity. NGOs are concerned that the new Penal Code violates children's rights in provisions on rape of minors, sexual acts, prior complaint, and the concealment of such crimes by family members. Nevertheless, according to the 2014 UNICEF Report on the Situation of Children in Mozambique, young children's lives are significantly better than their elders' were.

Human trafficking has been increasing, with Mozambicans taken to South Africa for sexual exploitation.

## Myanmar

**Political Rights Rating:** 6

**Population:** 53,719,000

**Civil Liberties Rating:** 6 ↓

**Capital:** Nay Pyi Taw

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Ratings Change:** Myanmar's civil liberties rating declined from 5 to 6 due to restrictions on media freedom, including the arrest and imprisonment of a number of journalists.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,6,NF	6,5,NF	6,5,NF	6,6,NF

### INTRODUCTION

Despite the efforts of the newly created Nationwide Ceasefire Coordination Team (NCCT), comprising representatives of 16 ethnic groups, political disagreements and clashes between the Myanmar armed forces and various ethnic armies continued to hamper the prospect of a nationwide cease-fire in 2014. Infringements on media freedoms persisted, including the arrest and imprisonment of journalists, as well as the death of one journalist

in military custody. The country also experienced intensifying rivalry between government and parliamentary officials in the lead-up to 2015 elections.

Deadly anti-Muslim violence and the spread of intolerance and hate speech continued. In a concession to growing anti-Muslim sentiment, President Thein Sein in December introduced a series of legislative proposals—dubbed the Protection of Race and Religion Bills—that would advance a Buddhist nationalist agenda.

**POLITICAL RIGHTS:** 9 / 40

**A. Electoral Process:** 3 / 12

Under the 2008 constitution, whose drafting was controlled by the military, the bicameral legislature consists of the 440-seat House of Representatives, or lower house, and the 224-seat House of Nationalities, or upper house. Both 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, an officer with broad powers who is selected by the military-dominated National Defense and Security Council (NDSC). The legislature elects the president. Military members have the right to nominate one of the three presidential candidates, and the elected members of each chamber nominate the other two.

Ahead of the first national elections under the new charter in 2010, which were neither free nor fair, the military leadership handpicked the election commission and wrote election laws designed to favor military-backed parties, leading the opposition National League for Democracy (NLD) to boycott the polls. There were many allegations of rigged “advanced voting” and other irregularities. The military-supported Union Solidarity and Development Party (USDP) captured 129 of the 168 elected seats in the upper house and 259 of 330 elected seats in the lower house. The USDP also secured 75 percent of the seats in the 14 state and regional assemblies. The Rakhine Nationalities Development Party (RNDP) and the Shan Nationalities Democracy Party (SNDP) earned the second-highest percentage of seats in the House of Nationalities and House of Representatives, respectively. The vote for ethnic minority parties would likely have been higher had balloting not been canceled in several minority-dominated areas due to ongoing fighting. The National Democratic Force (NDF), a breakaway faction of the NLD, won four seats in the upper house and eight in the lower.

In February 2011, the new parliament chose Prime Minister Thein Sein, who had retired from the military to register as a civilian candidate, as president. Outgoing military ruler Than Shwe officially retired but reportedly retained influence through his allies in the new government.

In April 2012 by-elections, the NLD won all 37 seats at stake in the lower house, with one seat going to party leader and longtime political prisoner Aung San Suu Kyi. In the upper house, the NLD captured four of six contested seats, with the other two going to the USDP and the SNDP. Voting was postponed in three constituencies in war-torn Kachin State.

In September 2014, the Union Election Commission canceled the by-elections scheduled for late that year, which would have filled 35 vacant seats in the parliament. It cited busy schedules and unnecessary costs for balloting that would not substantially change the balance of power in the legislature. The NLD supported the decision.

In November, the USDP voted successfully to change the electoral system for the upper house from its current majoritarian system to one based on proportional representation, despite the parliament speaker deeming a similar proposal for the lower house to be unconstitutional. The controversial reform appeared designed to secure USDP power against the increasing popularity of the NLD. For its part, the NLD collected some 5 million signatures in support of overturning the military’s *de facto* veto on constitutional amendments;



changes to the charter require a three-quarters parliamentary supermajority, and the military is given a quarter of the seats in each chamber. Removing this veto would presumably pave the way for amendments that would make Aung San Suu Kyi eligible to run for president. The constitution currently bars her candidacy because her children have foreign citizenship.

**B. Political Pluralism and Participation: 6 / 16**

The 2010 Political Parties Registration Law gave new political parties only 60 days to register for that year's elections, mandated that existing parties reregister, and required parties to expel any members serving prison terms. The 2012 by-elections had fewer restrictions on party organization and mobilization, with only sporadic reports of mild interference. Many parties, including the NLD, convened meetings and rallies throughout the country.

The government has allowed members of the parliament to speak about democratic rights since 2011. While the legislators' time to speak has often been severely limited, many of their speeches receive coverage in the domestic media, and legislators are not harassed for their remarks. Since winning a seat in the 2012 by-elections, Aung San Suu Kyi has gained political influence, though she is criticized for failing to strongly challenge incumbent interests or alter state policy.

The military retains considerable power over political affairs. Although the constitution established a parliament and a civilian president, it also entrenched military dominance and allows the military to dissolve the civilian government if it determines that the "disintegration of the Union or national solidarity" is at stake. The military has the right to administer its own affairs, and members of the former military government received blanket immunity for all official acts.

Minority groups face restrictions on their political rights and electoral opportunities. In March 2014, the parliament approved a bill amending the Political Parties Registration Law to prohibit residents without full citizenship from forming political parties or contesting elections. The measure effectively curbed political participation by ethnic Rohingyas, who were rendered stateless by a 1982 law and who lack full citizenship documents. During the 2014 census, in a direct violation of the policy of the UN Population Fund, census workers pressured ethnic Rohingyas to register as "Bengalis," which would suggest that they are migrants from Bangladesh. The vast majority of those who refused to identify as Bengalis were left uncounted, leaving them with little prospect of gaining political rights or recognition.

**C. Functioning of Government: 3 / 12**

Most of the parliament lacks electoral legitimacy, and the military remains a powerful force in policymaking, particularly through the nontransparent NDSC. The military budget is not publicly available, although there is some parliamentary scrutiny of military affairs.

Corruption is rampant at both the national and local levels. Myanmar was ranked 156 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. The budget process has become more open, but the government does not take significant steps to curb corruption. There are widespread allegations that the government's economic reforms benefit family members and associates of senior officials. For years the government has knowingly ignored tax evasion by the country's wealthiest companies and individuals. Official acknowledgement of tax evasion finally occurred in 2014, but the space for public debate of sensitive economic issues is still limited.

**Discretionary Political Rights Question B: -3 / 0**

The government has long used violence, displacement, and other tactics to alter the demographics of states with ethnic unrest or insurgencies. The Rohingyas in the state of Rakh-

ine have faced harsh restrictions for decades, including limits on family size and the ability and right to marry. Hundreds of Rohingyas remain imprisoned for dubious offenses such as marrying an unapproved spouse. Children born to unrecognized couples or beyond the two-child limit are often denied legal status and services. In September 2014, the government confirmed the approval of its Rakhine State Action Plan, which could leave thousands of Rohingyas in detention camps indefinitely due to their inability to produce documentation outlining their familial history in Myanmar.

**CIVIL LIBERTIES:** 16 / 60 (-1)

**D. Freedom of Expression and Belief:** 6 / 16 (-1)

Although the official censorship board was dissolved and private daily newspapers were authorized in 2012 for the first time since the 1960s, the country experienced notable backsliding on media freedom in 2014. In March, the president approved two new media laws that decriminalized basic journalistic practices. However, the laws included broadly worded stipulations on protecting “national security” and respecting religion and the rule of law in publishing.

The year’s worst violations of press freedom involved the arrest, conviction, and, in one case, death of journalists. In April, Zaw Pe of the Democratic Voice of Burma media group was convicted and imprisoned on charges of trespassing and disturbing a civil servant. In July, four reporters and the chief executive of the *Unity Weekly News* were sentenced to 10 years in prison and hard labor, later reduced to seven years, under the colonial-era Official Secrets Act for reporting on a possible chemical weapons facility. The October death in military custody of journalist Aung Kyaw Naing, also known as Par Gyi, as well as the lack of an effective investigation into the incident, underscored the precarious situation of journalists in the country.

Previous constraints on internet access have largely unraveled, though internet activity is still subject to criminal punishment under broadly worded legal provisions. Usage is currently limited mostly by bandwidth availability and the cost of service. In 2013 the penalties under the Electronic Transactions Law, which is routinely used to criminalize political activism on the internet, were reduced to fines or prison terms of 3 to 7 years (down from 7 to 15 years) for “any act detrimental to” state security, law and order, community peace and tranquility, national solidarity, the national economy, or national culture—including “receiving or sending” related information. Journalists and others face regular cyberattacks and attempts to infiltrate their e-mail accounts by both state and nonstate actors.

The 2008 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 have also discriminated against minority religious groups, refusing to grant them permission to hold gatherings and restricting educational activities, proselytizing, and construction of houses of worship.

Anti-Muslim riots and violence continue to spread. In January 2014, the United Nations reported that at least 48 Muslims were killed in a Buddhist-led massacre in Maungdaw Township, Rakhine State. In July, anti-Muslim riots in Mandalay left two people dead and led the government to impose a month-long curfew. Social media and some state institutions and mainstream news websites amplified racial and religious tensions. The 969 Movement, a loosely organized Buddhist group that agitates for the protection of Buddhist privileges, urged boycotts against Muslim-run businesses and disseminated anti-Muslim propaganda. It has also been accused of instigating violence, which political leaders have done little to stop; elements in the government and some of the more hard-line monks may be working toward the same ends. In December, Thein Sein introduced four draft laws, dubbed the Protection of Race and Religion Bills, with the aim of advancing a Buddhist nationalist policy agenda.

The proposals, which would restrict, among other things, interfaith marriages and religious conversion, were criticized as both antiwomen and anti-Muslim.

In September, the parliament approved a controversial education law that perpetuates the country's authoritarian approach to academic freedom and fails to uphold fundamental rights, including access to instruction in local languages and education for students with special needs and disabilities.

#### **E. Associational and Organizational Rights: 4 / 12**

Under the 2012 Peaceful Assembly and Peaceful Procession Law, organizing a demonstration without government permission is punishable with up to one year in prison. Authorities continue to use this law widely to arrest protesters. In December 2014, security forces shot and killed a woman during a protest against the expansion of a copper mine.

In July the president approved a new Association Registration Law, which features simple, voluntary registration procedures for local and international nongovernmental organizations (NGOs) and no restrictions or criminal punishments for noncompliance. Although the law was a positive development, its effectiveness would depend on implementing regulations that had not yet been passed at year's end, and several registration applications remained unapproved.

The government violates workers' rights, and independent trade unions, collective bargaining, and strikes are illegal. However, in recent years, garment workers have held strikes in Yangon with fewer repercussions than in the past.

#### **F. Rule of Law: 1 / 16**

The judiciary is not independent. Judges are appointed or approved by the government and adjudicate cases according to its decrees. Administrative detention laws allow individuals to be held without charge, trial, or access to legal counsel for up to five years if deemed a threat to state security or sovereignty. According to a report by the Assistance Association for Political Prisoners (Burma), 72 political prisoners were incarcerated as of November 2014, and 136 were awaiting trial.

A September 2014 report released by two local human rights organizations highlighted the lack of transparency of the government-sponsored Myanmar National Human Rights Commission, as well as its ineffectiveness in carrying out its mission. Some of the country's worst human rights abuses, commonly committed by government troops, are against ethnic minorities, especially the Kachin, Shan, Chin, Karen, and Rohingyas. The violence against Rohingyas and other Muslims that first erupted in May 2012 in Rakhine State has spread to cities across Myanmar. In just over two years, hundreds of people have been killed, thousands of residents displaced, and hundreds of properties, including religious sites, destroyed. Human rights experts have labeled the dire humanitarian conditions and the recurring systematic abuse faced by Rohingyas in particular as crimes against humanity. The government's failure to protect victims, conduct investigations, and punish perpetrators is well documented, although supporters of the anti-Muslim 969 Movement have also been linked to the violence through distribution of inflammatory materials just before outbreaks occurred.

Also during the year, the government continued to hold meetings with the NCCT to resolve its conflicts with armed ethnic minority groups, but an agreement regarding federalism and adherence to the 2008 constitution remained elusive. Discussions are further hampered by persistent fighting in conflict regions, including an artillery attack by the military near Laiza, Kachin State, that resulted in the deaths of 23 Kachin cadets in November.

A number of laws create a hostile legal environment for LGBT (lesbian, gay, bisexual, and transgender) people. Same-sex sexual conduct is criminalized, and police subject LGBT people to harassment, extortion, and physical and sexual abuse.

**G. Personal Autonomy and Individual Rights: 5 / 16**

Freedom of internal travel is generally respected outside of conflict zones. Numerous exiled activists who returned to the country have experienced substantial delays and evasion from government authorities when attempting to renew visas and residency permits, despite the president's call for exiles to return to work for the country's development. Illegal toll collection by state and nonstate actors has been a problem, most recently on a stretch of highway linking Thailand with Yangon.

Contentious disputes over land grabbing and business projects that violate human rights continued in 2014. Instances of forced eviction and displacement, lack of sufficient compensation, and direct violence by state security officials abound. As of October, less than 5 percent of more than 6,500 complaints dealing with land rights had been settled by government officials at the state and regional levels. More than 75 percent of nearly 3,000 complaints brought to the Defense Ministry, which deals with the vast land holdings claimed by the military, remain unaddressed.

Women of some classes have traditionally enjoyed high social and economic status, but women remain underrepresented in the government and civil service. Notwithstanding the prominence of Aung San Suu Kyi, whose father led Myanmar's independence struggle, few women have achieved recognition in politics. There are complaints that the government and armed ethnic groups fail to allow women's participation in peace negotiations. Laws protecting women from violence and exploitation are insufficient. Domestic violence and human trafficking are concerns, and women and girls in displacement or refugee camps are at a higher risk of sexual violence and exploitation by traffickers.

Growing anti-Muslim sentiment has affected the women's rights movement. In 2014, after a group of Buddhist women activists, part of a coalition of 97 civil society organizations, denounced laws that unfairly target Muslims, they received threats to their lives and safety. The government continues to tolerate and presumably direct the army's use of rape as a weapon of war against ethnic minority women. In July, the authorities arrested, imprisoned, and fined a group of Chin women activists for protesting the military's use of rape.

Child labor is endemic in Myanmar. The United Nations estimates that one-third of children ages 7 to 16 are working due to poverty and conflict. To address international concerns and improve childhood development, the government in July 2014 announced plans for a policy to end child labor. Various commercial and other interests continue to use forced labor despite a formal ban on the practice since 2000.

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## Namibia

**Political Rights Rating:** 2**Population:** 2,348,000**Civil Liberties Rating:** 2**Capital:** Windhoek**Freedom Rating:** 2.0**Freedom Status:** Free**Electoral Democracy:** Yes**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

**INTRODUCTION**

Namibians went to the polls in November 2014 in Africa's first electronic vote. The South West Africa People's Organization (SWAPO) won in a field of 16 political parties. In an unsurprising victory, Hage Geingob replaced Hifikepunye Pohamba as president.

The Third Constitutional Amendment Bill, passed in August 2014, comprised 40 alterations to the constitution. Notable changes included the size of the legislature, new president-appointed members of parliament, limits on the National Council's power to review certain bills, and granting of power to the president to appoint the head of the intelligence agency. SWAPO was criticized for rushing passage of the new law, which was seen to be in its favor given its dominant position in politics, in advance of the elections.

**POLITICAL RIGHTS: 30 / 40****A. Electoral Process: 10 / 12**

In October 2014, the Third Constitutional Amendment was passed, increasing the number of members in Namibia's bicameral legislature by 40 percent. The amendment also introduced the post of vice president and granted the ruling party the ability to appoint regional governors. The National Council will be comprised of 42 seats (from 26), with members appointed by regional councils for six-year terms; as of the 2014 elections, the National Assembly is comprised of 96 seats (from 72), filled by popular election for five-year terms using party-list proportional representation. The new amendment also allows the president to appoint 8 nonvoting members to the National Assembly. The president, who is directly elected for a five-year term (and eligible for a second term), also appoints the prime minister and cabinet.

In the 2010 National Council elections, SWAPO won 24 of 26 seats. The November 2014 National Assembly and presidential elections were considered free and fair despite some controversy surrounding the electronic voting systems. This was in stark contrast to the 2009 elections, in which numerous procedural concerns were raised. SWAPO won 80 percent of the vote, giving it 77 National Assembly seats. The closest opposition, the Democratic Turnhalle Alliance of Namibia (DTA), won 4.8 percent of the vote for 5 seats, and eight additional parties won the remaining seats. Then prime minister Geingob defeated eight rivals for the presidency, winning 87 percent of the vote.

In June, SWAPO initiated a lawsuit against nine opposition parties to recover its expenses from a legal challenge they had filed against the results of the 2009 elections; the Supreme Court had dismissed the legal challenge in 2012.

Before the 2014 elections, SWAPO launched a "zebra" system, in which the party committed to including one man and one woman as minister and deputy in each ministry, and to strive to make the National Assembly 50 percent female.

**B. Political Pluralism and Participation: 11 / 16**

SWAPO has dominated the political landscape since Namibia gained independence in 1990. Opposition parties include the Rally for Democracy and Progress (RDP), the Congress of Democrats, the DTA, and the United Democratic Front. Since SWAPO dissidents formed the RDP in 2007, SWAPO members have harassed and intimidated its supporters and occasionally disrupt RDP rallies. These problems have subsided somewhat in recent years.

Signaling greater political inclusion, Geingob—who is from the minority Damara community—is the first Namibian president who does not hail from the Oshiwambo-speaking majority.

**C. Functioning of Government:** 9 / 12

Although Pohamba made efforts to curb corruption, corruption by government officials remains a problem, and investigations of major cases proceed slowly. According to Ernst and Young's 2014 Namibian Fraud and Corruption Landscape Survey, 79 percent of businesses viewed fraud and corruption as a risk to their business. The Anti-Corruption Commission has considerable autonomy, reporting only to the National Assembly, though it lacks prosecutorial authority. Despite the fact that cases of corruption are regularly reported in the media, prosecution is often hampered by lack of evidence. Namibia was ranked 55 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index, and retained sixth place out of 52 countries evaluated in the 2014 Ibrahim Index of African Governance.

SWAPO's dominance of the political space has resulted in a conflation between party and state, further hampering anticorruption efforts. Officials regularly refer to the "SWAPO Party Government."

There is no access to information law in Namibia, despite prior government pledges to introduce the law and a strong civil society campaign backing it. The government often errs on the side of secrecy and confidentiality in matters of governance. The Third Constitutional Amendment was passed without public consultation; Geingob stated that the mandate for the changes was given when SWAPO won the 2009 elections.

**CIVIL LIBERTIES:** 46 / 60**D. Freedom of Expression and Belief:** 14 / 16

The constitution guarantees free speech, and Namibia's media generally enjoy an open environment. Many private publications and websites are critical of the government. However, government and party leaders at times issue harsh criticism and even threats against the independent press, usually in the wake of unflattering stories.

While many insist that the state-owned Namibian Broadcasting Corporation (NBC) is free to criticize the government, concerns have increased about excessive government influence over programming and personnel. In August 2014, a SWAPO member of the National Council forced his way into a radio station and verbally and physically attacked the producer, accusing her of being an opposition supporter and asserting that the station belonged to SWAPO. Despite a call for action to be taken against the councilor, the party had not done so by the end of 2014.

The 2009 Communications Act allows the government to monitor telephone calls, e-mail, and internet usage without a warrant. Use of the internet is not restricted; infrastructure limits penetration to about 15 percent.

Freedom of religion is guaranteed and respected in practice. The government has in the past been accused of pressuring academics to withhold criticism of SWAPO, but there were no such reports in 2014.

**E. Associational and Organizational Rights:** 12 / 12

Freedoms of assembly and association are guaranteed by law and permitted in practice, except in situations of national emergency. In a rare case of violence during a protest, Frieda Ndatipo was shot and killed during a clash between police and the children of fallen independence fighters. Human rights groups generally operate without interference, though government ministers have threatened and harassed nongovernmental organizations and their leadership in the past. Civil society coalesced under the banner of the "My Constitution, My Decision" pressure group in 2014 to oppose the proposed Third Constitutional Amendment.

Constitutionally guaranteed union rights are respected. However, 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. The main umbrella union, the National Union of Namibian Workers, is affiliated with SWAPO and played a role in selecting the new party leaders.

**F. Rule of Law:** 11 / 16

The constitution provides for an independent judiciary, and the separation of powers is observed in practice. Access to justice, however, is obstructed by economic and geographic barriers, a shortage of public defenders, and delays caused by a lack of capacity in the court system, especially at lower levels. Traditional courts in rural areas have often ignored constitutional procedures, although legislation to create greater uniformity in traditional court operations and better connect them to the formal judicial system was implemented in 2009. The 2014 constitutional amendment provided for the creation of tribunals to investigate misconduct of judges and the prosecutor-general.

Allegations of police brutality persist. A 2014 trial involving three police officers accused of killing a 17-year-old in 2013 was postponed until 2015. Conditions in prisons are improving, though overcrowding in certain facilities remains a problem.

Secessionist fighting in Namibia's Caprivi region between 1998 and 1999 led some 2,400 refugees to flee to neighboring Botswana. Treason trials for more than 100 alleged secessionists began in 2003. The case against 65 defendants in the High Court is still pending.

Minority ethnic groups have claimed that the government favors the majority Ovambo—which dominates SWAPO—in allocating funding and services. Attempts to allow equal rights to the San indigenous group are progressing gradually. After a series of land invasions, in 2013 the police inspector general ordered settlers without a certificate from the communal land board to vacate land traditionally occupied by the !Kung—a community of San—in Namibia's western Tsumkwe region. The order was issued after the UN Special Rapporteur on the Rights of Indigenous Peoples called for Namibia to boost efforts to protect the San from marginalization on their land.

A colonial-era law criminalizes sodomy, and in 2004 Namibia repealed a law against employment discrimination based on sexual orientation. However, in 2014 the director of Out-Right Namibia, an LGBT rights group, stated that no law explicitly makes homosexuality illegal and that LGBT individuals facing persecution in Uganda should be able to seek asylum in Namibia.

**G. Personal Autonomy and Individual Rights:** 9 / 16

The government respects constitutionally guaranteed rights to freedom of movement, foreign travel, emigration, and repatriation. The small white minority owns just under half of Namibia's arable land, and redistribution of property has been slow despite efforts to accelerate the process.

Women continue to face discrimination in customary law and other traditional societal practices. In November 2014, the Namibian Supreme Court upheld a ruling against health-care workers who had coerced three HIV-positive women to undergo sterilization. Since the case was filed in 2009, dozens of women have come forward with stories of forced sterilization. Widows and orphans have been stripped of their land, livestock, and other assets in rural areas. Lack of awareness of legal rights as well as informal practices have undermined the success of legal changes. Violence against women, including sexual violence, is reportedly widespread, and rights groups have criticized the government's failure to enforce the

country's progressive domestic violence laws. In the 2014 elections, women won 43 seats in the National Assembly, up from 19 seats in the 2009 elections. Women currently hold six seats in the National Council. UNAIDS estimated Namibia's HIV infection rate at 14 percent of the population in 2013—much lower than its southern African neighbors.

According to the U.S. State Department's 2014 Trafficking in Persons Report, Namibia remains a source, transit, and destination country for human trafficking for forced labor and prostitution. Namibia was placed on the Tier 2 Watch List for the third consecutive year due to its failure to take legal action against offenders and continued reluctance to acknowledge the country's role in addressing this issue.

## Nauru

**Political Rights Rating:** 1

**Population:** 10,860

**Civil Liberties Rating:** 2 ↓

**Capital:** Yaren

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Ratings Change:** Nauru's civil liberties rating declined from 1 to 2 due to government attempts to limit freedom of expression among foreign journalists and opposition figures, as well as the dismissal of judicial officials who refused the government's push to try asylum seekers charged with rioting at a detention center in 2013.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,2,F

### INTRODUCTION

Nauru continued to face international scrutiny in 2014 because of poor conditions in the detention center it hosts for migrants seeking asylum in Australia. The government of Nauru implemented a hike in fees for journalist visas in January, a move that officials later admitted was a response to negative reporting on the issue by foreign outlets.

In January, officials targeted several Australian nationals—including prominent members of Nauru's judiciary, a former media advisor, and a business owner—with seemingly arbitrary applications of immigration law. The resident magistrate and Supreme Court registrar was dismissed and deported, and the chief justice of the Supreme Court was banned from reentry into Nauru after he attempted to intervene in the former case. In May and June, a total of five opposition legislators were suspended from Parliament after protesting the government's actions and speaking to the foreign media about the incidents.

**POLITICAL RIGHTS:** 37 / 40 (-1)

**A. Electoral Process:** 12 / 12

Nauru is an electoral democracy. The 19-member unicameral Parliament is popularly elected from eight constituencies for three-year terms. Parliament chooses the president and vice president from among its members.

Intense political rivalries and the use of no-confidence votes have been a source of political instability. Several changes of government occurred between 2007 and 2011, the



shortest lasting only days. In May 2013, Parliament was dissolved after lack of a quorum forced adjournment of two consecutive sessions. Following general elections in June, Parliament elected Baron Waqa to the office of the president.

**B. Political Pluralism and Participation:** 16 / 16

Although political parties are allowed, most candidates for public office run as independents. Political parties include the Nauru First Party, the Democratic Party, and the Center Party. Alliances frequently shift.

**C. Functioning of Government:** 9 / 12 (-1)

Corruption is a serious problem in Nauru. In 2011, the country's president resigned amid allegations that he had accepted bribes from an Australian phosphate company.

A number of opposition legislators condemned the government's use of immigration law in January 2014 to deport or deny reentry to prominent Australian nationals. Some legislators voiced concerns that the justice minister and the president were interfering with judicial independence. By June, five opposition parliamentarians were suspended, allegedly for unruly behavior and speaking to foreign media. Their appeal to the Supreme Court to overturn the suspensions was dismissed in December.

**CIVIL LIBERTIES:** 51 / 60 (-3)

**D. Freedom of Expression and Belief:** 14 / 16 (-1)

There is access to several local weekly and monthly publications, and foreign dailies, mostly in English, are also available. The government publishes occasional bulletins, and the opposition publishes its own newsletters. Radio Nauru and Nauru TV, which are owned and operated by the government, broadcast content from Australia, New Zealand, and other countries.

In January 2014, Nauru announced an increase in visa application fees for foreign journalists from A\$200 (US\$180) to A\$8,000 (US\$7,300). The government initially announced that the hike was needed to raise revenue, but the interior minister later admitted that the move was a reaction to negative reporting by international outlets on conditions at the detention center for asylum seekers. By November, no foreign journalist had applied for a visa.

The constitution provides for the freedom of religion, which the government generally respects in practice. There were no reports of suppression of academic freedom in 2014.

**E. Associational and Organizational Rights:** 11 / 12

The government generally respects freedoms of assembly and association. There are several advocacy groups for women, as well as development-focused and religious organizations. There are no trade unions or labor protection laws, partly because there is little large-scale, private employment.

**F. Rule of Law:** 12 / 16 (-2)

The Supreme Court is the highest authority on constitutional issues. Appeals in civil and criminal cases can be lodged with the high court of Australia. Traditional reconciliation mechanisms rather are frequently used instead of the formal legal process.

A number of events compromised the functioning of the judiciary in 2014. In January 2014, resident magistrate and Supreme Court registrar Peter Law was dismissed from his positions and deported from Nauru by government order. Supreme Court Chief Justice

Geoffrey Eames issued an injunction against the deportation order, but his efforts were ignored by authorities. Eames was subsequently denied reentry into Nauru when attempting to return from travel. Both men are Australian nationals.

Some reports indicated that the men were dismissed because of misconduct, while other claimed that the government's actions were politically motivated. Eames and Law had resisted government influence on judicial process in Nauru's detention center for migrants seeking asylum in Australia. A number of asylum seekers were scheduled to face trial in 2014 for their involvement in riots that took place at the facility in 2013. The government had requested that trials take place in the detention center, rather than in an open court. Nauru's solicitor general resigned in protest after the incidents, while local and international watchdogs voiced concern for judicial independence and integrity.

In late January 2014, the government deported two more Australian nationals, a former state media advisor and a business owner, based on allegations of intervention in domestic affairs. The justice minister ordered the deportations after a late night session of Parliament, in which legislators amended the Immigration Act to allow the justice minister to sign deportation orders.

Civilian authorities control Nauru's small police force. There have been reported cases of abuse in the past. Nauru has no armed forces; Australia provides defense assistance under an informal agreement.

Nauru is host to a detention facility for migrants seeking asylum in Australia. Critics continued to condemn the harsh living conditions at the facility in 2014, in addition to long processing delays by Australian authorities. The first group of individuals received refugee status in May 2014, while more than 1,000 more cases remained in processing at year's end.

In April 2014, a UN inspector reported being denied access to the detention center. Officials from the United Nations have criticized the Nauru government for failing to establish an independent tribunal to investigate claims of human rights abuses at the detention center. Human rights groups have cited instances of self-harm at the detention center and reported that children are at significant risk of sexual abuse.

In 2011, Nauru pledged to decriminalize same-sex sexual activity. As of the end of 2014, assault "with intent to have carnal knowledge of him or her against the order of nature" remains a criminal offense liable to 14 years of hard labor.

#### **G. Personal Autonomy and Individual Rights: 14 / 16**

Economic conditions in Nauru are dire. The mining of phosphate, which has been the country's main source of revenue, is in decline. Mining has also left the majority of the island nation uninhabitable. There are few alternative resources, and the country also faces threats from rising sea levels and climate change. Nauru relies heavily on foreign loans and international assistance, as well as payments from Australia connected to the processing facility for asylum seekers. In March 2014, the government announced the creation of an internationally managed trust fund with contributions from Nauru and foreign donors to help secure the country's financial future.

Societal pressures limit women's ability to exercise their legal rights. In 2014, Jane Elizabeth Hamilton-White, a former barrister in Australia, became the first woman to sit on the Nauruan Supreme Court. Domestic violence is frequently associated with alcohol abuse.

# Nepal

**Political Rights Rating:** 3↑

**Population:** 27,140,000

**Civil Liberties Rating:** 4

**Capital:** Kathmandu

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Ratings change:** Nepal's political rights rating improved from 4 to 3 due to the functioning of a stable government following 2013 elections, and significant progress by the main political parties toward the completion of a draft constitution.

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,PF	5,4,PF	5,4,NF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	3,4,PF

## INTRODUCTION

The second Nepalese Constituent Assembly (CA), whose members were elected at the end of 2013, assumed power in 2014, becoming the country's first elected government since the failure and dissolution of the first CA in 2012. Operating as Nepal's interim parliament and charged with forming the country's new constitution, the CA moved forward in 2014 with noteworthy support from the Unified Communist Party of Nepal (the Maoists), which after losing heavily in the elections had initially threatened not to participate. Even so, progress toward crafting a new constitution remained unfinished at year's end, and the CA appeared on track to miss its January 2015 deadline, leaving Nepal with an interim constitution. Supporters of various political parties continued to engage in violence at times.

In international relations, Prime Minister Narendra Modi became the first Indian head of government to visit Nepal in 17 years in an effort to strengthen bilateral ties and compete for influence with China, which has become increasingly important in Nepal in recent years. India offered \$1 billion in conditional assistance to Nepal.

Nepal passed a controversial law on transitional justice for combatants and victims of its civil war, despite heavy criticism by human rights groups and initial rejection by the Supreme Court. After the law was passed, the Supreme Court heard a new petition against it.

**POLITICAL RIGHTS:** 23 / 40 (+1)

**A. Electoral Process:** 8 / 12

Nepal is operating under a 2007 interim constitution created to transition the country from a constitutional monarchy to a republic following the end of a decade-long civil war between the government and Maoist rebels. The interim constitution calls for a 601-seat Constituent Assembly, tasked with drafting a new constitution and governing the country as an interim legislature. Members are elected through a mixed system of direct vote (240 seats), proportional representation (335 seats), and appointments by the cabinet (26 seats). Both the president and the prime minister are elected by a majority of the CA.

The first CA, elected in 2008, repeatedly extended its initial two-year mandate. In 2012, when it had still not passed a permanent constitution, it was forced to dissolve, leaving government in the hands of a caretaker administration until elections for the second CA in 2013.

International monitors found the November 2013 CA elections to be generally free and fair, despite violent incidents and bomb attacks in the preelection period. Turnout reached

a record 78 percent. Some Maoist leaders alleged that fraud had been committed during the election, a contention disputed by all international monitors. The coalition of the Nepali Congress (NC) and the Communist Party of Nepal–Unified Marxist-Leninist (UML) dominated the results, with 196 and 175 seats, respectively. The Maoists placed third with 80 seats, followed by more than two dozen smaller parties.

The Maoist opposition initially refused to take part in the newly elected CA, threatening a return to violence. In response to public and international pressure, however, the party agreed to join in late 2013 and to participate in promulgating the constitution.

The 2014 constitution drafting process made more headway than in the previous two years, but drafters continue to grapple to design a federalist structure representative of the 125 ethnic groups in Nepal. The CA remains challenged by a lack of statesmanship on the part of Nepali leaders, but the fact that former rivals have not returned to arms is also notable. The Maoists' allies continue to target supporters of other political parties with violent attacks, strikes, and boycotts, but there were fewer incidents in 2014 than in previous years.

In August, the Maoists and their allies tried to prevent several sessions of the legislature from functioning, in protest of what they claimed were attempts to trample minority rights in drafting of the permanent constitution. The legislature was unable to operate on several days that month, but it functioned relatively normally during the remainder of the year.

#### **B. Political Pluralism and Participation:** 11 / 16

A diverse and competitive array of political parties operates in Nepal, though the political system suffers from considerable instability. Prior to the 2013 elections, Nepal experienced growing extremism, including attacks by armed gangs linked to the Maoist party on members of other parties and on people who allegedly informed on the Maoists during the civil war. The 2013 election, which resulted in two parties dominating the CA, reduced instability. The Maoists' decision to join the constitution drafting process resulted in fewer attacks on members of other parties in 2014.

Roughly a third of the seats in the CA are reserved for women through quotas in the party-list voting, and substantial allocations are also made for Madhesis, Dalits, and other minority groups. One of the biggest challenges to drafting the new constitution is agreeing to what extent subnational units (provinces) should be based on ethnic identity versus geographic regions.

#### **C. Functioning of Government:** 5 / 12 (+1)

The second CA, elected at the end of 2013, assumed power in 2014, becoming the country's first functioning elected government since a series of unstable, short-lived, or caretaker governments following the 2008 elections. A cabinet was formed in early 2014, allowing Nepal to achieve greater stability in economic affairs, foreign policy, and other areas. Despite promises to complete a new constitution by year's end, however, the goal seemed far off. The NC also faced public criticism for being slow to nominate officials for lower government service posts.

Corruption is endemic in Nepali politics and government. Nepal's Commission for the Investigation of Abuse of Authority (CIAA), which combats graft, is active, but high-level officials are rarely prosecuted. Many lawmakers have been accused or convicted of corruption in the past. Graft is particularly prevalent in the judiciary, with frequent payoffs to judges for favorable rulings, and in the police force, which has been accused of extensive involvement in organized crime. In August 2014, the CIAA raided the offices of the Kathmandu Metropolitan Municipality Office, one of the first instances of taking on officials

in the capital. In Transparency International's 2014 Corruption Perceptions Index, Nepal ranked 126 of 175 countries and territories.

**CIVIL LIBERTIES: 27 / 60****D. Freedom of Expression and Belief: 9 / 16**

The interim constitution provides for press freedom and specifically prohibits censorship, though these rules can be suspended in cases of national emergency. In practice, media workers frequently face physical attacks, death threats, and harassment by armed groups, security personnel, and political cadres, and the perpetrators typically go unpunished. There are a variety of independent radio and print outlets, and internet usage and internet media have grown, providing unprecedented access to information and public space for debate. The Maoist party's loss in the 2013 elections reduced its sway over radio and print media in 2014. Still, in 2014 Maoist groups repeatedly tried to block the publication of several leading newspapers that they viewed as unflattering in their coverage of their party. In December, the five Maoist insurgents arrested for the high-profile and brutal 2004 killing of Radio Nepal journalist Dekendra Thapa were convicted, though each were sentenced to two years or less in prison.

The interim constitution identifies Nepal as a secular state, signaling a break with the Hindu monarchy that was toppled as part of the resolution of the civil war in 2006 (it was formally abolished in 2008). Religious tolerance is broadly practiced, but proselytizing is prohibited, and members of some religious minorities occasionally report official harassment. Christian groups face considerable difficulty registering as religious organizations, leaving them unable to own land.

The government does not restrict academic freedom, and much scholarly activity takes place freely, including on political topics. However, Maoist strikes have repeatedly threatened the school system. Minorities, including Hindi- and Urdu-speaking Madhesi groups, have complained that Nepali is enforced as the language of education in government schools.

Nepali security forces reportedly have spied on Tibetans inside Nepal and passed information back to Chinese intelligence.

**E. Associational and Organizational Rights: 6 / 12**

Freedom of assembly is guaranteed under the interim constitution. While security forces have allowed large protests by Maoists and other political parties, Tibetan protests have been violently suppressed in recent years. In certain cases, authorities have detained Tibetan and Nepali monks and pressured them to sign pledges not to participate in future demonstrations.

Nongovernmental organizations (NGOs) played an active role in the movement to restore democracy in the mid-2000s, and restrictions on NGO activity imposed by the king toward the end of his rule have been lifted. However, groups working on Tibetan issues report increasing intimidation by security forces and pressure to leave the country.

Labor laws provide for the freedom to bargain collectively, and unions generally operate without state interference. Workers in a broad range of "essential" industries cannot stage strikes, and 60 percent of a union's membership must vote in favor of a strike for it to be legal. Several unions linked to the Maoists have been accused of using violence to threaten employers and government officials to comply with union demands during bargaining processes. In April 2014, a high-profile work stoppage by the Sherpas who assist expeditions on Mount Everest highlighted the poor labor conditions amid Nepal's multimillion-dollar trekking industry. The work stoppage came after an avalanche on Mount Everest killed 13 Sherpas.

**F. Rule of Law: 5 / 16**

The constitution provides for an independent judiciary, but most courts suffer from endemic corruption, and many Nepalese have only limited access to justice. Because of heavy case backlogs and a slow appeals process, suspects are frequently kept in pretrial detention for periods longer than any sentences they would face if tried and convicted.

Prison conditions are poor, with overcrowding and inadequate sanitation and medical care. The government has generally refused to conduct thorough investigations or take serious disciplinary measures against police officers accused of brutality or torture. The UN Committee Against Torture has found that torture is widespread for suspects in police custody. Amnesty International has reported that torture extends to women and children.

Human rights advocates have criticized Nepal for failing to punish human rights abuses and war crimes committed during the decade-long civil war, a shortcoming due in part to a weak judiciary and a prevailing climate of impunity. In January 2014, the Nepali Supreme Court ruled the Ordinance on Truth, Reconciliation and Disappearances bill, Nepal's legislation for enacting transitional justice, as unconstitutional and in violation of international human rights law. Nevertheless, the legislature passed the law without significant changes. The law grants the Commission of Inquiry on Enforced Disappearances power to recommend amnesty for all alleged perpetrators of disappearances committed during the civil war. The truth and reconciliation commission set out by the law remained unformed at the end of the year, a failure that human rights and judicial watchdogs widely condemned. Nepal's National Human Rights Commission (a largely toothless organization) issued a report in August urging the government to take stronger action against people involved in killings and disappearances during the civil war period.

The South Asia Terrorism Portal reported no fatalities due to Maoist activity in 2013 and 2014.

A 2007 civil service law reserves 45 percent of posts for women, minorities, and Dalits, but their representation in state institutions remains inadequate, particularly at the highest levels of government. Members of the Hindu upper castes continue to dominate government and business, and low-caste Hindus, ethnic minorities, and Christians face discrimination in the civil service and courts. Despite constitutional protections and the 2012 Caste-Based Discrimination and Untouchability (Offense and Punishment) Act—which prohibits discrimination against Dalits and increases punishments for public officials found responsible for discrimination—Dalits continue to be subjected to exploitation, violence, and social exclusion.

Madhesis—plains-dwelling people with close connections to groups across the border in India—comprise 35 to 50 percent of Nepal's population. They are underrepresented in politics, receive comparatively little economic support from the government, and are often discriminated against socially and in the labor market.

In 2007, the Supreme Court ordered the government to abolish all laws that discriminate against LGBT (lesbian, gay, bisexual, and transgender) people, and in 2008 it gave its consent to same-sex marriage. The government has yet to implement these rulings, though citizens can now obtain third-gender identity documents. LGBT people reportedly face harassment by the authorities and other citizens, particularly in rural areas.

According to a March 2014 Human Rights Watch report, Tibetans in Nepal face difficulty achieving formal refugee status due to Chinese pressure on the Nepalese government. The report found that NGOs working on Tibetan issues are under mounting pressure from the Nepali government, on behalf of Beijing, to repatriate Tibetan refugees to China before they can register with UN officials in Kathmandu or transit to India. Nepali forces have also increasingly monitored the northern border, stopped Tibetan refugees, and sent them immediately back to China.

**G. Personal Autonomy and Individual Rights: 7 / 16**

Citizens generally enjoy freedom to travel throughout Nepal, though Tibetan migrants are frequently harassed by police and prevented from moving around the country. Citizens also generally enjoy choice of residence, though bribery is common in the housing market, as well as in obtaining places in universities.

Although citizens have the right to own private businesses, starting a business in Nepal often involves paying off a wide range of local and national-level officials. Licensing and other red tape can be extremely onerous, and the World Bank ranks Nepal 108 out of 189 economies in its *Doing Business 2015* report. Women face widespread discrimination to start businesses in Nepal, and customs and border police are notoriously corrupt in dealing with cross-border trade.

Women rarely receive the same educational and employment opportunities as men, and gender-based violence against women such as domestic violence, rape, and dowry violence continue to be major problems. The 2009 Domestic Violence Act provides for monetary compensation and psychological treatment for victims, but authorities generally do not prosecute domestic violence cases. The National Women's Commission charged with providing reparations to women subjected to gender-based violence has also been severely criticized for failure to implement its mandate and for politicized distribution of resources. Trafficking of young women from Nepal for prostitution in India is common. According to some estimates, between 12,000 to 15,000 girls are trafficked across the India-Nepal border each year. Police rarely intervene in the kidnappings. Underage marriage of girls is widespread, particularly among lower-status groups. Human Rights Watch has reported that kidnapping gangs have become rampant in recent years, abducting children to obtain small ransoms.

Bonded labor is illegal but remains a serious problem throughout Nepal. The legal minimum age for employment is 14 years, but 1.6 million underage children, more girls than boys, are believed to be engaged in various forms of labor, often under hazardous conditions.

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## Netherlands

**Political Rights Rating:** 1

**Population:** 16,852,000

**Civil Liberties Rating:** 1

**Capital:** Amsterdam

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

In May 2014 European Parliament elections in the Netherlands, the far-right Party for Freedom (PVV), known for its anti-immigration and anti-European Union (EU) views, unexpectedly finished in third place, behind pro-EU parties. The PVV, led by anti-Islam populist Geert Wilders, had dropped in the polls before the elections, after Wilders in a

March speech vowed to see to it that there would be “fewer Moroccans” in the country. In December, prosecutors said he would face criminal charges for those remarks.

**POLITICAL RIGHTS:** 40 / 40

**A. Electoral Process:** 12 / 12

The Netherlands is governed under a parliamentary system. The monarchy is largely ceremonial; its residual political role of mediating coalition talks on government formation was eliminated in 2012. The monarch appoints the prime minister, usually the leader of the majority party or coalition, as well as the Council of Ministers (cabinet) and the governor of each province on the recommendation of the majority in parliament. The 150-member lower house, or Second Chamber, is elected every four years by proportional representation. The 75-member upper house, or First Chamber, is elected for four-year terms by the country’s provincial councils, which in turn are directly elected every four years.

General elections were held in September 2012 after the government collapsed in April. Prime Minister Mark Rutte led his center-right People’s Party for Freedom and Democracy (VVD) to first place, winning 41 seats, while the center-left Labor Party (PvdA) took 38 seats. The two parties then formed a coalition government. The PVV dropped to 15 seats, from 24.

Mayors are appointed from a list of candidates submitted by the municipal councils, which are directly elected every four years. Foreigners residing in the country for five years or more are eligible to vote in local elections. Aruba and the Netherlands Antilles have had voting rights in European Parliament elections since 2009.

**B. Political Pluralism and Participation:** 16 / 16

Political parties operate freely, and there are regular rotations of power in the country’s multiparty system. Right-wing parties with anti-immigration and Euroskeptic platforms have enjoyed some popularity over the past decade, though they have remained out of government. The ruling coalition that stepped down in late 2012 relied on external support from the PVV. After leading in the polls for months, the PVV took just 13.2 percent of the vote in the May 2014 European Parliament elections, down from 17 percent in the previous European elections in 2009, and the party ended up with four seats, down from five. Wilders had previously announced plans to form a bloc with other European far-right parties, including the French National Front and the Austrian Freedom Party.

**C. Functioning of Government:** 12 / 12

The country has few problems with political corruption. The Netherlands was ranked 8 out of 175 countries and territories surveyed in Transparency International’s 2014 Corruption Perceptions Index. In 2013, the Organisation for Economic Co-operation and Development (OECD) issued a report warning that the Netherlands was failing to adequately enforce laws against bribery by Dutch individuals and companies doing business abroad. In May 2014, Gerrit Schotte, the first prime minister of Curaçao since it became an autonomous constituent country of the Kingdom of the Netherlands in 2010, was detained for a week on suspicion of money laundering and forgery.

**CIVIL LIBERTIES:** 59 / 60

**D. Freedom of Expression and Belief:** 16 / 16

The news media are free and independent. The 1881 lèse majesté laws restricting defamation of the monarch are rarely enforced. The government does not restrict access to online



media, though users and website operators can be punished for content deemed to incite discrimination. In January 2014, a Dutch appeals court overturned a lower court's 2011 order that required internet service providers to block access to the website Pirate's Bay, which served as a hub for the sharing of materials including music and movies in violation of copyright. The appeals court found that the ban had been ineffective and in fact led to greater use of illegal downloading services.

The constitution guarantees freedom of religion, and the Netherlands has long been known as a tolerant society. However, rising anti-immigrant sentiment in recent years has been accompanied by more open expression of anti-Islamic views. Members of the country's Muslim community have encountered increased hostility, including harassment and verbal abuse, as well as vandalism and arson attacks on mosques. Meanwhile, high-profile critics of Islam have faced threats of violence. In 2011, PVV leader Geert Wilders was acquitted on charges of discrimination and inciting hatred of Muslims through his editorials and his film *Fitna*. The court ruled that Wilders' comments were part of public debate and were not a direct call for violence. In December 2014, after an investigation of Wilders's anti-Moroccan remarks during the March campaign rally, prosecutors said he would be charged with "insulting a specific group based on race and inciting discrimination and hatred."

The government requires all imams and other spiritual leaders recruited from Muslim countries to take a one-year integration course before practicing in the Netherlands. In 2011, the cabinet introduced a ban on clothing that covers the face, imposing a maximum fine of €380 (\$460) for the first violation. However, the measure did not come to a vote in parliament and was shelved after the PVV-backed government fell in 2012. The VVD-PvdA coalition agreement of 2012 also called for a ban on such clothing in public settings, including schools, hospitals, public transportation, and government buildings, and for withholding social security benefits from people who wore the garments, but it has not been enacted.

In August 2014, police in the Netherlands and Germany arrested three Dutch citizens on charges of recruiting for fighters for the Islamic State militant group in Iraq and Syria and inciting hatred on the internet. Police had previously arrested nine others on similar charges during a 16-month investigation. Between 100 and 200 Dutch citizens have reportedly traveled to those two countries to fight for the Islamic State. The Dutch cabinet announced new policies to curb Islamic extremism in August, including revoking the citizenship of those who travel abroad to fight as jihadists.

Religious organizations that provide educational facilities can receive subsidies from the government. The government does not restrict academic freedom or private discussion.

#### **E. Associational and Organizational Rights: 12 / 12**

Freedoms of assembly and association are respected in law and in practice. National and international human rights organizations operate freely without government intervention. Workers have the right to organize, bargain collectively, and strike.

#### **F. Rule of Law: 15 / 16**

The judiciary is independent, and the rule of law prevails in civil and criminal matters. The police are under civilian control, and prison conditions meet international standards.

The population is generally treated equally under the law, although human rights groups have criticized the country's asylum policies for being unduly harsh and violating international standards. The Justice Ministry in December 2014 reported that the number of people seeking asylum in the Netherlands had risen to about 25,000 that year, from 14,400 in 2013.

In a decision released in November 2014, the Council of Europe told the Netherlands that the government had an obligation as a signatory to the European Social Charter to pro-

vide everyone living in the country with shelter, health care, food, and clothing, including failed asylum seekers who refused to be deported. In December, a group of UN human rights experts issued a call to the Netherlands to provide emergency aid to “homeless irregular migrants.” In May 2014, a court in Darmstadt, Germany, had ruled that a Somali asylum seeker could not be deported to the Netherlands, which had rejected his request for asylum, because he could be subject to “inhumane treatment” there. The court said the Netherlands did not allow asylum seekers to work and stopped providing them with food and shelter if their applications were rejected.

#### G. Personal Autonomy and Individual Rights: 16 / 16

Residents of the Netherlands generally enjoy freedom of movement and choice of residence, employment, and institution of higher education. Property rights are upheld by the country’s impartial courts.

The government has vigorously enforced legal protections for women, including in employment and family law. Women held 58 of the 150 seats in the lower house of parliament after the 2012 elections, and 26 of 75 seats in the upper chamber.

Dutch laws protect LGBT (lesbian, gay, bisexual, and transgender) people from discrimination and violence. The Netherlands was the first country in the world to legalize same-sex marriage, in 2001.

The Netherlands is a destination and transit point for human trafficking, particularly in women and girls for sexual exploitation. A 2005 law expanded the legal definition of trafficking to include forced labor, and increased the maximum penalty for convicted offenders. Prostitution is legal and regulated in the Netherlands, though links between prostitution and organized crime have been reported.

## New Zealand

**Political Rights Rating:** 1

**Population:** 4,292,000

**Civil Liberties Rating:** 1

**Capital:** Wellington

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

#### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

#### INTRODUCTION

Prime Minister John Key and his National Party were elected to a third term in general elections on September 20, 2014. Soon afterward, Key pledged to hold a national referendum in 2015 to change the New Zealand flag—a campaign promise—to better reflect the country’s unique identity while maintaining ties to the British Commonwealth.

**POLITICAL RIGHTS:** 39 / 40

**A. Electoral Process:** 12 / 12

The unicameral House of Representatives has 121 members with three-year terms. A mixed-member electoral system combines voting in geographic districts with proportional

representation balloting. The prime minister, the head of government, is leader of the majority party or coalition and is appointed by the governor-general, the ceremonial head of state representing the British monarch. Jerry Mateparae, a former military chief and head of the intelligence agency, has served as governor-general since 2011. He is the second Maori to hold this post.

Prime Minister John Key led the New Zealand National Party to a third term in September 2014 general elections, winning 60 parliamentary seats. Small parties in the National-led coalition provided additional seats for Key to lead with a solid majority. The New Zealand Labor Party won just 32 seats (down from 34 in the 2011 general elections). The Green Party took just 14 seats, and New Zealand First took 11; smaller parties won the remaining 4 seats. The Internet-Mana Party launched by Kim Dotcom, a German national with permanent residency in New Zealand who is fighting against extradition to the United States for online piracy, stirred public attention, though it failed to win seats.

In 2013, the government supported a constitutional review of its “unwritten” constitution—a collection of laws and statutes rather than single written document—to examine issues including Maori representation in parliament and social, economic, and cultural rights in the 1990 Bill of Rights Act. A 12-member advisory panel produced a final report at the end of 2013. Two key recommendations were that the government should “actively support a continuing conversation about the constitution” and develop a national strategy for civics and citizenship education in schools and in the community. The government accepted the bulk of the more than 150 recommendations.

#### **B. Political Pluralism and Participation:** 15 / 16

The two main political parties are the center-left Labor Party and the center-right National Party. Smaller parties include the Maori Party, the New Zealand First Party, and the United Future Party. Seven of the parliament’s constituency seats are reserved for the native Maori population. The Maori Party, the country’s first ethnic party, was formed in 2004 to advance Maori rights and interests.

#### **C. Functioning of Government:** 12 / 12

New Zealand is one of the least corrupt countries in the world. It was ranked 2 out of 175 countries and territories surveyed in Transparency International’s 2014 Corruption Perceptions Index. However, scandals involving political donations from migrant Chinese businessmen have hurt the government’s image. In May 2014, Minister Maurice Williamson resigned amid allegations of intervention in a domestic violence case involving a Chinese businessman who had made political contributions. In another case, donations were made to the National Party by a Chinese firm, one of whose board members is the husband of the Justice Minister.

#### **CIVIL LIBERTIES:** 58 / 60

#### **D. Freedom of Expression and Belief:** 16 / 16

The media are free and competitive. Newspapers are published nationally and locally in English, and in other languages for the growing immigrant population. Television outlets include the state-run Television New Zealand, three private channels, and a Maori-language public network. There is also a Maori-language radio station. The government does not control or restrict internet access, and competitive pricing promotes large-scale diffusion.

Freedom of religion is protected by law and respected in practice. Only religious organizations that collect donations need to register with the government. Academic freedom prevails at all levels of instruction.

The Government Communications Security Bureau—New Zealand’s main intelligence agency—reported increased surveillance of phone and electronic communications in 2014. The body received authorization in 2013 to collect data on residents and citizens, including by monitoring their communications. Surveillance was previously limited to those with no right of residency. Advocates say that surveillance helps the police, military, and intelligence community to deal with individuals like Kim Dotcom, who is charged with online piracy and money laundering. Opponents of the increased surveillance powers say the law violates individual privacy and civil rights.

**E. Associational and Organizational Rights:** 12 / 12

The government respects freedoms of assembly and association. A number of demonstrations, including on political and economic issues, took place in 2014 without undue interference from state actors. Nongovernmental organizations are active throughout the country, and many receive considerable financial support from the government. The 2001 Employment Relations Act allows workers to organize, strike, and bargain collectively, with the exception of uniformed personnel. There are numerous trade unions and many are affiliated with the Council of Trade Unions. Union membership overall is declining, estimated at 16 percent of the labor force in 2014.

**F. Rule of Law:** 15 / 16

The judiciary is independent. Prison conditions generally meet international standards. Allegations of discrimination against the Maori, who make up more than half of the prison population, persist. The police are learning to better deal with an increasingly racially and culturally diverse population and are looking to recruit more Maori and Pacific Islanders to join the force.

Approximately 15 percent of the country’s population identify themselves as Maori. Although no laws explicitly discriminate against the Maori and their living standards have generally improved, most Maori and other Pacific Islanders continue to lag behind the European-descended majority in social and economic status. The Maori population has become more assertive in its claims for land, resources, and compensation from the government, including rights to fisheries, water, and minerals.

The government generally takes steps to be considerate of indigenous cultures and ways. The 2014 Te Urewera Act recognized the Te Urewera National Park as a legal entity, in line with the views of the Tuhoe tribe. It also established a Tuhoe-chaired board tasked with the governing of the land, with four members appointed by the conservation minister and four Tuhoe-appointed members. This followed a historic 2013 agreement in which the government granted the Tuhoe greater control of Te Urewera, as well as \$170 million for financial, commercial, and cultural redress. The government had previously agreed to compensate eight tribes for grievances over land seizures and other breaches.

A more open immigration policy and an end to preferential treatment for migrants from Europe in the past two decades are fundamentally changing the face of the country. According to the 2013 census, one in four residents is foreign born; for the first time, immigrants from Asia exceed the number from Europe. In August 2014, a family from Tuvalu was granted citizenship on claims of threat from climate change if they return to their home country. This was the first successful claim for residency in New Zealand on humanitarian grounds associated with climate change.

**G. Personal Autonomy and Individual Rights:** 15 / 16

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.

The country's legal and regulatory frameworks provide strong protections and mechanisms for the establishment and operation of private businesses, which are widely free from government interference.

Violence against women and children remains a problem, particularly among the Maori and Pacific Islander populations. One lawmaker in 2013 claimed Pacific Island girls as young as 13 are engaged in prostitution. Some had run away from home; others see it as an attractive way to make money. Many governmental and nongovernmental programs work to prevent domestic violence and support victims, with special programs for the Maori community.

Discrimination based on sexual orientation—including in employment—is prohibited by law, and the country has strong legislation protecting the rights of LGBT (lesbian, gay, bisexual, and transgender) individuals. Same-sex marriage was legalized in 2013, and same-sex couples can jointly adopt children.

## Nicaragua

**Political Rights Rating:** 4

**Population:** 6,226,000

**Civil Liberties Rating:** 3

**Capital:** Managua

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
<b>Rating</b>	3,3,PF	3,3,PF	3,3,PF	4,3,PF	4,4,PF	4,4,PF	5,4,PF	5,4,PF	4,3,PF	4,3,PF

### INTRODUCTION

Constitutional reforms first introduced in late 2013 became law in February 2014. The 97 amendments to Nicaragua's constitution covered a wide variety of issues, ranging from the definition of the country's borders to account for a recent International Court of Justice ruling, to the establishment of rights to participatory democracy, including referendums. Most of the attention, however, has focused on electoral reforms and powers granted to the president. The legislative dominance of the Sandinista National Liberation Front (FSLN) enabled it to pass the amendments, which critics argue are intended to consolidate the party's control over governmental institutions.

Concerns about the lack of transparency and consultation over a transoceanic canal across Nicaragua grew as the project broke ground in late December 2014. Despite these controversies, popular support for President Daniel Ortega remained high, while the opposition withered.

**POLITICAL RIGHTS:** 19 / 40

**A. Electoral Process:** 6 / 12

The constitution provides for a directly elected president and 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. Presidential and legislative elections are both held every five years. Constitutional reforms that went into effect in 2014 eliminated the minimum vote percentage required to win a first-round presidential victory—

formerly 35 percent—provided the top candidate leads by at least five percentage points. Presidents will now be elected with a simple plurality of the vote. The reforms also mandate that half of all candidates for elected office be women.

President Daniel Ortega was reelected in November 2011 following a series of contentious preelectoral developments. Ortega, who had been banned from seeking reelection under a constitutional provision limiting the president to two nonconsecutive terms, petitioned the Supreme Court in 2009 to allow reelection on the basis that the ban was not in line with the original constitution. The Sandinista-controlled court ruled in favor of Ortega and FSLN mayors who were also parties to the suit. Although the ruling did not amend the constitution, a new law passed in 2014 has eliminated presidential term limits.

Ortega won the presidential election in November 2011 with almost 63 percent of the vote, followed by Fabio Gadea Mantilla of the Nicaraguan Unity for Hope (UNE) coalition with 31 percent and former president Arnaldo Alemán of the Conservative Party–Liberal Constitutionalist Party (PLC) alliance with almost 6 percent. In the legislative elections, the FSLN won 63 seats in the National Assembly, followed by the Independent Liberal Party (PLI) with 27 and the PLC with 2. Although international observation teams noted irregularities and a lack of transparency, there was no conclusive evidence of fraud. Observers did, however, report issues with the distribution of voting cards and the voter registry, as well as difficulty accessing polling places and concerns about the composition of electoral boards. Both Gadea and Alemán denounced the outcome of the election and refused to recognize the results. Several protesters were killed and dozens of police officers were injured in postelection violence between supporters of the government and the opposition.

In May 2012, the National Assembly approved numerous changes to the municipal electoral law, including a provision allowing mayors to run for reelection and instating a requirement that half of each party's candidates for mayor and council seats be women. In municipal elections held in November 2012, opposition parties and observer groups noted irregularities in the electoral process, including outdated voter rosters, the presence of "phantom" parties and candidates, voters being turned away at the polls, and repeat voters.

Nicaragua's North Atlantic Autonomous Region (RAAN) and South Atlantic Autonomous Region (RAAS) have regional councils, for which elections were held in March 2014. The FSLN won 52 percent of the votes in RAAN, followed by YATAMA with 21 percent, the PLI with 19 percent, and the PLC with 4 percent. In the RAAS, the FSLN garnered 48 percent of the vote, followed by the PLC with 19 percent, the PLI with 17 percent, YATAMA with 7 percent, and the PIM with 3 percent. YATAMA supporters organized a few minor protests following the vote.

## **B. Political Pluralism and Participation: 7 / 16**

The formerly dominant PLC has experienced a sharp decline in support since 1999, while support for the FSLN has increased. Public opinion polls consistently reveal a high level of support for Ortega and the FSLN. In May 2014, a poll found that combined support for all opposition parties was less than 10 percent.

The FSLN's majority in the National Assembly enables it to pass laws without requiring support from opposition parties. In 2013, opposition leaders in the National Assembly and several social movements formed UNIR as an anti-FSLN alliance. The group pledged to fight the "Ortega dictatorship" and to work together to promote popular participation and develop an agenda for the nation. In August 2014, the PLI and PLC signed a pact in hopes of launching a unified opposition for the 2016 elections. As a result of the 2014 constitutional reforms, legislators who do not vote with their party may lose their seats in the legislature.

Minority groups, especially the indigenous inhabitants of Nicaragua's eastern and Caribbean regions, frequently complain that they are politically underrepresented and that the government and the FSLN largely ignore their grievances.

**C. Functioning of Government: 6 / 12**

In January 2010, Ortega decreed that appointed officials could remain in their posts until the National Assembly selects replacements, even if that occurs after the end of their terms. The struggle over these appointments sent Nicaragua into a political crisis that year, as members of the National Assembly were unable to achieve the majority necessary to select replacements. In keeping with Ortega's decree, many officials remained in their posts after their terms expired in June 2010. The issue was finally resolved in April 2014, when elections were held for officials with expired terms. The National Assembly elected 54 officials in total, including Supreme Court justices, members of the Supreme Electoral Council, and others in high ranks.

Several of the 2014 constitutional reforms could potentially have a direct impact on the functioning of the government. These include the ability of the president to issue binding decrees or to appoint active military personnel to executive-level positions previously designated for civilians, and to direct changes in tax policy without legislative approval.

Nicaragua was ranked 133 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. While still problematic, according to a recent Latin American Public Opinion Project (LAPOP) study, in 2014 Nicaragua had the lowest incidence of petty corruption in Central America after El Salvador, with approximately 15 percent of the population reporting that they were victims of corruption. Corruption charges against high-ranking government officials are still rare except in the most egregious cases, and corruption cases against opposition figures are often criticized for being politically motivated.

The 2007 Law on Access to Public Information requires public entities and private companies doing business with the state to disclose certain information. However, it preserves the government's right to protect information related to state security. Concerns about the transparency of aid from the Venezuela-led Bolivarian Alliance for the Peoples of Our America, of which Nicaragua is a member, persisted in 2014.

The public consultation process leading up to the initial passage of the constitutional changes in 2013 represented a modest improvement on the government's previous practices, though independent observers and members of the opposition noted a number of flaws. Significant concerns have also been raised over the lack of transparency and consultation in the proposed interoceanic canal across Nicaragua, which was approved quickly and with little public debate. Environmental studies detailing the human and environmental toll have been kept from the public.

**CIVIL LIBERTIES: 35 / 60****D. Freedom of Expression and Belief: 12 / 16**

The constitution calls for a free press but allows some censorship. Radio remains the main source of information. Six television networks, including a state-owned network, are based in the capital, many of which favor particular political factions. Three national newspapers cover a variety of political viewpoints, though coverage is polarized. The Communications and Citizenry Council, which oversees the government's press relations and is directed by First Lady Rosario Murillo, has been accused of limiting access to information and censoring the opposition. Access to the internet is unrestricted.

The press has faced increased political and judicial harassment since 2007, and the Ortega administration engages in systematic efforts to obstruct and discredit media critics.

Journalists, including several reporters with the newspaper *El Nuevo Diario*, have received death threats. A reported 60 journalists participated in a July 2014 protest in which they demanded improved police protection from threats issued by FSLN sympathizers. Canal 12 cameraman Xavier Castro and Canal 2 reporter Edgardo Trejos were both attacked outside of government buildings in July. Members of the ruling elite have acquired stakes in media outlets and have used their influence as owners to sideline independent journalists.

Religious and academic freedoms are generally respected, although some university-level academics refrain from open criticism of the government.

#### **E. Associational and Organizational Rights: 6 / 12**

Nicaraguan law recognizes freedoms of assembly and association, but in practice the observation of these rights has been problematic. While public demonstrations are generally permitted, members of the opposition have accused the police of failing to protect demonstrators and of engaging in partisan behavior. Gangs with tacit government support have reportedly attacked antigovernment protesters. In December 2014, numerous protesters in the proposed canal zone were injured and arrested during altercations with police officers, some of whom were also harmed in the protests. Human rights groups have claimed that some protesters were beaten or otherwise mistreated while in police custody.

Although nongovernmental organizations are active, they have faced harassment and occasional violence in recent years. They have also been weakened by the system of Citizens' Power Councils (CPCs), which operate from the neighborhood to the federal level. The CPCs were established by the Ortega administration in 2007 to promote direct democracy and participation in the government's Zero Hunger food-production project, but critics say they blur the line between state and party institutions, and that they are highly politicized.

The FSLN controls many of the country's labor unions, and the legal rights of non-FSLN unions are not fully guaranteed. Although the law recognizes the right to strike, unions must clear a number of hurdles, and 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: 7 / 16**

The judiciary remains dominated by FSLN and PLC appointees, and the Supreme Court is a largely politicized body controlled by Sandinista judges. The court system also suffers from corruption, long delays, a large backlog of cases, and a severe shortage of public defenders. Access to justice is especially deficient in rural areas and on the Caribbean coast.

Despite long-term improvements, the security forces remain understaffed and poorly funded, and human rights abuses still occur. Forced confessions and arbitrary arrests are problems. Although Nicaragua has generally been spared the high rates of crime and gang violence that plague its neighbors to the north, the country—specifically the Caribbean coast—is an important transshipment point for South American drugs. The police have been active in combating trafficking and organized crime.

Prison conditions are poor and overcrowding is a problem. In 2014 the Nicaraguan government used more than \$6 million of seized drug money to open three new prison facilities.

January 2014 changes to the military code gave the army a role in internal security at the discretion of the president, further concentrating power under the executive. In June, the legislature passed a new law that restructured the National Police, allowing the president to appoint and extend the terms of the body's director, extending service eligibility,



and permitting members of the National Police to engage in political campaigning and political party activity.

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 RAAN and the RAAS. In 2012, the Nicaraguan constitution was translated into Miskito and Mayangna, the languages most commonly spoken in these areas.

Same-sex marriage and civil unions remain barred in Nicaragua, and the country's LGBT (lesbian, gay, bisexual, and transgender) population is subject to intermittent threats and discriminatory treatment. In 2014, the National Assembly adopted a Family Code that defines "family" as a union between a man and a woman. A resolution approved in August 2014 prohibits discrimination in health service provision based on sexual identity, though few steps have been taken toward implementation.

### **G. Personal Autonomy and Individual Rights: 10 / 16**

Governmental and nonstate actors generally respect travel, residence, and employment choices. Property rights are protected on paper but can be tenuous in practice. Titles are often contested, and individuals with connections to the FSLN may enjoy an advantage during property disputes. The 2013 canal deal prompted critics to worry that the highly favorable terms would lead to unfair land confiscations and evictions. In August 2014, property owners in the proposed canal zone complained that they felt intimidated, sometimes with violence, by surveyors accompanied by army and police. Indigenous groups and farmers have raised concerns that they would be negatively impacted by the proposed canal.

In 2014, Nicaragua was ranked 6 out of 142 countries surveyed in the World Economic Forum's *Global Gender Gap Report*, indicating that its gender-based disparities are among the smallest in the world. However, violence against women and children, including sexual and domestic abuse, remains widespread and underreported; 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. The legislation—which codified femicide as a crime—also establishes sentencing guidelines for physical and psychological abuses against women. Opponents of the law claimed that its prohibition on mediation between female victims and their abusers was unconstitutional. Religious officials also expressed concern that the bill would lead to the disintegration of the family. In 2013, the Supreme Court ruled that the law was constitutional, but sent a proposal to the National Assembly that the law be amended to allow mediation. The National Assembly passed the reforms despite concerns from rights groups. In July 2014, the executive branch published regulations for the law, which clarified that femicide occurs when there is a relationship between the perpetrator and the victim.

Abortion is illegal and punishable by imprisonment, even when performed to save the mother's life or in cases of rape or incest. Scores of deaths stemming from the ban have been reported in recent years.

Human trafficking is a significant issue in Nicaragua, which serves as a source country for women and children forced into prostitution. A 2010 law classifies human trafficking as a form of organized crime. As of 2014, Nicaragua remained a Tier 1 country in the U.S. State Department's *Trafficking in Persons Report*, which stated that trafficking remains pervasive despite laudable law enforcement efforts to reduce the practice. The report also noted that efforts to combat human trafficking were more feeble on the Atlantic Coast, where institutions are weaker and crime is more prevalent.

# Niger

**Political Rights Rating:** 3

**Population:** 18,156,000

**Civil Liberties Rating:** 4

**Capital:** Niamey

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	3,3,PF	3,4,PF	3,4,PF	5,4,PF	5,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF

## INTRODUCTION

The situation in Northern Niger became increasingly dangerous in 2014, as militants have moved more frequently along the country's borders with Mali and Libya and Nigeria's Boko Haram moved its base close to the Niger border. On October 3, nine Nigerien peacekeepers were ambushed in Mali, but President Mahamadou Issoufou stated that his troops will continue to stay in the country. On October 9, the French army attacked a convoy of Al-Qaeda in the Islamic Maghreb (AQIM) militants in Niger delivering weapons to Mali, and arrested some of its fighters. Attacks on October 31 near a camp for Malian refugees resulted in the deaths of nine Nigerien policemen. On November 19, another attack on Niger's western border with Mali led to gunfight with the Nigerien army.

In June 2014, an arrest warrant was issued for Niger's parliamentary speaker and leading opposition figure Hama Amadou, for suspicion of participation in child trafficking. As many as 20 people, including high-level officials and Amadou's wife, were arrested in the case. Amadou fled the country in August and maintains that charges against him are politically motivated. He had turned against president Issoufou in 2013.

Already one of the world's poorest countries, Niger has been ravaged by extreme food shortages since a 2009 drought. In addition, 1,300 cases of cholera in 2014 have resulted in more than 51 deaths, while health workers issued a warning of a malaria outbreak in September. Niger is still home to about 50,000 Malian refugees, as well as 12,000 Nigerians who more recently have fled the incursion of Boko Haram into their villages.

**POLITICAL RIGHTS:** 26 / 40

**A. Electoral Process:** 9 / 12

A 2010 military coup that removed increasingly authoritarian president Mamadou Tandja from power led to the adoption of a new constitution that year. Drafted in broad consultation with civil society, the charter reinstated executive term limits, curbed executive power, and provided amnesty for the coup leaders. Under the constitution, the president is elected by popular vote for up to two five-year terms. Members of the 113-seat, unicameral National Assembly, who also serve five-year terms, are elected through party-list voting in eight multimember regional constituencies and eight single-member constituencies reserved for ethnic minorities.

Presidential, legislative, and municipal elections were held in January 2011 to replace the transitional government established by the junta and restore civilian rule. The junta forbade its members and representatives of the transitional government from running for office. The Party for Democracy and Socialism (PNDS), headed by Issoufou, won 37 legislative seats. The pro-Tandja National Movement for a Developing Society (MNSD)—headed by former prime minister Seini Oumarou—placed second with 26 seats, while

former prime minister Hama Amadou's Nigerien Democratic Movement for an African Federation took 25. Five smaller parties divided the remainder. In the first round of the presidential election, Issoufou and Oumarou emerged as the top two candidates; Issoufou then claimed victory with 58 percent of the vote in a March runoff election. Both the presidential and legislative elections were declared free and fair by international observers, despite minor irregularities. The PNDS and MNSD won the majority of positions across the country in local elections.

**B. Political Pluralism and Participation: 10 / 16**

After the 2010 military coup, Amadou returned from exile, three former legislators were released from jail, and there was a decrease in harassment of opposition politicians. Since assuming power in 2011, Issoufou has appointed former opponents and members of civil society to high positions in government to foster inclusivity, and a reshuffling of the government in 2013 continued this pattern, though it left most key posts in the hands of Issoufou's allies.

The constitution reserves eight special constituency seats to ensure ethnic minorities' representation in the National Assembly. Such minorities, including the nomadic population, continue to have poor access to government services. Under a 2002 quota system, political parties must allocate 10 percent of their elected positions to women.

**C. Functioning of Government: 7 / 12**

Corruption remains a serious problem in Niger, and observers have raised concerns regarding uranium-mining contracts. However, the 2010 constitution provides for greater transparency in government reporting of revenues from the extractive industries as well as for the declaration of personal assets by government officials, including the president. In 2011, the government created the High Authority to Combat Corruption and opened an anti-corruption hotline. In the same year, Issoufou was the target of a foiled assassination attempt thought to be motivated by his crackdowns on corruption in the military.

In October 2014, former President Tandja was stripped of his legal immunity and charged with corruption, as authorities began investigating the disappearance of nearly 400 billion francs (\$800 million) of public money that Tandja had claimed were in the state treasury when he was overthrown. Transparency is weakly enforced. Niger was ranked 103 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES: 30 / 60****D. Freedom of Expression and Belief: 11 / 16**

In 2010, the National Assembly adopted a new press law that eliminated prison terms for media offenses and reduced the threat of libel cases that journalists had faced under Tandja. In 2011, Issoufou became the first head of state to sign the Table Mountain Declaration, which calls on African governments to promote press freedom. The media are largely allowed to publish political facts and critiques without interference, but journalists still sometimes face police violence while covering protests. Journalists are also prosecuted for libel in some instances. In January 2014, four journalists were detained by police without charge but released within days; the authorities had accused the journalists of defamation, false accusation, and "appeals to hatred and violence." Justice Minister Marou Amadou declared the detentions justified, stating that the government would not tolerate "calls to insurrection, hatred, or a coup." The government does not restrict internet use, though less than 2 percent of the population has access.

Freedom of religion is generally respected in this overwhelmingly Muslim country. In the aftermath of the 2010 coup, both Muslim and Christian leaders worked with the junta to restore peace and democracy. Academic freedom is guaranteed but not always observed in practice.

**E. Associational and Organizational Rights: 8 / 12**

Constitutional guarantees of freedoms of assembly and association are largely upheld. However, police sometimes used force to break up labor and other protests during 2014, including protests in July calling for greater transparency with regards to uranium-mining contracts with French firm Areva. The government does not restrict the operations of non-governmental organizations (NGOs), though a lack of security in the north prevents such groups from accessing or functioning in the region. While the constitution and other laws guarantee workers the right to join unions and bargain for wages, over 95 percent of the workforce is employed in subsistence agriculture and small trading.

**F. Rule of Law: 5 / 16**

The constitution provides for an independent judiciary, and courts have shown some autonomy in the past, though the judicial system has at times been subject to executive interference. The Ministry of Justice supervises public prosecutors, and the president has the power to appoint judges. Judicial corruption is fueled partly by low salaries and inadequate training. Prolonged pretrial detention is common, and police forces are underfunded and poorly trained. Prisons are characterized by overcrowding and poor health conditions.

Insecurity continues to plague many parts of the country, and several people have been kidnapped by groups such as AQIM. In October, French forces, in coordination with the Nigerien government, intercepted and destroyed an AQIM convoy in northern Niger that was transporting weapons from Libya to Mali.

The crisis in neighboring Mali led to an influx in 2012 of some 60,000 Malian refugees, of whom 50,000 remained in Niger in 2014, as well as 16,000 Nigerian refugees fleeing the situation in Northern Nigeria more recently. This influx has raised pressure on food supplies.

While two ethnic groups, Hausa and Djerma, still dominate many government and economic positions, minority groups are represented and their rights are protected by law. Same-sex sexual activity is not illegal in Niger, but same-sex relationships are not recognized and there is no protection against discrimination based on sexual orientation. No NGOs work on LGBT (lesbian, gay, bisexual, and transgender) rights in Niger.

**G. Personal Autonomy and Individual Rights: 6 / 16**

The constitution guarantees freedom of movement and property rights and these are generally respected throughout the country, though bribery remains an issue for both.

Although the 2010 constitution prohibits gender discrimination, women suffer discrimination in practice. Family law gives women inferior status in property disputes, inheritance rights, and divorce. Sexual and domestic violence are reportedly widespread. Female genital mutilation was criminalized in 2003 and has declined, but it continues in a small percentage of the population.

While slavery was criminalized in 2003 and banned in the 2010 constitution, slavery remains a problem in Niger, with up to 43,000 individuals still in slavery. Niger remains a source, transit point, and destination for human trafficking. Despite a 2010 antitrafficking law and a five-year antitrafficking plan, investigation and prosecution efforts remains weak. More than 20 high-profile arrests, including the agriculture minister and wives of other prominent politicians, were conducted between June and August 2014 related to child trafficking.

# Nigeria

**Political Rights Rating:** 4

**Population:** 177,542,000

**Civil Liberties Rating:** 5 ↓

**Capital:** Abuja

**Freedom Rating:** 4.5

**Freedom Status:** Partly Free

**Electoral Democracy:** No

**Ratings Change:** Nigeria's civil liberties rating declined from 4 to 5 due to a sharp deterioration in conditions for residents of areas affected by the Boko Haram insurgency, including mass displacement and a dramatic increase in violence perpetrated by both the militants and security forces.

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	4,4,PF	4,4,PF	4,4,PF	4,4,PF	5,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	4,5,PF

## INTRODUCTION

The security situation in northeastern Nigeria reached crisis proportions in 2014, as the militant Islamist group known as Boko Haram (formally Jama'atu Ahlis Sunna Lidda'Awati Wal-Jihad, or People Committed to the Propagation of the Prophet's Teachings and Jihad) increased the scope and intensity of its insurgency in the states of Adamawa, Borno, and Yobe. Boko Haram's attacks and the Nigerian government's counterinsurgency operations resulted in at least 10,850 deaths during the year. In May, the UN Security Council added Boko Haram to its list of organizations subject to targeted financial sanctions and an arms embargo, following the U.S. Department of State's designation of the group as a foreign terrorist organization in 2013.

The government has been widely criticized for its ineffective response to Boko Haram's attacks and human rights abuses, including the group's high-profile April 2014 kidnapping of approximately 275 girls from a school in Chibok, Borno State. Reports from domestic and international advocacy groups in 2014 indicated that government forces involved in the fight against Boko Haram continued to commit gross human rights violations with impunity, including extrajudicial killings, arbitrary mass arrests, illegal detentions, and torture of civilians.

Political parties were preparing for the February 2015 presidential and parliamentary elections during the year. In December, the ruling Peoples Democratic Party (PDP) chose incumbent Goodluck Jonathan as its presidential candidate, and the All Progressives Congress (APC), the main opposition party, selected former military ruler Muhammadu Buhari. There were concerns that the elections might have to be postponed in the northeastern states most affected by the Boko Haram insurgency.

**POLITICAL RIGHTS:** 18 / 40 (-2)

**A. Electoral Process:** 6 / 12

The president is elected by popular vote for no more than two four-year terms. 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. Although Nigeria's elections have been marred by gross irregularities and violence since the return of a multiparty system in 1999, the April 2011 elections represented a departure from this trend. Following the passage of electoral reforms and the appointment of a new chairman of the Independent

National Electoral Commission (INEC), domestic and international observers generally regarded the 2011 elections as free, fair, and credible, despite postelection violence that killed some 800 people and left 65,000 displaced.

Jonathan, the PDP's candidate, won the 2011 presidential contest, defeating Buhari of the Congress for Progressive Change (CPC), 59 percent to 32 percent. The vote appeared to reflect the ethnic and religious fault lines of the country, with Buhari, a northern Muslim, winning primarily in the northern states, and Jonathan, a Christian from the southern Niger Delta region, gaining an overwhelming majority in the south. PDP candidates won a reduced majority in the legislative elections. In the House of Representatives, the PDP claimed 202 of 360 seats, while the Action Congress of Nigeria (ACN) won 66, the CPC took 35, and the All Nigeria Peoples Party (ANPP) garnered 25. In the Senate, the PDP lost its two-thirds majority, taking 71 of 109 seats; the ACN won 18 seats, and the CPC and ANPP won 7 each. The PDP captured 18 of the 26 contested state governorships.

During 2014, the INEC began nationwide distribution of permanent voter cards for the 2015 elections. Domestic and international stakeholders considered the gubernatorial elections held in Ekiti in June and Osun in August to be credible and effectively administered.

#### **B. Political Pluralism and Participation: 9 / 16**

Nigeria's multiparty system provides opportunities for the participation of opposition parties in the political process. According to the INEC, there are more than 25 registered political parties. Although the PDP continues to dominate both national and state elections, opposition parties made significant inroads in 2011. In 2013, four opposition groups—the ACN, the CPC, the ANPP, and a faction of the All Progressives Grand Alliance (APGA)—merged under the banner of the APC. In 2014, the APC drew strength from defections by leading members of the PDP, including the speaker of the House of Representatives. The PDP has allegedly attempted to disrupt the activities of these defectors, especially those with presidential aspirations.

Citizens' political choices are impaired or undermined to some degree by vote buying and intimidation during elections, the influence of powerful domestic and international economic interests on policymaking, and the local domination of either the Nigerian military or Boko Haram militants in regions affected by the insurgency.

In December 2014, the 36 state Houses of Assembly approved proposed amendments to the 1999 constitution that include, among other provisions, independent candidacy in Nigerian elections, greater local government autonomy, and guarantees of equal rights for minorities. At the end of the year, the National Assembly had not yet passed the amendments approved by the states.

#### **C. Functioning of Government: 4 / 12 (-1)**

Corruption remains pervasive, and government efforts to improve transparency and reduce graft have been inadequate. There were several high-profile corruption scandals in 2014. In February, the then governor of the Central Bank, Lamido Sanusi, accused the Nigerian National Petroleum Corporation (NNPC) of failing to remit as much as \$20 billion in oil revenue to the government's accounts between January 2012 and July 2013. Although Sanusi was removed from his position shortly after the revelation, the Senate called for an independent audit of the NNPC. As of the end of 2014, the federal government had not released the findings of the audit, conducted by London-based firm PricewaterhouseCoopers. A 2013 report by the British think tank Chatham House had found that more than 5 percent of total oil output is stolen annually.

Although the Economic and Financial Crimes Commission (EFCC), Nigeria's main anticorruption agency, secured more than 110 convictions in 2014, cases against high-profile

politicians and businessmen are hampered by political interference and an inefficient judiciary. Moreover, the EFCC has been accused of targeting those who have lost favor with the government. Nigeria was ranked 136 out of 175 countries and territories surveyed in the 2014 Transparency International Corruption Perceptions Index.

Despite the passage of the 2011 Freedom of Information Act, which guarantees the right to access public records, various nongovernmental organizations (NGOs) have criticized government agencies for routinely refusing to release information sought through the law.

**Discretionary Political Rights Question B:** -1 / 0 (-1)

Boko Haram has been accused of attempting to alter the religious and ethnic composition of the northeast, particularly in Adamawa, Borno, and Yobe, where it controls significant territory. The group has targeted Christians and moderate Muslims through mass killings, kidnappings, and other human rights abuses; imposed a crude form of Sharia (Islamic law); and sought to eradicate any sources of secular education. In 2014 alone, the conflict caused more than 10,850 deaths and the displacement of hundreds of thousands of people. Since May 2013, more than 100,000 refugees have crossed into Cameroon, Chad, and Niger. Nigeria's National Emergency Management Agency estimated that nearly 870,000 people were internally displaced in Adamawa, Borno, and Yobe as of December 2014, although other estimates put the figure at more than 1.5 million. In 2013, the International Criminal Court began investigations into whether Boko Haram should be prosecuted for crimes against humanity.

**CIVIL LIBERTIES:** 25 / 40 (-1)

**D. Freedom of Expression and Belief:** 9 / 16

Freedoms 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 statutes in 12 northern states impose severe penalties for alleged press offenses. Government officials also restrict press freedom by publicly criticizing, harassing, and arresting journalists, especially when they cover corruption scandals, human rights violations, or separatist and communal violence.

In 2014, the military made a number of attempts to punish critical reporting. In June, soldiers seized copies of several newspapers, including the *Nation*, *Daily Trust*, and *Leadership*, from key distribution points in a coordinated nationwide effort. An army spokesperson said the seizures were a "routine security action." Several of the affected outlets had published articles critical of the military's campaign against Boko Haram. In August, soldiers invaded the offices of the *Daily Trust* in Maiduguri, the capital of Borno, and arrested two managers for publishing an article about a mutiny over "inadequate weapons" in the fight against Boko Haram. The managers were released the same day without being charged. Journalists and media entities have also been attacked by nonstate actors, including Boko Haram. Cases of violence against journalists often go unsolved.

While the government generally does not restrict access to the internet or monitor personal communications, in January 2014 the *Premium Times*, an online investigative newspaper, experienced a denial-of-service (DOS) attack. This followed another incident in November 2013 in which the paper's editors were prevented from posting links to its Facebook page for two months, because other users—whom the outlet alleged had been hired by the government—had reported the links to be "abusive."

Religious freedom is constitutionally and legally protected and is generally respected by the government in practice. Nevertheless, in some instances state and local governments have placed limits on religious activities and endorsed a dominant faith. Nonstate

actors have also attempted to limit religious freedom. Boko Haram has explicitly targeted Christians and their houses of worship, though Muslims still account for the majority of its victims. In January 2014, Boko Haram attacked a Catholic parish in Adamawa, leading to 22 deaths. In June, 30 people died and five churches were burned during a raid by suspected Boko Haram militants in Borno. Periodic communal clashes between Muslims and Christians have broken out for decades in the states of Kaduna and Plateau, especially around the city of Jos, often killing hundreds of people and displacing thousands at a time.

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 destruction of numerous primary, secondary, and tertiary institutions; the intimidation, injury, and killing of schoolchildren and teachers; and the forced closure of schools throughout the northeast. The most widely publicized attack on an educational institution was the April 2014 abduction of approximately 275 girls from their secondary school in Chibok. While some of the girls managed to escape, the majority apparently remained in the custody of Boko Haram at year's end; the Nigerian government, despite assistance from international partners, was unable to locate the girls or secure their release.

#### **E. Associational and Organizational Rights: 7 / 12**

The rights to peaceful assembly and association are constitutionally guaranteed and generally respected. However, federal and state governments frequently ban public events perceived as threatening national security, including those that could incite political, ethnic, or religious tension. In June 2014, police in the capital announced a ban on all demonstrations associated with the abduction of the Chibok girls, claiming that the protests could be hijacked by rogue elements and undermine security. Some of the demonstrations had included criticism of the government for failing to free the girls. Nigerian NGOs condemned the ban as a violation of freedom of assembly and threatened to challenge it in court. Days later, the police allowed the protests to continue.

NGOs operating in regions affected by the Boko Haram insurgency experienced difficulties in carrying out their work in 2014. Members of some organizations faced intimidation and physical harm for speaking out against Boko Haram, or encountered challenges when investigating alleged human rights abuses committed by the military against Boko Haram suspects.

Under the constitution, workers have the right to form and join trade unions, engage in collective bargaining, and conduct strikes. At the same time, the government forbids strike action in a number of essential services, including public transportation and security.

#### **F. Rule of Law: 4 / 16**

Judicial independence in Nigeria 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. Certain departments, particularly the Court of Appeals, have frequently rejected election challenges or allegations of corruption against powerful elites, raising doubts about their independence.

The security forces commit abuses with near impunity, and corruption pervades their ranks. There were numerous allegations of torture, extortion, bribe taking, and embezzlement within the police force in 2014. In September, Amnesty International (AI) released a report documenting the alarmingly high rates of torture and ill-treatment experienced by suspects in police and military custody, as well as the government's failure to pre-



vent acts of torture and prosecute offenders. Numerous rights groups have called for the criminalization of torture, and the creation of an independent commission to investigate and prosecute allegations of systemic corruption and human rights violations within the security forces. In October, Jonathan proposed a bill that would raise the wages of police officers and increase funding for training and equipment in an effort to reduce corruption and boost performance.

In 2014, the intensity and geographic reach of the Boko Haram insurgency increased significantly. The group took control of its first town, Damboa in Borno State, in July, and by the end of the year it was reported to be in control of large swathes of territory in Borno as well as parts of Adamawa and Yobe. Meanwhile, Boko Haram's attacks on civilians in other areas of the country became more frequent and deadly. In April two bombs exploded at a bus station in Abuja, leaving over 90 people dead and 200 wounded, and in May at least 118 people died in twin car bomb explosions in Jos.

The government's counterterrorism efforts, led by the Joint Task Force (JTF), have so far been unable to contain Boko Haram. Adamawa, Borno and Yobe were under a state of emergency between May 2013 and November 2014, and the JTF's ground and air assaults inflicted significant losses on the militants, but the group's advance on Maiduguri during the year put the military on the defensive and undermined its operational capacity. More generally, the military is hampered by pervasive corruption and mismanagement as well as a lack of resources and reinforcements, leading to waning morale among its troops. Several West African countries have agreed to cooperate in the fight against Boko Haram, while the United States and Britain have offered assistance with intelligence and surveillance.

Negotiations between the government and Boko Haram have failed to produce any meaningful results, and several conflicting and unproven claims of progress from key officials have either failed to materialize or have been denied by Boko Haram. In October 2014 the government announced a cease-fire with Boko Haram and the negotiated return of the kidnapped girls from Chibok. However, the purported leader of the group, Abubakar Shekau, later released a video claiming that no agreement had been reached, and the conflict continued unabated.

The JTF has been widely criticized for human rights abuses. In August 2014, AI released detailed video footage of suspected Boko Haram detainees being murdered and buried in mass graves, allegedly by members of the JTF and state-sponsored militias. The military responded by establishing an investigative team to determine the authenticity of the video and prosecute those responsible for the killings. According to AI, the JTF carried out more than 600 extrajudicial killings between January and August.

Violent crime in certain areas of Nigeria remains a serious problem, and the trafficking of drugs and small arms is reportedly on the rise. Abductions are especially common in the Niger Delta and the southeastern states of Abia, Imo, and Anambra. Political figures, the wealthy, and foreigners are most frequently targeted. In February 2014, Inengite Nitabai, a close relative of the president, was kidnapped in Bayelsa State; police rescued him 18 days later. Despite the introduction of stringent antikidnapping laws across many southeastern states, the problem has not decreased significantly, and the conviction rate on such cases remains low because security personnel and local government officials are often involved in the criminal networks responsible.

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.

The government and society continue to discriminate against LGBT (lesbian, gay, bisexual, and transgender) people. In January 2014, Jonathan signed the Same Sex Marriage

(Prohibition) Act. Among other provisions, the law imposes sentences up to 14 years for entering into a same-sex marriage or union, and up to 10 years for those who support or facilitate same-sex relationships, or who “make [a] public show of [a] same-sex amorous relationship.” The measure complements existing bans at the state level. In many southern states, same-sex relationships are punishable by up to 14 years in prison, while in northern states, Sharia statutes allow for the death penalty. The new law received immediate condemnation from the international community. In October, the Federal High Court rejected a legal challenge filed earlier in the year claiming that the law violated the fundamental human rights of the Nigerian LGBT community; the court found that the man who brought the suit did not have standing to challenge the law because he was not gay and therefore was not directly affected by it.

**G. Personal Autonomy and Individual Rights: 5 / 16 (-1)**

Freedom of internal movement and foreign travel are legally guaranteed. However, security officials frequently impose dusk-to-dawn curfews in areas affected by communal violence or the Islamist insurgency. Nigeria’s largely unregulated property rights system hinders citizens and private business from engaging in the efficient and legal purchase or sale of land and other types of property.

Women’s educational opportunities continue to improve, and women hold several key government positions; in addition, they hold 24 of 360 seats in the House of Representatives and 8 of 109 Senate seats. Women have occupied important posts in the judiciary, including Aloma Mukhtar, who retired in November 2014 as the country’s chief justice. However, throughout the country, women experience discrimination in employment and are often relegated to inferior positions. Gender discrimination is especially problematic in the states governed by Sharia statutes, and this has been exacerbated by the Boko Haram insurgency. In addition, women belonging to certain ethnic groups are often denied equal rights to inherit property due to customary laws and practices. 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.

Illegal human trafficking to, from, and within Nigeria for the purposes of forced labor and prostitution is reported to be on the rise, though a recent report indicated that the authorities have become more successful in protecting human trafficking victims, prosecuting suspected traffickers, and dismantling their networks. Forced labor is illegal but common, especially bonded labor and domestic servitude, and the government makes very little effort to combat the practice.

## North Korea

**Political Rights Rating:** 7

**Civil Liberties Rating:** 7

**Freedom Rating:** 7.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Population:** 24,851,627

**Capital:** Pyongyang

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF

**INTRODUCTION**

In February 2014, the UN Commission of Inquiry (COI) on Human Rights in the Democratic People's Republic of Korea (DPRK, or North Korea) released a 400-page report documenting a wide array of crimes against humanity. The report described these as more severe and widespread than any other in the contemporary world, and said they have arisen from "policies established at the highest level of State." The publication included linked reports, supporting documents, and first-hand testimony from witnesses and victims. It also had eight pages of recommendations calling for immediate economic, social, and political reforms in North Korea, as well as targeted sanctions against those who appear most responsible for these acts.

In October, a diplomatic offensive ensued, in part fueled by the introduction of a draft UN resolution that referred North Korea to the International Criminal Court (ICC) for crimes against humanity and imposed targeted sanctions for rampant human rights violations. In late October and November, North Korea released the three American prisoners. Nevertheless, in December, the UN General Assembly passed a nonbinding measure calling for North Korea to be referred to the ICC. The UN Security Council subsequently voted to add the issue of North Korean human rights to its agenda for the first time.

In May, North Korea held bilateral talks with Japan, during which they agreed to open a new investigation into the fate of Japanese citizens abducted by North Koreans. In return, Japan lifted some unilateral sanctions imposed over abduction issues, including a travel ban between the two countries, some limits on the transfer of money, and a ban on North Korean ships docking at Japanese ports for humanitarian purposes.

In July, North Korea's ambassador to the United Nations (UN), Ja Song-nam, issued a statement to the UN condemning the upcoming release of the movie "The Interview," which depicts the assassination of leader Kim Jong-un. In November, the computer networks of Sony Pictures Entertainment, the parent company of Columbia Pictures, were hacked. U.S. investigating authorities announced in December that evidence suggested North Korean involvement in the hack, and the U.S. government vowed retaliatory measures. Subsequent North Korean threats to attack theaters showing the film led Sony to delay the release. After much criticism from the U.S. government and the general public, Sony allowed some theaters to show the film in late December and released it online.

In January 2014, Kim Jong-un announced in his New Year's speech a commitment to simultaneous development of weapons of mass destruction (nuclear weapons) and the economy. This policy was first announced by his grandfather and former leader Kim Il-sung. Such a policy had been deemphasized under Kim Jong-il, Kim Jong-un's father and immediate predecessor, in deference to a policy of "military first."

**POLITICAL RIGHTS: 0 / 40****A. Electoral Process: 0 / 12**

Kim Jong-un became the country's new supreme leader after his father's death in December 2011. Kim Jong-il led the DPRK following the 1994 death of his father, Kim Il-sung, to whom the office of president was permanently dedicated in a 1998 constitutional revision. Kim Jong-un's titles include first secretary of the Korean Worker's Party (KWP), first chairman of the National Defense Commission (the highest state body), and supreme commander of the Korean People's Army. North Korea's parliament, the Supreme People's Assembly, is a rubber-stamp institution elected to five-year terms. All candidates for office, who run unopposed, are preselected by the KWP and two subordinate, minor parties.

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**B. Political Pluralism and Participation: 0 / 16**

North Korea functions as a single-party state under a totalitarian familial dictatorship. The ruling KWP, which was founded in 1926 and led by Kim Il-sung, is the only legally permitted party. Kim Jong-un currently serves as the “first secretary” of the KWP, with Kim Jong-il as the “eternal general secretary.”

**C. Functioning of Government: 0 / 12**

Government control over society is absolute and information about the functioning of government is tightly controlled both to domestic as well as to external audiences. Most information is gleaned from North Korea’s state media reporting, defector testimony, or various informants in the country, though the accuracy and reliability of these sources varies widely.

Corruption is believed to be endemic at every level of the state and economy, and bribery is pervasive. North Korea shared the 174th—and last—spot with Somalia in Transparency International’s 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES: 3 / 60****D. Freedom of Expression and Belief: 0 / 16**

All domestic media outlets are run by the state. Televisions and radios are permanently fixed to state channels, and all publications are subject to strict supervision and censorship. In recent years, four foreign media outlets have established bureau offices in Pyongyang: the Associated Press, RIA Novosti, Kyodo, and Xinhua. In June 2014, Agence France-Presse (AFP) announced plans to open a bureau office in Pyongyang by the end of the year, and Reuters was also in negotiations to follow suit.

Internet access is restricted to a few thousand people from various segments of society, and foreign websites are blocked. The black market provides alternative information sources, including mobile telephones, pirated recordings of South Korean dramas, and radios capable of receiving foreign programs. Mobile phone service was launched in 2008, but phone calls and text messages are recorded and transcribed for monitoring purposes. However, foreigners have been allowed to bring mobile phones into the country and have access to 3G networks, enabling live social media feeds out of North Korea.

Although freedom of religion is guaranteed by the constitution, it does not exist in practice. State-sanctioned churches maintain a token presence in Pyongyang, and some North Koreans who live near the Chinese border are known to practice their faiths furtively. However, intense state indoctrination and repression preclude free exercise of religion.

There is no academic freedom. The state must approve all curricula, including domestically based, foreigner-led educational opportunities. Although some North Koreans are permitted to study abroad—at both universities and short-term educational training programs—these opportunities are also subject to crackdowns.

Nearly all forms of private communication are monitored by a huge network of informants.

**E. Associational and Organizational Rights: 0 / 12**

Freedom of assembly is not recognized, and there are no known associations or organizations other than those created by the state. Strikes, collective bargaining, and other organized labor activities are illegal.

**F. Rule of Law: 0 / 16**

North Korea does not have an independent judiciary. The UN General Assembly has recognized and condemned severe DPRK human rights violations, including torture, public executions, extrajudicial and arbitrary detention, and forced labor; the absence of due process and the rule of law; and death sentences for political offenses. In March 2014, the UN Human Rights Council adopted a resolution condemning the “long-standing and ongoing systematic, widespread and gross human rights violations” in North Korea. In December, the UN General Assembly recommended that North Korea be referred to the ICC for crimes against its own people.

It is estimated that 80,000 to 120,000 political prisoners are held in detention camps in the country. This figure is lower than in past years due to the closing of two camps and the high mortality rates inside the camps. Inmates face brutal conditions, and collective or familial punishment for suspected dissent by an individual is common practice. Ignoring international objections, the Chinese government continues to return refugees and defectors to North Korea, where they are subject to torture, harsh imprisonment, or execution.

In April 2014, Australian missionary John Short was detained for antistate religious acts and interrogated for 13 days before being expelled from the country. The same month, U.S. citizen Matthew Todd Miller was detained for “unruly behavior” while attempting to claim asylum upon entry as a tourist to North Korea. He was sentenced in September to six years of hard labor. In May, another U.S. citizen, Jeffrey Fowle, was arrested for leaving a bible in a nightclub and detained for trial. In October, Fowle was released and returned to the United States. The following month, U.S. diplomatic efforts succeeded in securing the release of both Miller and Kenneth Bae, who had been incarcerated in North Korea since 2012.

In May, South Korean missionary Kim Jung-wook, who was arrested in October 2013, was sentenced to life in prison for allegedly trying to set up underground churches and spying for the South Korean government. South Korean negotiations for the release of Kim have yet to be successful.

Laws do not prohibit same-sex sexual activity. In April 2014, the official news agency said the practice does not exist in North Korea.

**G. Personal Autonomy and Individual Rights: 3 / 16**

There is no freedom of movement, and forced internal resettlement is routine. Access to Pyongyang, where the availability of food, housing, and health care is somewhat better than in the rest of the country, is tightly restricted. Recently, this disparity has increased, with the capital featuring more luxuries for a growing middle class. Emigration is illegal, but many North Koreans have escaped via China.

The economy remains both centrally planned and grossly mismanaged. Development 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, the growth of the black market has provided many North Koreans with a growing field of activity that is largely free from government control, and some have managed to engage in cross-border trade with China. In addition, the growing emphasis on building special economic zones (SEZs) has led to conditions more conducive to foreign investment. Local officials have more authority in the management of these zones and over experiments with small-scale economic policies.

The government operates a semihereditary system of social discrimination, whereby all citizens are classified into 53 subgroups under overall security ratings—“core,” “wavering,” and “hostile”—based on their family’s perceived loyalty to the regime. This rating

determines virtually every facet of a person's life, including employment and educational opportunities, place of residence, access to medical facilities, and even access to stores.

Women have formal equality, but they face discrimination and are rarely represented at high levels of government. Although they have fewer opportunities in the formal sector, they often work outside the socialist economy.

UN bodies have noted the use of forced abortions and infanticide against pregnant women who are forcibly repatriated from China. There have been widespread reports of trafficked women and girls among the tens of thousands of North Koreans who have recently crossed into China. Recent reports also suggest that prostitution of children continues unabated in North Korea and that the country's deteriorating economy has led to an increase in prostitution, which is now rampant in ordinary residential areas.

## Norway

**Political Rights Rating:** 1

**Population:** 5,138,000

**Civil Liberties Rating:** 1

**Capital:** Oslo

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

Norway's response to the threat of terrorism continued to raise questions in 2014 about the balance between rights and security. In late July, in response to an elevated terror threat warning issued by Norwegian authorities, the authorities imposed six days of heightened security that included closing the country's air space, increasing armed police presence in public spaces, and tightening border and immigration controls—the last of which was made permanent. While the exact nature and origin of the threat was not revealed, government sources speculated it concerned radicalized fighters, particularly from Syria, returning to Norway using European passports. Three such Norwegian citizens were arrested in May on terror charges.

A number of significant demonstrations took place in 2014. Most notably, 5,000 Norwegians joined an antiextremism demonstration in August arranged by Norwegian Muslims against the Islamic State militant group (IS) and against the Norwegian radical group the Prophet's Ummah.

**POLITICAL RIGHTS:** 40 / 40

**A. Electoral Process:** 12 / 12

Norway's unicameral parliament, called the Storting, has 169 members who are directly elected for four-year terms through a system of proportional representation. The constitutional monarch, currently King Harald V, appoints the prime minister, who is the leader of the majority party or coalition in the Storting. While the monarch is officially the head of state and commander in chief of the armed forces, his duties are largely ceremonial.

The Conservative Party gained the most ground in the 2013 elections, winning 48 seats—an increase of 18 seats over the 2009 election. The Progress Party lost 12 seats, but retained 29 seats, which helped it form a coalition with the Conservatives. The Labor Party remains the largest party in parliament with 55 seats, though its loss of 9 seats prompted it to form a coalition with opposition members for the first time in eight years.

**B. Political Pluralism and Participation:** 16 / 16

A range of political parties operates freely in Norway. Generally, political power has alternated between the Labor Party and Conservative-led coalitions.

The indigenous Sami population, in addition to participating in the national political process, has its own parliament, 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 its resources. The Sameting is comprised of 39 representatives who are elected for four-year terms. The national government has a deputy minister charged with specifically handling Sami issues.

**C. Functioning of Government:** 12 / 12

Norway remains one of the least corrupt countries in the world, ranked 5 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. However, isolated incidents of bribery and misconduct have occurred, and Norway's role in the international energy and mining industries has seen particular scrutiny. Senior police superintendent Eirik Jensen was arrested and charged with gross corruption in February 2014. Jensen allegedly helped smuggle at least 1,000 pounds of cannabis into Norway and taking bribes from drug dealers totaling \$2 million.

**CIVIL LIBERTIES:** 60 / 60**D. Freedom of Expression and Belief:** 16 / 16

Freedom of the press is constitutionally guaranteed and respected in practice. In an effort to promote political pluralism, the state subsidizes many newspapers, the majority of which are privately owned and openly partisan. The government does not impede internet access.

Freedom of religion is protected by the constitution and respected in practice. The monarch is the constitutional head of the Evangelical Lutheran Church of Norway, which counts 75 percent of Norwegians as members. A 2012 constitutional amendment separated state and church, placing the Lutheran Church on par with all other denominations in Norway, and absolving the requirement that half the cabinet be members of the Lutheran Church. All religious groups must register with the state to receive financial support, which is determined by size of membership. Students must take a course on religion and ethics focusing on Christianity, although this is thought to violate international human rights conventions.

There was an uptick in threats against mosques in 2014. Ubaydullah Hussain, former spokesperson for the radical Norwegian religious group the Prophet's Umma, was convicted in February 2014 and sentenced to 120 days in prison for threats he made against two journalists in 2012. In July 2014, he was charged with incitement to violence by the Oslo District Court, but was acquitted in October.

While official statistics do not distinguish among different religious groups that are targeted in religion-based hate crimes, anecdotal evidence indicates a rise in anti-Semitic violence and harassment. A report from the Anti-Defamation League found that Norway had the highest levels of anti-Semitism among Scandinavian countries. A new special police unit was founded in February to strengthen police efforts against hate crimes.

Academic freedom is respected and private discussion is not restricted.

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**E. Associational and Organizational Rights:** 12 / 12

The constitution guarantees freedoms of assembly and association. In August, 5,000 people, including the leaders of Norway's major political parties, joined an antiextremism demonstration against IS and the regional group Prophet's Umma in Oslo, organized by moderate Norwegian Muslims. Norwegians are very active in nongovernmental organizations (NGOs).

Labor unions play an important role in consulting with the government on social and economic issues, and approximately 53 percent of the workforce is unionized, with 93 percent being members of the four main unions. The right to strike is legally guaranteed, except for members of the military and senior civil servants, and is practiced without restrictions. All workers have the right to bargain collectively. A teachers' strike in August 2014 affected more than 100,000 students and 9,000 teachers for two weeks. The National Association of Schools and the Teachers' Union reached an agreement on working hours that was accepted by national ballot in mid-September.

**F. Rule of Law:** 16 / 16

The judiciary is 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 Ministry of Justice. The police are under civilian control, and human rights abuses by law enforcement authorities are rare. Prison conditions generally meet international standards, and, in many cases, exceed them. Norway's 20 percent recidivism rate is one of the lowest in the world.

Two terrorist attacks that claimed 77 lives in 2011 prompted hostility toward Norway's multicultural agenda and its supporters. Norwegian right-wing fundamentalist Anders Breivik killed eight people in Oslo that year with a car bomb and then shot and killed 69 people attending a Labor Party summer youth camp. In July 2014, another right-wing Norwegian extremist and heavy metal musician informally connected to Breivik, Kristian "Varg" Vikernes, was found guilty in France of incitement to racial hatred.

Immigration to Norway has increased fivefold since the 1970s, and more than 10 percent of Norway's population was foreign-born in 2014. Recent immigrants include asylum-seekers predominantly from Afghanistan, Syria, Sudan, and Eritrea. By year's end, 11,480 people had applied for asylum in Norway, a record high, resulting in housing shortages for asylum seekers. Approximately 6,000 asylum seekers whose applications were denied but who remained in Norway illegally were forcibly repatriated in 2014. It was a move in line with the government's increasingly conservative immigration policies, and it highlighted issues that remain divisive in Norway.

In July, Norway experienced six days of heightened security measures, including closed airspace, tighter border control (which was made permanent), and the significant presence of armed police in public spaces. Anonymous government sources confirmed in the media in late 2014 that four individuals affiliated with IS were headed for Norway with the intention of seizing a private residence and performing a taped beheading on Norwegian soil. The terror threat was downgraded to normal level by the end of July.

The national government supports Sami-language instruction, broadcast programs, and subsidized newspapers in Sami regions.

**G. Personal Autonomy and Individual Rights:** 16 / 16

Although Norway is not a member of the European Union (EU), citizens within the European Economic Area (which includes all EU states plus Norway, Iceland, and Liechtenstein) do not need a residence permit to work in Norway.



The Equality and Anti-Discrimination Ombudsman is responsible for covering all forms of discrimination and for enforcing the country's Gender Equality Act, the Anti-Discrimination Act, and other laws against discrimination. The Gender Equality Act provides equal rights for men and women. A 2013 law, set to take effect in 2015, mandates gender-neutral conscription for the armed forces, making Norway the first North Atlantic Treaty Organization (NATO) member to include women in the draft. In 2013, women won nearly 40 percent of seats in parliament.

Norway is a destination country for human trafficking for the purposes of labor and sexual exploitation. However, according to the U.S. State Department's 2014 *Trafficking in Persons* report, the country remains a leader in antitrafficking efforts.

A gender-neutral marriage act passed in 2009 grants Norwegian same-sex couples identical rights as opposite-sex couples, including in adoption and assisted pregnancies. In April 2014, the National Council narrowly voted down a proposal to allow same-sex marriages to be performed or blessed by the clergy of the Lutheran Church, reflecting continued disagreement within the church on the issue.

## Oman

**Political Rights Rating:** 6

**Population:** 4,071,000

**Civil Liberties Rating:** 5

**Capital:** Muscat

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF

### INTRODUCTION

The Omani government continued to arrest activists and suppress free expression in 2014. Oman played a leading role in the early stages of the negotiations between Iran and the United States over Iran's nuclear program. Despite the absence of Sultan Qaboos bin Said al-Said from the country for much of the year to undergo medical treatment in Germany, little media coverage of his health issues was available in Oman.

**POLITICAL RIGHTS:** 9 / 40

**A. Electoral Process:** 2 / 12

Sultan Qaboos has ruled Oman since seizing power from his father, Sultan Said bin Taimur, in 1970. The 1996 basic law, promulgated by royal decree, created a bicameral parliament consisting of an appointed Council of State (Majlis al-Dawla) and a wholly elected Consultative Council. Citizens elect the 84-member Consultative Council for four-year terms, but the chamber has no legislative powers and can only recommend changes to new laws. The Consultative Council is part of a bicameral body known as the Council of Oman. The other chamber, the 59-member State Council, is appointed by the sultan, who has absolute power and issues laws by decree. The sultan serves as the country's prime minister; heads the ministries of defense, foreign affairs, and finance; and is the governor of Oman's central bank. In 2003, the sultan decreed universal suffrage for all Omanis over the age of 21.

Parliamentary elections have been held twice, once in 2007 and again in 2011, when Omanis elected 84 members of the new Majlis al-Shura from over 1,100 candidates. Oman held its first-ever municipal elections in 2012. That year, 50 percent of eligible voters participated, choosing among 1,475 candidates for seats on 192 local councils. Four women won seats in the elections.

**B. Political Pluralism and Participation: 2 / 16**

Political parties are not permitted, and no meaningful organized political opposition exists.

**C. Functioning of Government: 2 / 12**

Oman's legal code does not possess an effective or cohesive framework for prosecuting corruption, nor does it include freedom of information provisions. However, after anti-corruption protests in 2011, Sultan Qaboos issued a royal decree mandating the State Financial and Administrative Audit Institution (SFAAI) to increase transparency and efficiency within government ministries while reducing conflicts of interest. Government officials are required by law to declare their assets and sources of wealth. Oman was ranked 64 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

Several high-profile corruption cases involving government officials and executives from Oman's oil industry were prosecuted in 2014. In January, Juma Al Hinai, a Finance Ministry official and executive with state-owned Petroleum Development Oman (PDO), was convicted of graft. He was fined and sentenced to three years in jail and a 20-year ban from holding public office. In February, Ahmad al-Wahaibi, the CEO of Oman Oil Company, was sentenced to 23 years in jail for accepting bribes, abuse of office, and money laundering. In May, former commerce minister Mohammed al-Khusaibi was found guilty of bribing Mohammed al-Amri, a former Transport Ministry undersecretary, to award a building contract to a company in which he was a shareholder. Amri was fined and sentenced to three years in prison.

**Discretionary Political Rights Question A: 3 / 4**

Mechanisms exist for citizens to petition the government through local officials, and certain citizens are afforded limited opportunities to petition the sultan in direct meetings.

**CIVIL LIBERTIES: 17 / 60**

**D. Freedom of Expression and Belief: 5 / 16**

Freedom of expression is limited, and criticism of the sultan is prohibited. The 2004 Private Radio and Television Companies Law allows for the establishment of private broadcast media outlets. The government permits private print publications, but many of these accept government subsidies, practice self-censorship, or face punishment for crossing political "red lines." In 2013, *The Week*, an English-language weekly newspaper, was briefly suspended for publishing an article described as being sympathetic to Oman's gay community. The newspaper subsequently published an apology on its website for running the story; its editor-in-chief, Samir al-Zakwani, is being sued by the government for the article.

Omanis have access to the internet through the national telecommunications company, and the government censors politically sensitive and pornographic content. A 2008 decree expanded government oversight and regulation of electronic communications, including on personal blogs. In an effort to intimidate critics, the government arrested and detained several bloggers in 2014 for speaking out against rights abuses. In July, human rights activist Noah

Saad was arrested and detained for more than three weeks before being released without charge. Muawiyah Al-Rawahi, an activist blogger who criticized the government's handling of a 2013 teacher's strike, was also arrested in July and detained for nearly a month in a psychiatric hospital before being released. In August, Mohammed al-Fazari, a political reform activist and editor-in-chief of the online news site *Mowatin Magazine*, was detained for nearly a week before being released without charge. Another activist and blogger, Saed al-Jadad, was issued a travel ban in October and arrested in December. Al-Jadad, who was a leading organizer of 2011 protests in Dhofar, has been arrested several times in the past for his activism.

Islam is the state religion. Non-Muslims have the right to worship, but they are banned from proselytizing. Non-Muslim 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. The government restricts academic freedom by preventing the publication of material on politically sensitive topics.

#### **E. Associational and Organizational Rights: 3 / 12**

The right to peaceful assembly within limits is provided for by the basic law. However, all public gatherings require official permission, and the government has the authority to prevent organized public meetings without any appeals process. In September 2014, Maina Kiai, UN Special Rapporteur on the rights of peaceful assembly and association, criticized Oman for stifling freedom of assembly.

After mass protests in 2011 calling for economic and political reforms, the sultan promised new jobs, an increase in social benefits, and measures to address government corruption. After the government was slow to implement the promised economic and political reforms, new protests erupted in 2012, leading to further crackdowns and arrests. By the end of 2012, more than 30 activists, writers, and bloggers had been arrested or detained, though many were eventually released. Human rights activist and blogger Saeed Jaddad, who was arrested in 2013 after organizing and encouraging protests, remained in jail as of the end of 2014.

The basic law allows the formation of nongovernmental organizations, but civic life remains limited. 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 that are seen as a threat to stability.

Oman's 2003 labor law allows workers to select a committee to represent their interests but prevents them from organizing unions. Additional labor reforms enacted in 2006 brought a number of improvements, including protections for union activity, collective bargaining, and strikes. However, legal protections for Oman's 1.5 million migrant workers remain inadequate, and domestic servants are particularly vulnerable to abuse. Omani workers are able to organize and form unions and have gone on strike to press for better wages and working conditions.

#### **F. Rule of Law: 4 / 16**

The judiciary is not independent and remains subordinate to the sultan and the Ministry of Justice. Sharia (Islamic law) is the source of all legislation, and Sharia court departments within the civil court system are responsible for family-law matters, such as divorce and inheritance. In less populated areas, tribal laws and customs are frequently used to adjudicate disputes. The authorities do not regularly follow requirements that they obtain court orders to hold suspects in pretrial detention. The penal code contains vague provisions for offenses against national security, and such charges are prosecuted before the State Security Court,

which usually holds proceedings that are closed to the public. Prisons are not accessible to independent monitors, but former prisoners report overcrowding.

The 1996 Basic Law banned discrimination on the basis of sex, religion, ethnicity, and social class. Omani law does not protect noncitizens from discrimination.

Same-sex relationships are illegal in Oman, and members of the LGBT (lesbian, gay, bisexual, and transgender) community face discrimination in policy and practice.

#### **G. Personal Autonomy and Individual Rights: 5 / 16**

Foreign workers risk deportation if they abandon their contracts without documentation releasing them from their previous employment agreement. Under these regulations, employers can effectively keep workers from switching jobs and hold them in conditions susceptible to exploitation.

The government is aggressively pursuing an “Omanization” process in order to replace immigrant workers with native Omanis. Foreign workers who leave their jobs will not be able to return to work in Oman for two years. Those who are currently working in Oman cannot bring their families to Oman for six months. Hiring migrant labor in several sectors, including construction and domestic work, has been prohibited.

Although the basic law prohibits discrimination on the basis of sex, women suffer from legal and social discrimination. Oman’s personal status law, based on Sharia, favors the rights of men over those of women in marriage, divorce, inheritance, and child custody. According to official statistics, women constitute a very small percentage of the total labor force in Oman. However, the number of women in Oman’s workforce has increased by 133 percent in the past seven years. Women are waiting longer to marry and have children as they pursue professional opportunities.

Despite a 2008 antitrafficking law, Oman remains a destination and transit country for the trafficking of women and men.

## **Pakistan**

**Political Rights Rating:** 4

**Population:** 193,979,000

**Civil Liberties Rating:** 5

**Capital:** Islamabad

**Freedom Rating:** 4.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

*Note:* The numerical ratings and status listed above do not reflect conditions in Pakistani-controlled Kashmir, which is examined in a separate report.

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	4,5,PF	4,5,PF	4,5,PF	4,5,PF	4,5,PF	4,5,PF	4,5,PF

#### **INTRODUCTION**

The elected government of Prime Minister Nawaz Sharif in 2014 faced an aggressive protest movement—headed by politician Imran Khan and cleric Muhammad Tahir-ul-Qadri—that was thought to have some degree of support from the military. The protesters called for the government’s resignation, alleging corruption and fraud in the May 2013 elections that brought Sharif to power.

Demonstrators established an encampment in central Islamabad in August, penetrating the high-security zone where government buildings, Parliament, and the Supreme Court are situated. On September 1, protesters occupied the state television headquarters, briefly taking the outlet off the air before the military reasserted control. At a joint session of Parliament the following day, politicians from both ruling and opposition parties voiced support for the continuation of the elected government and raised suspicions of military collusion with the protesters. The military ultimately did not force Sharif's ouster, however, and Qadri eventually called off his followers' sit-in in the capital in late October; Khan followed suit in December.

Also during the year, the civilian government attempted to take charge of security matters, forming a four-member committee in January to hold direct peace talks with the Tehreek-i-Taliban Pakistan (TTP). However, large-scale terrorist attacks continued across the country, including an assault on Karachi's international airport in June that killed some two dozen people, in addition to the 10 gunmen. Later that month, the government announced a major military operation against the TTP and all other militant groups in the restive North Waziristan Agency, part of the Federally Administered Tribal Areas (FATA). The offensive had displaced roughly a million people by year's end. In December, the TTP responded with an attack on a military-run school in Peshawar that killed 150 people, most of them children.

Five senior military commanders retired in October, including Zaheer-ul-Islam, head of the powerful Directorate for Inter-Services Intelligence (ISI), who had reportedly been among several officers pushing for the prime minister's ouster during the summer political crisis. The country's top military commander, General Raheel Sharif, had resisted such calls, according to media accounts. The new ISI chief, Rizwan Akhtar, was seen as an ally of General Sharif.

**POLITICAL RIGHTS:** 20 / 40 (-1)

**A. Electoral Process:** 7 / 12

Pakistan consists of four provinces (Balochistan, Punjab, Sindh, and Khyber Pakhtunkhwa, or KPK) and two federal territories (the FATA and the Islamabad Capital Territory).

Parliament (Majlis-i-Shoora) is bicameral, with a 342-member National Assembly (NA) and a 104-member Senate. The constitution envisages a parliamentary system of government headed by a prime minister, who must command a majority in the NA. An electoral college consisting of the Senate, the NA, and the provincial assemblies elects the president for up to two five-year terms.

The Senate is intended to provide equal representation to all units of the federation. Each provincial assembly chooses 23 members, NA members representing the FATA elect 8, and 4 are chosen by the NA to represent the capital territory. Senators serve six-year terms, with half of the seats up for election every three years.

Members of the NA 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. The seats for women are allocated in proportion to the number of general seats a party gains in each of the provinces. Parties fill the non-Muslim seats in proportion to the number of seats they win nationwide. The provincial assemblies employ a similar electoral system.

The 2013 general elections were held under an improved legal and regulatory framework put in place following the 2008 elections. However, a number of weaknesses persisted,

including vague and subjective candidacy requirements, procedural problems, and election-related violence. Despite these concerns, prominent international and domestic election observers judged the elections favorably, citing active competition and campaigning, and a relatively high voter turnout of 55 percent. Voters gave a clear mandate to the Pakistan Muslim League–Nawaz (PML-N) to replace the ruling Pakistan People’s Party (PPP) at the federal level. The PML-N took 126 of the directly elected seats in the NA, followed by the PPP with 31 and Pakistan Tehreek-e-Insaf (PTI) with 28. Various smaller parties took less than 20 directly elected seats each. The PML-N formed a governing majority with the help of allied independents, and Nawaz Sharif became prime minister.

At the provincial level, the PML-N won in Punjab, the PPP formed a government in Sindh, and a coalition led by the National Party assumed power in Balochistan. In KPK, a PTI-led coalition took office. Lawmakers chose Mamnoon Hussain as president in July.

In 2014, Imran Khan, leader of the PTI, accused the Electoral Commission of Pakistan of rigging the 2013 elections in favor of the PML-N and demanded electoral reforms followed by new elections. In July, at the government’s request, Parliament established an all-party committee to draft electoral reforms, including constitutional amendments. The committee’s deliberations were ongoing at year’s end. Separately, a parliamentary committee nominated retired judge Sardar Muhammad Raza as the new chief election commissioner in December, and he was duly installed by the president, ending a 16-month vacancy caused by disagreement between the government and opposition.

#### **B. Political Pluralism and Participation:** 8 / 16 (–1)

Pakistan has a thriving multiparty system, with numerous factions represented in Parliament and provincial governance. Nonetheless, parties continue to be characterized by a lack of internal democracy and transparency, with most funds generated through private, opaque means. Parties typically rely on charismatic leadership by individual personalities or political dynasties.

Tribal and clan loyalties play a powerful role in determining voters’ choices, and deadly violence between supporters of rival parties remains a problem. Political participation is also undermined by intimidation from nonstate actors including the TTP, associated Islamist militant groups, and an insurgent movement in Balochistan.

Women are underrepresented in all spheres of the political process and have been prevented from casting votes in some districts, particularly in KPK, though they participated in large numbers in the antigovernment protests of 2014.

The participation of non-Muslims in the political system continues to be marginal. Political parties nominate members to legislative seats reserved for non-Muslim minorities, leaving non-Muslim voters with little say in selecting the parliamentarians who supposedly represent them. Ahmadis, members of a heterodox Muslim sect, continue to face political discrimination and are registered on a separate voter roll. Religious minorities in general faced a significant increase in violent attacks during 2014, and the problem has led many to emigrate rather than pursue their interests through political institutions.

#### **C. Functioning of Government:** 5 / 12

Although Pakistan has an elected civilian government, the military retains considerable autonomy and influence in matters of national security, foreign policy, and some elements of economic policy. Prime Minister Sharif sought to assert control over such issues in 2013 and early 2014, but the military reportedly used the crisis caused by antigovernment protests in the summer of 2014 to put pressure on the government and reestablish primacy in its traditional policy domains.

Corruption, lack of accountability, and lack of transparency are pervasive problems at all levels of government, in politics, and in the military. The National Accountability Bureau has made little progress in tackling official graft, due largely to inadequate political will and institutional capacity. High-profile corruption cases against former president Asif Ali Zardari, reopened by the Supreme Court in 2012, were still under way in 2014. Procedural delays are a hallmark of such cases.

The Sharif government attempted to demonstrate accountability and responsiveness to the demands of protesters during 2014. In addition to initiating electoral reforms, the prime minister in August called on the Supreme Court to establish a judicial commission to investigate allegations of organized rigging in the 2013 elections.

**CIVIL LIBERTIES:** 22 / 60 (+1)

**D. Freedom of Expression and Belief:** 5 / 16

Pakistan has a vibrant media sector that presents a range of news and opinions. There are about 90 television channels, 160 radio stations, and over 200 daily newspapers. However, the country remains one of the world's most dangerous places for journalists. At least three journalists and three other media workers were killed in 2014, according to the Committee to Protect Journalists. In March, unidentified gunman attempted to assassinate news analyst and television anchor Raza Rumi as he left a studio in Lahore. Another prominent television journalist, Hamid Mir of the Geo network, survived an assassination attempt in Karachi the following month.

Geo aired accusations by Mir's family that ISI chief Zaheer-ul-Islam had ordered the attack, and the military responded by intimidating and harassing employees of Geo and affiliated newspapers owned by the Jang Group. Cable transmission of the channel was blocked, reportedly under pressure from the military, and copies of Jang newspapers were burned by armed men. The government backed the ISI, and the media regulator formally suspended transmission of Geo for 15 days in June. Also during the year, Imran Khan accused Geo of siding with the PML-N in the 2013 elections, and PTI supporters attacked Geo reporters and offices during the sit-in protests in August and September.

The media regularly face censorship and other pressure from state and nonstate actors. The constitution authorizes the government to curb speech on subjects pertaining to the armed forces, the judiciary, and religion. Blasphemy laws are occasionally used against the media. During the 2014 political crisis, a number of media houses allegedly supported the opposition protests and criticized the Sharif government on instructions from the military. The TTP and other militant groups have attacked media groups and reporters for their coverage.

Online media have grown in reach and popularity in recent years, and Pakistanis can use the internet to access foreign and independent news services. However, more than 200,000 websites are banned in the country because of their allegedly anti-Islamic, pornographic, or blasphemous content. Access is also restricted for security reasons. The video-sharing site YouTube has been blocked since 2012, when an anti-Islamic video sparked protests across the Muslim world.

Pakistan is an Islamic republic. Although the constitution provides for freedom of religion and the protection of minorities, discriminatory legislation—particularly blasphemy laws—exacerbates religious extremism and vigilantism. The penal code makes it a criminal offense for members of the Ahmadi minority to call themselves Muslims “directly or indirectly,” to preach or propagate their faith, to outrage Muslims’ religious feelings, or to refer to their places of worship as mosques. Violations of religious freedom by the government and nonstate actors are fairly common and rarely punished.

Religious minorities faced an increase in violence in 2014, with bombings targeting Shiite Muslims and Christians throughout the year. In January, a bomb attack on a bus carrying Shiite pilgrims killed nearly 30 people near Mastung. The terrorist group Lashkar-e-Jhangvi claimed responsibility for the blast and a series of other attacks on the Shiite community over the following months. In another high-profile incident, two Hindu traders were shot and killed in Umerkot, Sindh, drawing attention to violence faced by the Hindu minority. In May, a Hindu PML-N lawmaker stated in Parliament that about 5,000 Hindus emigrate from Pakistan each year to escape discrimination and forced conversions. Two incidents involving accusations of blasphemy occurred in 2014—a crowd burned down the homes of Ahmadis in Gujranwala in July, killing three people, and in November, a mob burned a Christian couple to death in a brick kiln in the Kasur district of Punjab.

Education is not free of political indoctrination. Pakistan's primary and secondary public schools as well as privately run religious seminaries use textbooks that promote prejudice and intolerance against religious minorities. In colleges and universities, the student wings of political parties and Islamist groups use intimidation to impose their beliefs, including Islamic codes of conduct. In the FATA and KPK, female access to education is under constant threat.

In October, Prime Minister Sharif ordered a review of the curriculum at all levels of the education system. Also that month, the Higher Education Commission issued a document urging universities to monitor and prohibit student activities that challenged government views or the "ideology and principles of Pakistan." The document was widely criticized by academics.

#### **E. Associational and Organizational Rights: 7 / 12 (+1)**

The constitution guarantees the rights to associate, demonstrate, and organize, but the government often imposes arbitrary restrictions in practice. Such official obstacles were less common during 2014, as demonstrated by the authorities' relative tolerance for large and lengthy protests in the capital and other cities.

The authorities generally allow nongovernmental organizations (NGOs) to function, including those that are highly critical of the government. Nevertheless, such groups face a number of challenges when working in violence-prone areas in the FATA, KPK, and Balochistan. Radical Islamist groups frequently threaten and attack NGOs devoted to female education and empowerment. In November, police in Karachi raided offices of a U.S.-based digital-mapping NGO and arrested its staff. A polio vaccination drive undertaken by international entities like the World Health Organization (WHO) and the UN Children's Fund (UNICEF) has been denounced by the TTP as a Western plot to sterilize Muslims. Radical Islamists have killed more than 60 polio workers since mid-2012. Separately, many charitable and cultural organizations operating from Pakistan have links to Islamist militant groups.

The right of workers to organize and form trade unions is recognized in law. The constitution also grants unions the rights to collective bargaining and to strike. However, many categories of workers are excluded from these protections, accounting for approximately 60 percent of the formal-sector workforce. The procedures that need to be followed for a strike to be legal are onerous. Nevertheless, strikes are organized regularly. Employers usually respond by harassing and firing workers for union activity. Roughly 70 percent of the workforce is employed in the informal sector and is not represented by unions.

#### **F. Rule of Law: 4 / 16**

Over the last decade, executive interference in the higher judiciary has decreased. However, the broader justice system is marred by endemic problems including corruption,



intimidation, a large backlog of cases, and insecurity. In response to the TTP attack on a Peshawar school in December 2014, Prime Minister Sharif announced that special military courts would be formed to try terrorism suspects, prompting rights advocates to raise concerns about due process. Sharif also ended a four-year moratorium on capital punishment, and several convicted militants were executed later that month.

While the main court system operates on the basis of common law, parallel legal systems employ Sharia (Islamic law) and tribal law. A separate Federal Shariat Court is empowered to determine whether a provision of law goes against Islamic injunctions. The existence of different legal systems results in unequal treatment. Moreover, many communities resort to informal, traditional forms of justice due to the inefficiency of the formal courts, leading to arbitrary and unjust decisions.

The FATA are governed by the president and federal administration under the Frontier Crimes Regulation (FCR), and lie outside the jurisdiction of the Pakistan Supreme Court and Parliament. The FCR authorizes tribal leaders to administer justice according to Sharia and tribal custom, and despite 2011 amendments, it retains provisions that allow collective punishment of tribes for transgressions by individual members.

In a potential milestone for the rule of law in Pakistan, former military ruler and president Pervez Musharraf was formally indicted in March 2014 on charges of subverting the constitution through an emergency decree and other actions in 2007 that included the removal of many top judges. At year's end, it remained unclear whether the civilian authorities would be able to pursue the trial to completion in the face of reported resistance from the military.

The police, the military, and the intelligence services enjoy impunity for indiscriminate or excessive use of force. Extrajudicial killings, enforced disappearances, torture, and other abuses are common. Enforced disappearances have targeted terrorism suspects, Balochi and Sindhi nationalists, journalists, researchers, and social workers. In July 2014, Parliament enacted a law confirming a 2013 ordinance that expanded the power of law enforcement agencies to engage in detention without trial, electronic surveillance, searches and seizures, and the use of deadly force, ostensibly to combat terrorism and other serious crimes.

The TTP and other radical Sunni groups with varying agendas continue to attack foreign, government, and religious minority targets, as well as aid workers and human rights advocates, killing hundreds of civilians each year.

Balochi activists continue to seek enhanced political autonomy or outright independence, as well as more local control over Balochistan's natural resources. Meanwhile, armed Balochi militants carry out attacks on infrastructure, security forces, and non-Balochi teachers and educational institutions. The army's counterinsurgency operations in the province have led to increasing human rights violations and the displacement of civilians.

Ethnic violence in the city of Karachi is exacerbated by political rivalry between the traditionally dominant Muttahida Quami Movement, founded to represent refugees from India who came to Pakistan after 1947; the Awami National Party, representing ethnic Pashtun migrants; and the PPP, which is allied with Balochi gangs. The criminal gangs that carry out much of the violence regularly extort money from businesses in Karachi, Pakistan's economic hub.

Pakistan has a number of religious, ethnic, and linguistic minorities and other marginalized groups. Multiple forms of discrimination are common. Members of the transgender and intersex community are authorized to register for official documents under a "third gender" classification recognized by the Supreme Court in 2009. In another ruling in 2011, the court granted them the right to vote, enabling them to participate in the 2013 elections. Nonetheless, the LGBT (lesbian, gay, bisexual, and transgender) community continues to

face societal and legal discrimination. The penal code prescribes prison terms for consensual sex “against the order of nature.” Although prosecutions are rare, such laws deter LGBT people from acknowledging their orientation or reporting abuses.

According to the UN refugee agency, Pakistan hosts some 1.5 million registered Afghan refugees. Many others are unregistered. These populations are vulnerable to extortion, illegal detention, and harassment, and they are unable to work legally.

#### **G. Personal Autonomy and Individual Rights: 6 / 16**

There are few legal limitations on citizens’ travel or their choice of residence, employment, or institution of higher learning. One exception affects Ahmadis, who are obliged to deny their faith to obtain a passport. Practical constraints on freedom of movement and related rights are common, ranging from insecurity and corruption to societal taboos. These are more pronounced in the case of women.

Pakistan’s rampant corruption, weak regulatory environment, and ineffective legal system undermine property rights and economic freedom. The military controls a disproportionate share of the country’s economy.

A number of reforms have been enacted in recent years to improve conditions for women. A 2010 law offered protections against workplace harassment, while legislation passed in 2011 criminalized various forms of forced marriage, provided specific punishments for acid attacks, and addressed inheritance issues for women. In 2012, the National Commission on the Status of Women was made a permanent body tasked with monitoring implementation of relevant legislation and investigating violations. However, the implementation of such laws has been weak, and violence against women continues unabated. In addition to acid attacks, domestic violence, rape, and so-called honor crimes, women face restrictions on voting and education, especially in KPK, the FATA, and Balochistan.

Exploitative forms of labor remain common. Though bonded and child labor are outlawed, they are widespread in practice.

## Palau

**Political Rights Rating:** 1

**Civil Liberties Rating:** 1

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 18,000

**Capital:** Melekeok

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

#### **INTRODUCTION**

In September 2014, lawmakers passed in first reading a bill to legalize gambling, which would grant a single 50-year license for the operation of a casino in exchange for an annual fee of \$16 million.

The 2010 Compact of Free Association, which would increase financial assistance by the United States to Palau, remained under consideration by the U.S. Congress in 2014. The current compact runs through 2044.

In February 2014, the government declared all of Palau's territorial waters a marine sanctuary and imposed a total ban on industrial-scale fishery, emphasizing tourism as an alternative for increasing jobs and revenue. By mid-year, the number of tourist arrivals to the country had increased by approximately 50 percent compared to the same period in 2013.

**POLITICAL RIGHTS:** 37 / 40**A. Electoral Process:** 12 / 12

Palau's bicameral National Congress or Olbiil Era Kelulau consists of the 9-member Senate and the 16-member House of Delegates. Legislators are elected to four-year terms by popular vote, as are the president and vice president. The president may serve only two consecutive terms. In 2012, Tommy Remengesau—who was president from 2001 to 2009—defeated incumbent Johnson Toribiong with 58 percent of the vote. In concurrent parliamentary elections, all candidates ran as independents.

Palau is organized into 16 states. Each is headed by a governor and has a seat in the House of Delegates. Each state can also hold its own constitutional convention and elect a legislature and head of state.

**B. Political Pluralism and Participation:** 15 / 16

There are no political parties, though no laws prevent their formation. The current system of loose political alliances that can quickly form and dismantle has had a destabilizing effect on governance.

A Compact of Free Association with the United States provides economic assistance in exchange for U.S. military access to the archipelago. In addition, citizens enjoy visa-free travel to the United States and can reside, study, and work there, as well as access U.S. federal programs. The compact runs through 2044.

**C. Functioning of Government:** 10 / 12

Government corruption and abuse are problems, with several high-ranking public officials facing charges in recent years. Anti-money laundering measures exist, but the attorney general lacks resources to implement them. In 2013, the House of Delegates adopted a resolution asking the president to review all executive branch positions in order to avoid redundancy. The Senate has yet to give its approval for the resolution to take effect.

**CIVIL LIBERTIES:** 55 / 60**D. Freedom of Expression and Belief:** 16 / 16

Freedoms of speech and the press are respected. There are several print publications, privately owned radio stations, and one privately owned television station. Internet access is limited by lack of connectivity outside the main islands and high costs. The World Bank has pledged to provide funding for a system of submarine cables to expand broadband access.

In May 2014, legislators introduced the Protection of Minors Bill, which would prohibit the sale and rental of sexually explicit and violent video games and films to minors.

Freedom of religion is respected. Although religious organizations are required to register with the government, applications have never been denied. There have been no reports of restrictions on academic freedom, and the government provides well-funded basic education for all. The law requires Palauan language instruction in all primary and secondary schools that are chartered in Palau or receive public funds.

**E. Associational and Organizational Rights:** 11 / 12

Freedoms of assembly and association are respected. Nongovernmental groups represent youth, health, and women's issues. Workers can freely organize unions and bargain collectively, but union membership and activity are low, as the economy is largely based on subsistence agriculture.

**F. Rule of Law:** 15 / 16

The judiciary is independent, and trials are generally fair. A small police and first-response force maintains internal order. Palau has no military. There have been no reports of prisoner abuse, though overcrowding is a problem. The government announced that it would build a new prison outside of the capital after an escaped prisoner entered a hotel in 2013, robbing and injuring a tourist.

In April 2014, an interim special prosecutor for the investigation of white-collar crimes received approval from the National Congress. The post had been vacant since the resignation of the previous special prosecutor in 2010.

In August 2014, the Supreme Court ruled that the state of emergency declared in 2011 by Toribiong, the president at the time, had been unconstitutional. Toribiong's declaration had followed a fire at the Aimeliik Power Plant.

The six Chinese Uighurs who were settled in Palau in 2009 after being released from the U.S. detention center in Guantanamo Bay, Cuba, remained in the country in 2014. Funds granted by the United States for their housing expired in 2013, but no steps were taken in 2014 to reach a solution. The Remengesau government had requested that the Uighurs be resettled elsewhere. Despite the men's release from Guantanamo Bay, Chinese authorities maintain that they are terrorists and have demanded that they be repatriated.

In 2011, Palau pledged to combat discrimination against LGBT (lesbian, gay, bisexual, and transgender) people. However, same-sex sexual activity remains illegal.

**G. Personal Autonomy and Individual Rights:** 13 / 16

Palauans enjoy the freedom of movement and the right to choose their own places of residence, employment, and institution of higher learning. There are no restrictions on property ownership or the establishment of private businesses, although challenges borne of bureaucratic processes and official corruption lead to frequent complaints.

Women are highly regarded in this matrilineal society; land rights and familial descent are traced through women. Women are active in the economy and politics. The incidence of domestic violence and child abuse cases is low. Sexual harassment and rape, including spousal rape, are illegal.

Foreign workers account for a majority of the workforce. There have been reports of discrimination against and abuse of migrant workers, who cannot legally change employers after arriving in Palau. In 2009, the government set a limit to the total number of foreign workers that can reside in the country at any time.

Palau is in Tier 2 of the U.S. State Department's 2014 *Trafficking in Persons Report* for its efforts to comply with minimum standards to prevent and prosecute trafficking and assist victims set in the U.S. Trafficking Victims Protection Act. Palau is not a party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons. In January 2014, Peleliu state governor Temmy Shmull and three others were charged with human trafficking and profiting from prostitution, among other crimes.

## Panama

**Political Rights Rating:** 2

**Population:** 3,915,000

**Civil Liberties Rating:** 2

**Capital:** Panama City

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	2,2,F	2,2,F

### INTRODUCTION

In May 2014 general elections, Vice President Juan Carlos Varela of the Panameñista Party (PP) won the presidency, while the United for More Change alliance maintained its dominance in the National Assembly. Varela promised to tackle corruption and insecurity, two issues perceived to have increased under the previous president.

**POLITICAL RIGHTS:** 35 / 40

**A. Electoral Process:** 12 / 12

The president and deputies of the 71-seat unicameral National Assembly are elected by popular vote for five-year terms. In May 2014, amid an electoral turnout of 75 percent, Varela of the PP won the presidency with 39 percent of the national vote; former housing minister José Domingo Arias of Democratic Change (CD) won 31 percent and former Panama City mayor Juan Carlos Navarro of the Democratic Revolutionary Party (PRD) won 28 percent, with four other candidates splitting the remaining votes. In concurrent National Assembly elections, the United for More Change alliance—formed by the CD and the Nationalist Republican Liberal Movement (MOLIRENA)—won 32 seats, the PRD took 25, the PP won 10, the Popular Party took 3, and there was one independent. Both elections were considered free and fair by international observers. However, the Electoral Mission of the Organization of American States (OAS) and the International Republican Institute (IRI) criticized the interference of the executive branch in the electoral process, including through use of public resources to promote the ruling party's candidate. Both the OAS and IRI also noted that campaign financing is poorly regulated, with no limits on campaigns donations or expenses.

**B. Political Pluralism and Participation:** 15 / 16

High rates of voter participation and electoral competition between political parties characterize Panamanian politics. Turnover between government and opposition parties has been the norm since the return to democracy in 1989.

There are no legal barriers to the political participation of indigenous groups, but their interests remain underrepresented.

**C. Functioning of Government:** 8 / 12

Corruption is widespread. Outgoing president Ricardo Martinelli, his son, and various other officials have been implicated in a number of corruption scandals in recent years. In 2014, allegations of nepotism and favoritism in the Martinelli administration continued. In August, Jaime Alemán Arosemena resigned from a position that had been given to him by his uncle, Álvaro Alemán Healy, the minister of the presidency. In July, Minister of Gov-

ernment Milton Henríquez named his sister-in-law as an adviser, though she resigned in September amid criticism of government favoritism.

Supreme Court Justice Alejandro Moncada Luna was suspended in October 2014 after allegations surfaced that he had purchased multiple properties worth more than \$2 million. His salary and sworn 2010 financial affidavit do not justify such large purchases, and investigators are looking into corruption charges. Lawmakers have also launched an impeachment probe.

Varela ran on an anticorruption platform, and his appointee as anticorruption prosecutor, Lorena Lozano Coronel, has taken several steps to change the systemic tide of the problem. Coronel launched several investigations in his first months in office, including into alleged abuses in the national program for public assistance and subsidies and alleged bribes taken by members of the Martinelli government, including Martinelli himself. Panama was ranked 94 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 47 / 60

**D. Freedom of Expression and Belief:** 15 / 16

Panama's constitution protects freedoms of speech and of the press, though these rights are not consistently upheld in practice. Libel is a criminal offense. Independent or critical journalists and outlets face pressure from the government. Two weeks prior to the May elections, the website of a major Panamanian television company, TVN2, was victim to an alleged distributed denial of service (DDoS) attack that rendered it unavailable following its launch of *Yo Informo*, a crowdsourcing project to track electoral fraud, community issues, and broken promises from candidates.

In June, a Panamanian court ruled against five journalists and the daily publications *La Estrella* and *El Siglo* regarding the 2011 publication of a series of investigative reports alleging wrongdoing in the granting of a government contract to clean trash from the Health Ministry premises. The company that won the contract, Naves Supply Company, had sued the journalists for material damages and moral harm. The accused face criminal charges as well as a \$725,000 fine.

The country's media outlets are privately owned, with the exceptions of the state-owned television network and a network operated by the Roman Catholic Church. Martinelli has holdings in the print, radio, and television markets. Internet access is unrestricted.

Freedom of religion is respected, and academic freedom is generally honored by the government. Private discussion is free and vibrant.

**E. Associational and Organizational Rights:** 11 / 12

Freedom of assembly is recognized in Panama, and nongovernmental organizations are free to operate. Violent clashes between government forces and protesters have taken place in the past, but no such incidents were reported in 2014. Two thousand protesters marched in November 2014 demanding charges against Martinelli and others implicated in corruption.

Although only about 10 percent of the labor force is organized, unions are cohesive and powerful. In August, the International Transport Workers' Federation and four Panamanian unions accused the Panama Canal Authority of failing to provide decent pay and working conditions for workers in the canal zone.

**F. Rule of Law:** 9 / 16

The judicial system remains overburdened, inefficient, politicized, and prone to corruption. Panama's Accusatory Penal System became operational in 2011 and is gradually

being introduced throughout the country. The system is intended to reduce backlogs in the courts and reduce the number of people held in pretrial detention by resolving complaints more efficiently. The prison system is marked by violent disturbances in decrepit, overcrowded facilities.

The police and other security forces are poorly disciplined and corrupt. The government's militarization of the Panamanian Public Forces has prompted concern from human rights advocates. Many allegations of criminal activity committed by police officers go uninvestigated. Numerous officers accused of committing abuses against civilians have received presidential pardons. Panama is experimenting with Community Police Units that are modeled on Brazil's Pacifying Police Units. The initial results have been promising. In the area of Curundu, where the Community Police began their operations, crime in 2014 was reduced by 65 percent compared to the previous year.

One suspect has been arrested in connection with the 2013 murder of Panamanian lawyer and PRD delegate Juan Ramon Messina. There are concerns that his shooting may have been politically motivated.

Homicides in Panama have decreased by 20 percent over the last five years. However, the country's growing importance as a regional transport center makes it appealing to drug traffickers and money launderers. Intelligence sources claim that Mexico-based narcotics organizations the Sinaloa Cartel, the Juarez Cartel, the Zetas, and the Beltran Leyva Organization all operate in Panama. Panama's border control agency warned in July of the increasing presence of Colombian criminal groups using Panama as a trafficking route. In December, Panamanian authorities worked with those from Guatemala, Colombia, Costa Rica, and Mexico to arrest 59 individuals accused of involvement in a drug trafficking ring connected to Colombia's Revolutionary Armed Forces of Colombia (FARC) rebel movement and Mexico's Sinaloa cartel. Panama additionally struggles with criminal street gangs. In September, President Varela extended an amnesty to members of more than 200 gangs, asking them to turn over their weapons, leave their gangs, and participate in work training programs.

Refugees from Colombia have faced difficulty obtaining work permits and other forms of legal recognition. The Martinelli administration had suggested measures to normalize the status of thousands of undocumented Colombians living in Panama without official refugee status, but minimal progress was made on these measures. Since 2010, Panama's "Melting Pot" policy has offered legal residency to more than 48,000 foreigners; the policy has been criticized by labor unions who fear that legalizing their status hurts job security for Panamanian workers.

Discrimination against darker-skinned Panamanians is widespread, and the country's Asian, Middle Eastern, and indigenous populations are similarly singled out. While no laws prohibit same-sex sexual relationships, LGBT (lesbian, gay, bisexual, and transgender) individuals face societal discrimination and harassment. Additions to the Code of Private International Law prohibiting same-sex marriage and any recognition of such marriages performed in other countries became law in May 2014. Panama's LGBT community protested the ban.

#### **G. Personal Autonomy and Individual Rights: 12 / 16**

The government generally respects freedom of internal movement and foreign travel. Indigenous communities enjoy a degree of autonomy and self-government, but some 80 percent of the indigenous population lives in poverty, and 57 percent in extreme poverty. Since 1993, indigenous groups have protested the encroachment of illegal settlers on their lands and government delays in formal land demarcations. According to a report produced

by the UN Special Rapporteur on the Rights of Indigenous Peoples, Panama has an “advanced legal framework” in place to protect the rights of the indigenous. However, laws face implementation challenges, especially in resource-rich regions where companies want to launch large-scale investment projects. The government announced in October 2014 that it intends to distribute \$500,000 in coupons to families in the country’s poorest regions to combat malnutrition, mostly in indigenous communities in the central province of Veraguas, the western region of Ngabe-Bugle, and some eastern provinces.

Violence against women, including domestic violence, is widespread and common. A 2013 law punishes femicide with up to 30 years in prison.

Panama is a source, destination, and transit country for human trafficking. The government has worked with the International Labour Organization on information campaigns addressing the issue and has created a special unit to investigate cases of trafficking for the purpose of prostitution. However, law enforcement is weak, the penal code does not prohibit trafficking for forced labor, and the government provides inadequate assistance to victims.

## Papua New Guinea

**Political Rights Rating:** 4↓

**Civil Liberties Rating:** 3

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Population:** 7,571,000

**Capital:** Port Moresby

**Ratings change:** The Political Rights rating declined from 3 to 4 due to Prime Minister Peter O’Neill’s increasingly autocratic leadership style, including his disbanding of an anticorruption task force after he became subject of a corruption investigation.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	3,3,PF	3,3,PF	4,3,PF	4,3,PF	4,3,PF	4,3,PF	4,3,PF	3,3,PF	4,3,PF

### INTRODUCTION

In January 2014, Prime Minister Peter O’Neill and other lawmakers faced allegations of wrongdoing involving \$28 million in government fees paid to a private law firm. Taskforce Sweep, O’Neill’s special anticorruption investigation body, first concluded the allegations were unfounded, but later said new evidence supported an arrest warrant for O’Neill. Following this development, O’Neill declared Taskforce Sweep to be politically compromised and disbanded the group in June, putting the police in charge of the investigation. Acting Police Commissioner Geoffrey Vaki was arrested soon afterward by fraud investigators for interfering with the course of justice in relation to the case against O’Neill. O’Neill then dismissed the deputy police commissioner who approved Vaki’s arrest and initiated an investigation against Sam Koim, the anticorruption group’s director, for alleged mismanagement. The affair inflamed political divisions, and political protests were banned on grounds of avoiding violence.

In July, the National Court reinstated Taskforce Sweep. The government subsequently removed Koim from the payroll and withheld funds for the taskforce, though the group continued to work.



Natural-resource exploitation provides the bulk of government revenue in Papua New Guinea, making the country's economy vulnerable to fluctuations in mineral and energy prices.

**POLITICAL RIGHTS:** 23 / 40 (-1)**A. Electoral Process:** 9 / 12

Voters elect a unicameral, 111-member National Parliament to serve five-year terms. A limited preferential voting system allows voters to choose up to three preferred candidates on their ballots. The governor-general, who represents the United Kingdom's monarch as head of state, formally appoints the prime minister, who leads the majority party or coalition in the legislature.

The 2012 parliamentary elections were generally considered free and fair. The People's National Congress Party (PNC) won 27 seats, independents won 16 seats, the Triumph Heritage Empowerment Party (THE) won 12 seats, and 19 small parties shared the remainder. O'Neill, head of the PNC, was elected prime minister. His PNC-led coalition gives him commanding control of the National Parliament, including approval of a 30-month moratorium on no-confidence motions after an election and more power over the judiciary.

A \$76 million soft loan from China in 2013 will pay for a new biometric voter identification system.

**B. Political Pluralism and Participation:** 10 / 16

There are numerous political parties, but political loyalties are driven more by tribal, linguistic, geographic, and personal ties than by party affiliation. Many candidates run as independents and align with parties after they are elected.

A 2005 agreement ended a civil war in Bougainville and provided for an independence referendum to be held between 2015 and 2020. The Autonomous Bougainville Government (ABG) launched its civil service in May 2014. Rent for land use and sharing of profits remain challenging issues among the ABG, local landowners, and the government of Papua New Guinea.

**C. Functioning of Government:** 4 / 12 (-1)

Pervasive corruption and official abuse are the biggest hindrances to development. PNG ranks 145 out of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index. The prime minister's disbanding of the anticorruption taskforce in June and subsequent manipulation of the investigation against him were major hindrances to recent progress made against corruption. Taskforce Sweep has aggressively pursued lawmakers, top officials, and government agencies to root out abuses. A major case ended in March 2014 with the conviction of a lawmaker for misappropriating \$3.8 million in public funds. Also in March, a national court was created to fast-track hearings for cases of fraud, dishonesty, and corruption.

**CIVIL LIBERTIES:** 36 / 60**D. Freedom of Expression and Belief:** 12 / 16

Freedom of speech is generally respected. The media provide independent coverage of controversial issues such as alleged police abuse, official corruption, and opposition views. However, the government and politicians have occasionally used media laws and defamation lawsuits to limit critical reporting. The government also restricts media access to the detention center in Manus Island.

Internet use is growing, but high costs and lack of infrastructure limit its spread outside urban centers. In February 2014, a new online news company, PNG Edge, began operation.

In April, lawmakers proposed a cybercrime bill that outlaws use of pseudonyms on social media and requires biometric scanning of SIM cards for mobile phones.

In 2013, church leaders spoke out against a lawmaker's proposal to consider banning non-Christian faiths. The predominantly Christian country is home to a 5,000-member Muslim community, which has rapidly grown in recent years.

Academic freedom is generally respected, but the government does not always tolerate criticism. In April, lawmakers threatened to deport Paul Barker, director of a local research institute, for an alleged breach of his work visa. Barker has been a critic of government spending, which has caused contention with the ruling coalition. In 2013, the government ordered schools to replace local vernacular with English in instruction.

#### **E. Associational and Organizational Rights: 9 / 12**

The constitution provides for freedoms of assembly and association, although the government frequently undermines attempts to hold public demonstrations. Marches and demonstrations require 14 days' notice and police approval, which is rarely granted. In June 2014, all public assembly was suspended following O'Neill's arrest, but police allowed peaceful sit-ins to take place. Many civil society groups provide social services and advocate for women's rights, the environment, and other causes. The government recognizes workers' rights to strike, organize, and engage in collective bargaining. However, the government has been known to impose arbitration in labor disputes before workers had the opportunity to strike.

#### **F. Rule of Law: 7 / 16**

The judiciary is generally independent; however, the government has exerted political pressure on the court system in the past. Authorities passed a series of laws in 2012 designed to undermine judicial independence, but these were repealed in 2013. The Supreme Court is the final court of appeal and has jurisdiction on constitutional matters. Shortage of trained judicial personnel is a key cause of lengthy detentions and trial delays. Laypeople sit on village courts to adjudicate minor offenses under customary and statutory law.

Law enforcement officials have been implicated in corruption, unlawful killings, extortion, rape, theft, and brutality, in addition to being largely ineffective in curbing mob violence, tribal warfare, and other crimes. The government plans to double the size of its 5,000-member police force in 2015.

Prison conditions are poor, and the correctional service is understaffed. Prison breaks are common.

After no executions for 50 years, capital punishment was reinstated by the National Parliament in late 2013. In early 2014, a technical team began studying the procedures of other countries with the death penalty to consider how to implement the new law. Thirteen prisoners are currently awaiting execution.

The government plans to expand the military from 1,900 to 10,000 troops, drawing criticism from advocates for prioritizing the military over underfunded health and education projects. Observers also suspect the build-up is intended to safeguard foreign corporate assets in the country rather than to bolster defense or fight piracy, as authorities claim. Papua New Guinea receives aid from China, and a new military agreement with the United States includes logistical support, supplies, and services for military training.

Lack of development in the country exacerbates competition and intensifies tribal rivalries, frequently resulting in violent clashes, injuries, and deaths. Resentment toward the rapid spread of Chinese-owned businesses and their import of Chinese workers has resulted in many violent attacks.

Controversy persists over the country's agreement with Australia regarding asylum seekers. Migrants from third-party countries that reach Australia are sent to a detention center in Papua New Guinea where they are held pending a review of their asylum applications. However, even if granted refugee status, migrants will only be resettled in Papua New Guinea, with no opportunity to return to Australia. Opposition lawmakers challenge the legality of this arrangement, and local authorities and communities have demanded a bigger share of funds from Australia, as well as support for infrastructure projects. Detainees complain about poor living conditions and delays in immigration processing. Their protests turned violent in February, leading to a mass breakout; 35 people escaped, and one person died from a head injury. Guards allegedly used sticks, iron bars, rubber hoses, and other objects to subdue the protesters. A National Court judge ordered an inquiry into the February incident. A leaked report by the Australian contractor managing the facility states that there are daily occurrences of self-harm, suicide attempts, and attacks on guards and personnel. Delayed medical attention left a detainee dead in September. At year's end, there were more than 1,000 detainees. Australia spent approximately \$100 million to build a village for the refugees in the provincial capital of Manus Island.

Same-sex sexual relations are a criminal offense. No laws protect against discrimination or hate crimes.

#### **G. Personal Autonomy and Individual Rights: 8 / 16**

Discrimination and violence against women and children are widespread. In a 2013 UN survey, 61 percent of Papua New Guinea men reported to have raped someone at least once. Allegations of sorcery—rooted in superstitions or used as an excuse for personal vendettas—frequently makes women the target of violence. In April 2014, 189 persons were charged with burning 8 people to death.

Papua New Guinea does not meet any of the UN Millennium Development Goals. According to the Joint United Nations Programme on HIV/AIDS (UNAIDS), Papua New Guinea is host to 90 percent of new HIV/AIDS cases in the Pacific. Tuberculosis is widespread. In February 2014, government health facilities began providing free basic health services and treatment for HIV/AIDS, tuberculosis, and mental health issues.

According to the U.S. State Department's *Trafficking in Persons Report* for the year 2014, Papua New Guinea has not made significant efforts to prevent and prosecute trafficking or assist victims. The report rated PNG as a tier three country, in which both local and foreign victims are trafficked for sex work, child labor, and manual labor. Papua New Guinea is not a party to UN the Protocol to Prevent, Suppress and Punish Trafficking in Persons.

## Paraguay

**Political Rights Rating:** 3

**Population:** 6,902,000

**Civil Liberties Rating:** 3

**Capital:** Asunción

**Freedom Rating:** 3.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF

**INTRODUCTION**

Paraguay's political institutions regained a level of stability in 2014 following a period of upheaval that began with the ouster of President Fernando Lugo in 2012. Horacio Cartes, a tobacco magnate and political newcomer who was elected president in 2013, completed his first full year in office.

In June, the government passed a law returning historic land to the indigenous Sawhoyamaya group, ending a 20-year legal battle.

**POLITICAL RIGHTS: 27/ 40 (+1)****A. Electoral Process: 10 / 12**

Paraguay's 1992 constitution provides for a president, a vice president, and a bicameral Congress consisting of a 45-member Senate and an 80-member Chamber of Deputies, all elected for five-year terms. The president is elected by a simple majority vote, and reelection is prohibited. Congress is elected by proportional representation. The constitution bans active-duty military from engaging in politics.

While the congressional vote impeaching Lugo in 2012 was technically constitutional, the process was sudden and lasted just a few hours, leading some international leaders to characterize the ouster as a coup. Presidential elections held in 2013 brought the Colorado Party's Cartes to office with 46 percent of the vote, against 37 percent for his principal opponent, Efraín Alegre of the Partido Liberal Radical Auténtico (PLRA). In concurrent legislative elections, Colorado captured 19 Senate seats and 44 seats in the Chamber of Deputies, while the PLRA won 12 and 27 seats in the respective bodies. Several small parties also hold a handful of seats. The elections were marred by allegations of vote-buying.

**B. Political Pluralism and Participation: 12 / 16**

Paraguay's system is open to the rise of different political parties. Before President Lugo and the Alianza Patriótica por el Cambio (APC) came to power in 2008, the center-right Colorado Party had ruled Paraguay for more than 60 years. After a truncated presidency by the left-leaning Lugo, the Colorados returned to power in the 2013 elections. The liberal PLRA is the other major political party. Smaller parties with congressional representation include the Patria Querida, the Unión Nacional de Ciudadanos Éticos, and the Partido Encuentro Nacional.

**C. Functioning of Government: 5 / 12 (+1)**

After a period of volatility in 2012 and 2013 following the impeachment of Lugo, Paraguay's government institutions regained stability in 2014.

Corruption is widespread in Paraguay, particularly in the eastern part of the country, Ciudad del Este. Corruption cases languish for years in the court system without resolution, and offenses often go unpunished due to political influence in the judiciary. Cartes has vowed to address the country's endemic corruption. After taking office, his administration began bypassing Congress when awarding government contracts to prevent conflicts of interest. Cartes has also avoided appointing political insiders to cabinet posts. Some, however, have criticized Cartes's anticorruption measures for relying too heavily on executive power, arguing that Paraguay's corruption problem cannot be resolved without involvement from Congress. Little progress was made against corruption in 2014.

In September 2014, Paraguay passed the Access to Public Information and Transparency Law, which guarantees public access to government financial records. The law will go into effect in 2015. The law has faced criticism over its reduction in penalties—the original proposal had included the possibility of imprisonment, while the final version only included

five years' administrative leave. Paraguay was ranked 150 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 38 / 60 (+3)

**D. Freedom of Expression and Belief:** 12 / 16

The constitution provides for freedoms of expression and the press, but these rights are compromised in practice. Direct pressure by criminal groups and corrupt authorities lead journalists to censor themselves, especially in remote border areas, and threats against journalists are common. In April 2014, the Inter-American Commission on human rights released a report calling on Paraguay to prevent and investigate violations of journalists' freedom of expression. The government does not restrict access to the internet.

Three journalists were murdered in 2014. In May, radio journalist Fausto Gabriel Alcaraz was shot and killed on the Brazilian border; he had named alleged drug traffickers on the air. A Brazilian national was arrested the following month in possible connection to the murder. In June, journalist Edgar Pantaleón Fernández Fleitas was killed in Concepción. Fernández Fleitas had accused local officials of having links to drug trafficking. A suspect was apprehended shortly after the killing. In October, journalist Pablo Medina and his assistant were killed in an ambush. Medina had been investigating links between politicians and drug producers. Four alleged assailants were arrested after the murders. Despite the arrests, impunity for attacks against journalists has been common.

The government generally respects freedom of religion and does not generally restrict academic freedom. The Scholars at Risk network lists one incident of a student being detained in October 2014 in connection to a demonstration by the Ministry of Education.

**E. Associational and Organizational Rights:** 8 / 12

The constitution guarantees freedoms of association and assembly, and these rights are generally respected.

A number of trade unions operate in the country, but their rights are not always respected in practice. In 2014, unions organized for Paraguay's first general strike in 20 years. Demonstrators criticized the increased investment of private companies in the nation's infrastructure, a move they considered to be a step toward privatization. Although Cartes raised Paraguay's minimum wage, the strike continued. In September, education workers went on strike to demand higher compensation and an increase in the government's education budget. The strikers were met with a violent reaction from police.

**F. Rule of Law:** 7 / 16 (+2)

Following the political upheaval of 2012 and 2013, Paraguay's judiciary was generally stable in 2014. While nominally independent, the judiciary is corrupt, leading to trial delays and extended pretrial detention. Illegal detention by police and torture during incarceration still occur, particularly in rural areas. Overcrowding, unsanitary conditions, and mistreatment of inmates are serious problems in the country's prisons.

Paraguay is a regional hub for money laundering, drug trafficking, and organized crime. The government has clashed with the Paraguayan People's Army (EPP)—a nationalist guerilla group—since it renewed its insurgency in 2012 after a six-year lull. The EPP has employed tactics such as kidnapping and attacks on electrical towers. The military offensive has left many guerrillas dead.

The constitution provides Paraguay's estimated 108,000 indigenous people with the right to participate in the economic, social, and political life of the country. While same-sex sexual activity is legal, members of the LGBT (lesbian, gay, bisexual, and transgender) community

face legal and de facto discrimination. In November, the Senate rejected a law that would have banned religious, sexual, and political discrimination. Although the law did not specifically mention same-sex rights, opponents of the law characterized it as pertaining to them.

**G. Personal Autonomy and Individual Rights:** 11 / 16 (+1)

The law protects freedoms of movement and travel, which are generally respected in practice.

A 20-year legal battle culminated in a major victory for the traditionally marginalized Sawhoyamaza people in June 2014 when Cartes signed a law that returned more than 55 square miles to them. Although ranchers and farmers challenged the law in the courts, the Supreme Court upheld it in October. Various other cases pertaining to the land rights of indigenous groups are pending in the court system.

Sexual and domestic abuse of women continues to be a serious problem. In August 2014, however, Lucia Sandoval, who had been arrested for defending herself against an abusive husband, was released from prison. The Paraguayan government has worked to combat the worst forms of child labor, but children continue to work hazardous jobs in agriculture and domestic service.

Paraguay has a constitutional ban against the recognition of same-sex relationships, and opposed a 2014 proposal from the Organization of American States that called for member states to refrain from interfering in the private lives of LGBT people. In June, police clashed with LGBT advocates protesting Paraguay's position on the proposal.

## Peru

**Political Rights Rating:** 2

**Population:** 30,814,000

**Civil Liberties Rating:** 3

**Capital:** Lima

**Freedom Rating:** 2.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F	2,3,F

### INTRODUCTION

President Ollanta Humala dealt with significant political turbulence in 2014. Cabinet changes, corruption scandals, and a declining economy all contributed to a public perception of disorganized leadership. Political debate centered on ceding maritime territory to Chile and the possible 2016 presidential candidacy of First Lady Nadine Heredia (a rumor she has denied). The health and continued imprisonment of former president Alberto Fujimori have also served as fodder for debate.

In addition, controversy centered on Interior Minister Daniel Urresti, a former army intelligence officer who was appointed in June 2014 despite an ongoing judicial process against him. At the end of the year, the judiciary was debating whether to charge Urresti for his alleged involvement in the 1988 murder of a journalist.

Peru continued to face high levels of social conflict in 2014. Clashes have been sparked by specific concerns such as indigenous rights and environmental exploitation related to

extractive industries, as well as broader issues such as class, inequality, and social marginalization; conflict is fueled by complex local politics. The most notorious incident of the year occurred in September, when four leaders of the Asháninka tribe were murdered after lodging complaints about illegal logging on their land. Two loggers were arrested for the crimes.

**POLITICAL RIGHTS:** 30 / 40

**A. Electoral Process:** 10 / 12

The president and 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.

Although the 2011 elections were sharply polarized, they were deemed generally free and fair by international observers. However, shortcomings included lack of enforcement of campaign finance norms and pressure on media outlets by powerful economic interests in support of losing presidential candidate Keiko Fujimori, daughter of the former president. With various candidates dividing the center, the leftist Humala and right-wing Fujimori entered a runoff in June, which Humala won 51.5 percent to 48.5 percent.

In the concurrent legislative elections, an alliance led by Humala's Peruvian Nationalist Party (PNP) captured 47 of the 130 seats, followed by Fujimori's Force 2011 grouping with 38 seats, and former president Alejandro Toledo's Perú Posible with 21 seats. Two smaller parties, the Alliance for Major Change and the National Solidarity Alliance, secured 12 and 8 seats, respectively; former president Alan García's Peruvian Aprista Party (APRA) captured 4 seats. Since the elections, a series of resignations from the PNP has reduced its congressional representation to only 33 seats.

Local and regional elections in October 2014 followed the pattern of previous cycles, with the vast majority of elected officials representing regional movements rather than Peru's fragmented national parties. At least four candidates under suspicion of involvement in money laundering or drug trafficking schemes were elected as regional presidents. Anger over the results of local elections led to unruly protests throughout the nation and three deaths.

Speculation about the political aspirations of First Lady Heredia was rife in 2014. Heredia has denied any intention of succeeding her husband, a move that would be unconstitutional under current Peruvian law.

**B. Political Pluralism and Participation:** 13 / 16

Peruvian parties, while competitive, are both highly fragmented and extremely personalized. Regional presidents have become important political actors over the last decade, though they have often been accused of corruption and other misdeeds. Despite political decentralization, the concerns of ethnic and cultural minorities, especially in remote mountain or jungle zones, remain inadequately addressed among parties with national scope, which contributes to regular episodes of acute social conflict in the provinces.

**C. Functioning of Government:** 7 / 12

Corruption is a serious problem. Checks on campaign financing are particularly weak at the local level, where the influence of drug traffickers is perceived to have grown in recent years. Corruption scandals blossomed throughout 2014 at multiple levels of government, with many centering on the regional president of Áncash, César Álvarez, who after years of accusations of corruption and violence—including the murder of a vocal opposition candidate in March—was arrested in May on charges of graft and murder. In December, the National Judicial Council suspended Prosecutor General Carlos Ramos

Heredia from his post for his ties to Álvarez and businessman Rodolfo Orellana, who was arrested in Colombia in November for his role in running several corrupt enterprises. Martín Belaúnde Lossio, a former campaign adviser to Humala who maintained close ties to the first couple, was also accused of multiple acts of corruption involving government contracts; by year's end, Peruvian authorities were attempting to have him extradited from Bolivia.

In January 2014, a congressional commission on corruption released a series of reports detailing incidents that took place under the administration of former president Alan García (2006–11). The most prominent example concerns the alleged sale of presidential pardons, through which scores of convicted narcotics traffickers were released from prison. Although Congress endorsed several of the reports in June and September 2014, the process of formal investigation slowed toward year's end. A separate congressional commission continued to investigate allegations of corrupt and fraudulent real estate transactions against former president Toledo.

Some government agencies have made progress on transparency, but much information related to defense and security policies remains classified under a 2012 law. Peru was ranked 85 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES: 41 / 60**

**D. Freedom of Expression and Belief: 15 / 16**

Peru's dynamic press is mostly privately owned. Officials and private actors sometimes intimidate or even attack journalists in response to negative coverage. The local press watchdog Institute for Press and Society registered several dozen attacks against journalists in 2014. In November, investigative reporter Fernando Raymondi was murdered in a province near Lima after beginning a story on hired assassins in the area. Low pay leaves reporters susceptible to bribery, and media outlets remain dependent on advertising by large retailers. Defamation is criminalized, and journalists are regularly convicted under such charges, though their sentences are usually suspended. Former Áncash regional president Álvarez was especially aggressive in his use of legal charges to intimidate and harass critical reporters.

In August 2013, the *El Comercio* conglomerate, which already controlled a large swath of the newspaper market, purchased the EPENSA newspaper group, creating a company with nearly 80 percent market share and sparking an intense debate over ownership concentration that continued throughout 2014. The government does not limit access to the internet; penetration in 2013 was 39 percent.

The constitution provides for freedom of religion, and the government generally respects this right in practice. However, the Roman Catholic Church receives preferential treatment from the state. The government does not restrict academic freedom.

**E. Associational and Organizational Rights: 8 / 12**

The constitution provides for the right to peaceful assembly, and authorities generally respect this right. However, the executive branch has issued several decrees in recent years that limit police and military responsibility in the event of injury or death during demonstrations. It has also frequently resorted to declarations of states of emergency and done little to prevent excessive use of force by security personnel confronting protests. In January 2014, Humala promulgated a 2013 law that formally exempts members of the security forces from responsibility for violence undertaken while fulfilling their duties. In February, four policemen were acquitted in the deaths of four protesters in Huancavelica in 2011.



According to the government, at least 43 Peruvians were killed by the National Police between the start of Humala's term and October 2014. Analysts have observed that the government's approach to local grievances, which often involve environmental concerns, typically eschews mediation and early intervention in favor of reactive repression by militarized police units. The trial of more than 50 community members involved in the 2009 Bagua protests, which left 10 protesters and 23 police officers dead and more than 200 people injured, began in May. Very few members of the police or military have faced charges for protest-related incidents in recent years. As of the end of 2014, the Constitutional Tribunal (TC) had not yet ruled on the constitutionality of a 2010 law broadening military jurisdiction when the security forces are involved in civilian deaths.

Freedom of association is generally respected. Antiminig activists, including noted environmental leader Marco Arana, have been subject to arbitrary arrest or questionable legal charges in recent years, while several nongovernmental organizations have experienced various forms of intimidation.

Peruvian law recognizes the right of workers to organize and bargain collectively. Legally, strikers must notify the Ministry of Labor in advance, but few do so. Less than 10 percent of the formal-sector workforce is unionized. Parallel unionism and criminal infiltration of the construction sector in Lima have led to a series of disputes and murders.

#### **F. Rule of Law: 8 / 16**

The judiciary is widely distrusted and prone to corruption scandals. While the TC is relatively independent, its autonomy has been subject to both setbacks and advances in recent years. A 2008 Judicial Career Law improved the entry, promotion, and evaluation system for judges, and the judiciary's internal disciplinary body has been highly active. After the terms of six of the TC's seven members expired in late 2012, a particularly controversial and politicized set of appointments in July 2013 led to large-scale protests. The appointments were subsequently rescinded, but the process was not fully resolved until Congress confirmed new judges in May 2014.

A majority of inmates are still awaiting trial, and the prison population far exceeds the system's intended capacity. Since 2006, an adversarial justice system designed to improve the speed and fairness of judicial proceedings has slowly been implemented. Access to justice, particularly for poor Peruvians, remains problematic, and crime has risen. According to the latest Latin American Public Opinion Project (LAPOP) survey, Peru had the region's highest crime victimization rate of 28 countries in the Americas in 2014. Although the government has formulated various reform plans, implementation has remained slow. On a positive note, however, the sanctioning of corrupt police began to increase in 2014 under a revamped disciplinary system.

Since the 2003 publication of Peru's Truth and Reconciliation Commission report on the internal conflict against Shining Path guerrillas—which took 69,000 lives in the 1980s and 1990s—justice has been served in some significant cases. Above all, former president Alberto Fujimori was convicted for overseeing death-squad killings and two kidnappings. The year 2014 was the first with more convictions than acquittals in conflict-linked rights abuse cases, and human rights advocates were also encouraged by the ongoing failure of ex-president Fujimori to gain a reversal of his conviction. However, the military continues to obstruct those investigating past violations. The García government made almost no efforts to prioritize justice for cases of human rights abuses by state actors during the 1980s and 1990s, and the Humala administration has remained similarly passive.

Remnants of the Shining Path involved in the drug trade continue to clash with security forces in the Apurimac-Ene River Valley (VRAE) and Upper Huallaga zones. Coca eradi-

cation efforts and economic development programs in other regions have failed to reverse a trend toward increased coca production. Following the capture of key Shining Path leaders in 2013, confrontations in the VRAE were rare throughout most of 2014, although several ambushes in March and October resulted in casualties of security force personnel.

Native Quechua speakers and Afro-Peruvians are subject to discrimination. President Humala has instituted some programs that have benefited marginalized Peruvians, but progress overall has been slow. LGBT (lesbian, gay, bisexual, and transgender) people face frequent discrimination and attacks. Between January 2013 and March 2014, a reported 17 members of the LGBT community were murdered. In 2014, sitting congressman Carlos Bruce revealed that he is gay.

#### G. Personal Autonomy and Individual Rights: 10 / 16

Peru does not place formal restrictions on movement, but the frequency of protests can disrupt travel in certain areas, occasionally for prolonged periods. Discrimination against the indigenous population remains pervasive with regard to land use and property rights. Regulations to implement the 2011 Law of Prior Consultation—which requires extractive companies to reach agreement with indigenous communities before beginning work near their lands—were issued in 2012, and the first formal process was completed in 2013. The law has yet to be tested in areas where the balance of resource extraction and environmental protection is highly contested, leading rights groups to worry that the government’s need for mining revenue will continue to take precedence over the environmental concerns of indigenous peoples.

In recent years, women have advanced into leadership roles in various companies and government agencies. In July 2014, for example, congresswoman Ana Jara was appointed president of the Council of Ministers. Although legal protections have improved, domestic violence is epidemic, with more than half of Peruvian women reporting instances of physical or emotional abuse.

Forced labor, including child labor, persists in the gold-mining region of the Amazon.

## Philippines

**Political Rights Rating:** 3

**Population:** 100,096,000

**Civil Liberties Rating:** 3

**Capital:** Manila

**Freedom Rating:** 3.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

#### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	3,3,PF	4,3,PF	4,3,PF	4,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF

#### INTRODUCTION

In March, the Government of the Philippines and the Moro Islamic Liberation Front (MILF), the country’s largest rebel group, signed a landmark, comprehensive peace treaty that provides a roadmap for peace. A power-sharing arrangement in a new self-governed region, Bangsamoro, will replace and add territory to the current Autonomous Region in Muslim Mindanao (ARMM) by 2016. It is hoped that the treaty will end more than 40 years

of conflict between separatist Moros, an indigenous Muslim group, and the government in the southern Philippines. The peace agreement provisions must be approved by Congress and in a referendum in Mindanao before they will go into effect.

President Benigno “Noynoy” Aquino’s popularity suffered in 2014 due to the government’s slow response in advancing a comprehensive rehabilitation plan for regions affected by 2013 Typhoon Haiyan (Yolanda). Approval ratings also declined due to ongoing corruption, despite governmental progress on holding perpetrators accountable.

The Philippines continued to clash with China over rights to disputed waters in the South China Sea, and both countries have seized fishing boats. In March 2014, the Philippines filed an arbitration case against China with the Permanent Court of Arbitration in The Hague.

**POLITICAL RIGHTS:** 26 / 40

**A. Electoral Process:** 9 / 12

The Philippines’s directly elected president is limited to a single six-year term. The vice-president is directly elected on a separate ticket and may serve up to two successive six-year terms. Aquino won the 2010 election with 42 percent of the vote, followed by former president Joseph Estrada with 26 percent; several other candidates also competed.

In the bicameral Congress, 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 290 members of the House of Representatives serve three-year terms, with 234 elected in single-member constituencies and the remainder elected by party lists. In 2013 congressional elections, a coalition led by Aquino’s Liberal Party (LP) took 9 of the 12 contested Senate seats, giving the president’s allies a total of 13 seats in the upper house (the LP itself holds 4 seats). The remainder went to the United Nationalist Alliance (UNA), led by Estrada. The LP captured 110 seats in the lower house, followed by three allied parties with a combined 44 seats, giving the administration a clear majority in that chamber as well.

While open and competitive, elections in the Philippines are typically marred by fraud, intimidation, and political violence, though conditions have improved in recent years. The 2013 congressional, provincial, municipal, and village-level (“barangay”) elections were largely peaceful. Although there were approximately 80 election-related deaths, this marks a sizeable reduction from the 130 reported in the 2010 elections. Election-related violence is typically tied to local rivalries and clan competition. The decrease in violence has been aided by restrictions on firearms for 30 days before and 15 days after elections. Other persistent problems included media bias, which tends to favor wealthier candidates, and vote buying.

The president appoints the Commission on Elections (Comelec). Although discredited in past scandals, Comelec’s performance faced less criticism in the 2013 elections. Registration requirements for the approximately 900,000 overseas voters were eased in 2013. Appointments or promotions in government offices are banned in the period surrounding elections.

**B. Political Pluralism and Participation:** 10 / 16

Political parties typically have weak ideological identities. Their legislative coalitions are exceptionally fluid, and members of Congress often change party affiliation. Distribution of power is strongly affected by kinship networks, as is the pattern of leadership. Imelda Marcos, the wife of former president Ferdinand Marcos—who was overthrown in a people’s revolution in 1986—remains a member of Congress; her daughter is a governor, and her son is a senator. Former president Gloria Macapagal Arroyo, herself the daughter of a president, also sits in Congress, while former president Estrada is now the mayor of Manila and his son is a senator. Current president Aquino, the son of a former president, heads his

own political dynasty. Each of these clans has a strong regional power base and draws on the support of other political families. The nature of election-related funding contributes to the concentration of power: almost half of the funds for the 2013 Senate campaigns came from less than 4 percent of donors.

The Roman Catholic Church in the Philippines has historically played a significant role in politics. In 2013, several dioceses publicly opposed the reelection of specific senators and House members who voted in support of the 2012 Responsible Parenthood and Reproductive Health Act (RH Law). In the past, church leaders publicly described the attributes of a worthy candidate.

In 2013, the Supreme Court ruled that the party-list system, traditionally meant to represent marginalized or underrepresented groups, could also be open to other groups, including national political parties, provided that they do not stand in the single-member constituency contests. Critics of the decision warned that it would allow the wealthy and powerful to gain more congressional seats at the expense of marginalized groups. Evidence suggests that a number of party-list groups gained seats in 2013 not by representing national sectors or interests as intended, but through substantial support from single geographic regions.

### **C. Functioning of Government: 7 / 12**

Corruption and cronyism are rife in business and government. A few dozen leading families continue to hold a disproportionate share of land, corporate wealth, and political power. Local “bosses” often control their respective areas, limiting accountability and committing abuses of power. High-level corruption also abounds. The Philippines was ranked 85 out of 175 countries and territories surveyed in Transparency International’s 2014 Corruption Perceptions Index.

A culture of impunity, stemming in part from case backlogs in the judicial system, hampers the fight against corruption. The country’s official anticorruption agencies, the Office of the Ombudsman and the Presidential Anti-Graft Commission (PAGC), have mixed records. The PAGC lacks enforcement capabilities. The new ombudsman, installed in 2012, has focused on major cases with senior government officials and those involving large sums of money. However, cases take an average of six to seven years to be resolved in the special anticorruption court. In order to speed the processing of graft cases, in May 2014 the Senate approved a law that will require only two out of three justices to agree on a verdict rather than necessitating a unanimous decision. The new rules also permit the transfer of cases involving graft of less than approximately \$23,000—which account for 60 percent of pending cases—to other courts.

A 2013 report by the Commission on Audit found widespread abuses in the use of the Priority Development Assistance Fund (PDAF) by members of Congress. All lawmakers receive annual budgets from the PDAF account that they can direct to local development projects. While it has long been suspected that funds were siphoned off the PDAF, the scale and organized nature of the corruption was not previously known. At the end of 2013, the Supreme Court found the PDAF to be unconstitutional and halted the use of the funds. Three high-profile senators were arrested in relation to the scandal in June and July 2014. In October, four former congressmen were formally indicted, and 24 others were accused of managing bogus nongovernmental organizations (NGOs) that received PDAF funds or participated in the scam. In September, an associate justice of the anticorruption court was dismissed after being found guilty of gross misconduct related to the PDAF scandal.

In July, the anticorruption court ordered former president Gloria Macapagal Arroyo to be suspended from Congress temporarily in connection with her role in a broadband

network deal with a Chinese company. Arroyo has been under hospital arrest since 2012 on charges related to the misuse of state lottery funds. She is also implicated in several other corruption cases stemming from her tenure as president.

As a result of public outcry over an armed robbery and kidnapping case against eight police officers, as well as an ongoing corruption case against former national police force (PNP) director general Alan Purisima for his alleged hidden assets, PNP officers will undergo mandatory “lifestyle checks” for wealth gained as a result of illegal activities.

President Aquino came to power on a reform agenda and has made some progress on open and democratic governance. 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. In 2014, both houses of Congress passed versions of a long-awaited freedom of information (FOI) bill, which will go before a full plenary session in 2015. The law is expected to require the government to respond to FOI requests within 15 days, but to exclude information deemed to jeopardize national security, law enforcement, international relations, or individuals’ right to privacy.

#### **CIVIL LIBERTIES:** 37 / 60

#### **D. Freedom of Expression and Belief:** 14 / 16

The constitution provides for freedoms of expression and the press. The private media are vibrant and outspoken, although content often consists more of innuendo and sensationalism than substantive investigative reporting. The country’s many state-owned television and radio stations cover controversial topics and 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.

Potential legal 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—including the reprinting of existing statements—have been used frequently to quiet criticism of public officials.

The internet is widely available in the Philippines. However, rights groups have expressed concern about censorship of anonymous online criticism and the criminalization of libelous statements posted on the internet. The 2012 Cybercrime Prevention Act was suspended pending review by the Supreme Court due to public anger over controversial provisions regarding online libel. In February 2014, the court upheld the constitutionality of the libel clause, but limited criminality for online libel to the original author, meaning that those who react to or repost libelous comments online will not be penalized. The court also ruled that previous clauses providing the government with the authority to record phone or internet data in real time and to block websites without a warrant were unconstitutional.

The Philippines remains one of the most dangerous places in the world for journalists. While in 2014 the Committee to Protect Journalists (CPJ) confirmed only one death of a journalist as linked to her work, two others were murdered during the year. CPJ ranked the Philippines as the third-worst country in the world on its 2014 impunity index, with dozens of unresolved murder cases registered over the past decade.

Freedom of religion is guaranteed under the constitution and generally respected in practice. Academic freedom is also generally respected.

#### **E. Associational and Organizational Rights:** 8 / 12

Citizen activism is robust, and demonstrations are common. However, permits are required for rallies, and antigovernment protests are often dispersed.

The Philippines has many active human rights and social welfare groups, along with other NGOs. Various labor rights and farmers' organizations that are dedicated to ending extrajudicial killings and helping families of the disappeared face serious threats, and their offices are occasionally raided.

Trade unions are independent, but in order to register, a union must represent at least 20 percent of a given bargaining unit. Large firms are increasingly using contract workers, who are prohibited from joining unions. Approximately 5 percent of the labor force is unionized. Collective bargaining is common, and strikes may be called, though unions must provide notice and obtain majority approval from their members. Violence against labor leaders has been part of the broader trend of extrajudicial killings over the past decade.

#### **F. Rule of Law: 5 / 16**

Judicial independence has traditionally been strong, particularly in the Supreme Court. The efforts of the judiciary are stymied, however, by inefficiency, low pay, intimidation, corruption, and high vacancy rates, all of which have contributed to excessive delays and a backlog of more than 600,000 cases. Judges and lawyers often depend on local power holders for basic resources and salaries, which can lead to compromised verdicts. At least 12 judges have been killed since 1999, and there have been no convictions for the attacks.

The trial for alleged perpetrators of the 2009 Maguindanao massacre, in which 58 civilians—including 32 journalists—were killed to stop the registration of a local political candidate, continued in 2014. The trial has featured witness intimidation and flawed forensic investigations, and only half of the 197 suspects have been arraigned. At least eight witnesses and their families have been killed since 2009, including one in 2014. The media have complained of limited access to court proceedings.

Arbitrary detention, disappearances, kidnappings, and abuse of suspects continue. The police and military have been implicated in corruption, extortion, torture of detainees, extrajudicial killings, and involvement in local rackets. While torture is illegal, no case of torture has resulted in a conviction. A December 2014 Amnesty International report noted that fear of reprisal by authorities and lack of knowledge about, and legal obstacles to, victims filing criminal charges contribute to ongoing impunity, in addition to lack of access to medical examinations, overlapping rules and agency mandates, and an overstretched police force. According to the same report, in 2013 there were 75 alleged cases of torture, the highest ever recorded; in the first half of 2014, 28 alleged torture cases were reported to the Commission on Human Rights. These figures exclude cases in Mindanao. Torture victims tend to be from marginalized groups, and often include women and children.

In January, 10 members of the PNP were fired after a visit by the Philippine Commission on Human Rights to an unnamed detention site revealed the use of a "wheel of torture" to determine the method used to extract information from detainees. An alleged 41 detainees were victims of torture, although only half filed complaints, and several withdrew their affidavits.

The lack of effective witness protection has been a key obstacle to investigations against members of the security forces. Convictions for extrajudicial killings are extremely rare. In August, retired major general and former congressman Jovito Palparan was arrested for his alleged role in the kidnapping and illegal detention of two students in 2006.

A May Human Rights Watch report revealed evidence of a death squad in Mindanao that was allegedly formed to combat crime and target political opponents via extrajudicial mechanisms, including murder in public places. The squad is also alleged to have been hired out for other politically motivated assassinations, including those of a judge, a journalist, and a tribal leader. A 2012 law criminalizes forced disappearances.

Firearms are common and poorly regulated, though a 2013 law provides comprehensive rules for the possession, manufacture, and sale of guns and ammunition.

Kidnappings for ransom remain common in the South, perpetrated in large part by the militant group Abu Sayyaf, which advocates for an Islamic state. Abu Sayyaf also regularly carries out bombings and other attacks. In July 2014, Abu Sayyaf gunmen allegedly attacked and killed 21 travelers. In August, Apo Kahumbo, an Abu Sayyaf leader suspected of leading kidnappings, was arrested and subsequently killed during a reported attempt to escape. The same month, Abu Sayyaf member Jauhari Idris was arrested for kidnapping and illegal detention. In September, Hadji Aldam, a security guard who also belonged to a paramilitary group, was beheaded, allegedly by Abu Sayyaf militants.

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's Muslim separatist movements. The related conflict has caused severe hardship for many of the 15 million inhabitants of Mindanao and nearby islands, and has resulted in more than 120,000 deaths since it erupted in 1972. Both government and rebel forces have committed summary killings and other human rights abuses. Several peace deals have fallen through as a result of the failure to effectively disarm, demobilize, and reintegrate former rebels, but a comprehensive agreement was reached in March 2014. Breakaway groups not part of the peace deal continued to launch sporadic deadly attacks throughout the year.

In the North, the government has been engaged in peace negotiations with the New People's Army (NPA), the militarized wing of the Communist Party. Deadly clashes between the NPA and the Philippine army continued in 2014. In March, soldiers arrested Benito Tiamzon, chairman of the Communist Party of the Philippines, and his wife Wilma, a senior party official. They are expected to stand trial for crimes against humanity.

Indigenous rights are generally upheld, but indigenous activists regularly come into conflict over land disputes and local development projects. In October 2014, Timuay Lencio Arig, an indigenous leader and a member of the Council of Elders of a political group advocating for rights to ancestral land, was murdered. An investigation into his death was in progress as of year's end.

National law does not prohibit discrimination based on sexual orientation or gender identity, though some local protections are in place. In October 2014, the Philippines' largest city, Quezon, adopted an ordinance banning antigay discrimination and announced the presence of centers for education on LGBT (lesbian, gay, bisexual, and transgender) rights. LGBT people reportedly face bias in employment, education, and other services, as well as societal discrimination.

#### **G. Personal Autonomy and Individual Rights: 10 / 16**

Outside of conflict zones, citizens enjoy freedom of travel and choice of residence. Private business activity is subject to the support of local power brokers in the complex patronage system that extends through the country's social, political, and economic spheres.

The UN Development Programme has found the Philippines to be one of the few countries in Asia to have significantly closed the gender gap in the areas of health and education. Although more women than men now enter high schools and universities, women face some discrimination in private-sector employment, and those in Mindanao enjoy considerably fewer rights in practice. Divorce is illegal in the Philippines, though annulments are allowed under specified circumstances; Muslims may divorce via Sharia (Islamic law) courts. A 2009 law included provisions calling for women to fill half of third-level government positions, requiring that each barangay be equipped with a "violence against women" desk, and

recognizing women's rights as human rights. Despite these measures, enforcement has been uneven. Violence against women continues to be a significant problem, and while marital rape is a crime, extremely few cases are prosecuted.

In April, the Supreme Court upheld the constitutionality of the landmark RH Law, which provides state funding for contraceptives in public clinics, reproductive health care, and sex education in schools. However, health-care workers may deny services in non-life-threatening circumstances if they have moral or religious misgivings; minors must obtain parental consent; and spousal consent is necessary for circumstances that are not life threatening.

The Philippines is a source country for human trafficking, which is a growing problem, though the president signed a stricter law on human trafficking in 2013. The country's various insurgent groups have been accused of using child soldiers. In a bid to end economic exploitation of household workers, the president signed a Domestic Workers Act in 2013 that entitles such workers to minimum wages, paid leave, and insurance, among other protections.

## Poland

**Political Rights Rating:** 1

**Population:** 38,479,000

**Civil Liberties Rating:** 1

**Capital:** Warsaw

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline for Year under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

Parliamentary speaker and former health minister Ewa Kopacz was sworn in as prime minister in September 2014, replacing Civic Platform (PO) leader Donald Tusk, Poland's longest-serving prime minister since the fall of communism. Tusk stepped down in order to serve as president of the European Council.

Earlier in the year, Prime Minister Tusk's center-right administration faced calls to resign, and the independence of Poland's central bank was called into question when the weekly magazine *Wprost* published a series of secretly recorded and unflattering conversations held between leading politicians in restaurants. As the "Waitergate" scandal gained momentum, Tusk beat the opposition Law and Justice (PiS) party to the punch by calling for—and winning—a vote of confidence in his government on June 25. PiS called another no-confidence vote on July 11, which Tusk again survived.

Euroskeptic parties won several seats in the European Parliament (EP) in the May 2014 elections, though the majority of votes went to PO and PiS. PO narrowly lost to PiS in local elections in November; technical problems delayed reporting of election results.

The crisis in Ukraine loomed large on Poland's foreign policy agenda throughout 2014, contributing to the country's rising profile in European and transatlantic affairs. Shortly before taking office, Kopacz hinted that Poland would be taking a less argumentative stance on Russia's activities in Ukraine than under the previous administration.



**POLITICAL RIGHTS:** 38 / 40**A. Electoral Process:** 12 / 12

The president is directly elected for up to two five-year terms, and members of the bicameral National Assembly are elected for four-year terms. The president's appointment of the prime minister must be confirmed by the 460-seat Sejm, the National Assembly's lower house, which is elected by proportional representation. While the prime minister is responsible for most government policy, Poland's president also has influence, particularly over defense and foreign policy matters. Sejm speaker Bronisław Komorowski of PO has been president since the 2010 election, which he won by 53 percent of the vote. The 100 Senate (upper house) members can delay and amend legislation but have few other powers.

In the most recent National Assembly elections in 2011, PO won 207 seats in the Sejm, PiS followed with 157, the liberal Palikot Movement captured 40, the Polish People's Party (PSL) took 28, and the Democratic Left Alliance (SLD) won 27. A representative of the ethnic German minority held the remaining seat. In the Senate, PO took 63 seats, PiS 31, PSL 2, and the remainder went to independents.

In the November 2014 local elections, PiS won over PO, though not by as wide a margin as predicted by exit polls. PiS challenged the outcome, alleging fraud. Although allegations of vote tampering proved unsubstantiated, an information technology (IT) system failure significantly delayed publishing of the results. There was also a large number of spoiled ballots.

In November, the Supreme Audit Office (NIK) declared that the election commission, the PKW, would not be ready in time for the 2015 presidential elections, as it had not started preparing for tenders for a new IT system to tabulate votes. Several changes to electoral legislation were introduced in 2014 and will be in effect during 2015 presidential elections. The right to cast ballots by mail in parliamentary and presidential elections, previously limited to citizens living abroad and the disabled, was extended to all registered voters. Another amendment softened the rules for reporting financial statements to the PKW, lessening the impact of minor accounting mistakes.

In February 2014, the PKW ruled that PiS violated electoral law by airing television advertisements before EP elections were officially announced.

**B. Political Pluralism and Participation:** 16 / 16

Poland's political parties organize and operate freely. PO and the more socially conservative PiS have dominated the political scene since 2005, and PO has been the main governing party since 2007. Relations between the two main parties are increasingly polarized. The approach of the 2014 EP elections saw the formation of new alliances on both ends of the political spectrum. The National Movement (RN), an umbrella organization of far-right and openly nationalistic parties and associations, won no seats in the EP.

In late July, PiS formed an alliance with hitherto rivals Poland Together and the right-wing United Poland party. The alliance registered a joint list of candidates for the November 2014 local elections, which PiS won—albeit by a narrow margin—for the first time since 2005.

Ethnic, religious, and other minority groups enjoy full political rights and electoral opportunities. Their political parties are not subject to the minimum vote threshold of 5 percent to achieve parliamentary representation.

**C. Functioning of Government:** 10 / 12

Anticorruption laws are not always effectively implemented, and corruption within the government remains a problem, particularly in public procurement. In March 2014, the Central Anti-Corruption Bureau (CBA) notified Poland's attorney general of "irregularities"

in public procurement procedures for information technology equipment and services at the Ministry of Justice. In April, the BBC reported that British drug company GlaxoSmithKline was undergoing a criminal investigation in Poland for allegedly bribing doctors between 2010 and 2012. Poland was ranked 35 out of 175 countries and territories in Transparency International's 2014 Corruption Perceptions Index, climbing three positions since 2013.

In June 2014, the weekly magazine *Wprost* published a series of secretly recorded conversations between high-level politicians that journalist Piotr Nisztor claimed to have received in emails from an anonymous businessman. A July 2013 recording between Central Bank director Marek Belka and Interior Minister Bartłomiej Sienkiewicz revealed Belka allegedly offering to help PO by cutting interest rates ahead of the next elections if Tusk fired Finance Minister Jacek Rostowski, with whom Belka had clashed. The two men also discussed the creation of a law that would allow the Central Bank to buy government debt on secondary markets (a practice known as quantitative easing). Rostowski was, in fact, removed in November 2013, but Tusk has denied that this was related to Belka's request.

The final week leading up to local elections in November 2014 was dominated by allegations that three PiS deputies, including the party's national spokesperson, had made fraudulent expense claims. PiS immediately expelled the three deputies.

Poland has been more successful in absorbing EU funds than any other country in the region, and is set to be the biggest beneficiary of EU structural funds for 2014–20.

#### **CIVIL LIBERTIES: 55 / 60**

#### **D. Freedom of Expression and Belief: 16 / 16**

The constitution guarantees freedom of expression and forbids censorship. Libel remains a criminal offense, though a 2009 amendment to the criminal code eased penalties. Poland's print media are diverse and mostly privately owned. The government does not restrict internet access. The dominant state-owned Polish Television and Polish Radio face growing competition from private domestic and foreign outlets. The National Broadcasting Council (KRRiT) is currently dominated by the ruling PO and faces regular accusations of bias in its dealings with various ultraconservative media linked to PiS.

On June 18, police and state prosecutors raided *Wprost* headquarters in the wake of the magazine's Watergate leak in a failed attempt to seize the recordings and force the magazine to reveal its sources. The raid, which was carried out without a prior court order, was criticized as an attack on freedom of speech and of the press. Justice Minister Marek Biernacki said the raid had "raised legitimate concerns about breaches of journalistic confidentiality" and "should have never taken place." The state launched an investigation into two counts of alleged police brutality and breach of duty by the prosecutors.

In October 2014, KRRiT issued a 50,000 zloty (\$15,000) fine against Lux Veritas, the owner of Poland's leading Catholic media outlets, for broadcasting commentary sympathetic to the persons responsible for vandalizing an art installation in 2013.

The state respects freedom of religion. Religious groups are not required to register with the authorities but receive tax benefits if they do. A person may be found guilty of blasphemy, punishable by a fine of 5,000 zloty (\$1,659) or up to two years in prison, even if it was unintentional. Starting January 1, 2014, the religious slaughter of animal meat for kosher and halal food became illegal following a 2012 Constitutional Court ruling; however, the ban was overturned in December on the grounds of religious freedom. In November, a study by the Warsaw University Center for Research on Prejudice documented an 8 percent increase in anti-Semitism from 2009 to 2013.

In June 2014, the director of Poland's largest annual theater festival canceled a planned performance by Argentinian playwright Rodrigo Garcia after police reported they were

not equipped to handle large protests planned against the controversial play. Critics of the cancellation argued that the police scare was a form of unofficial censorship by ultraconservative religious groups.

Academic freedom is respected.

#### **E. Associational and Organizational Rights: 12 / 12**

Freedom of association is generally respected in law and in practice. Residents of Poland hold public demonstrations with some regularity. Local authorities can limit demonstrations in their districts, allegedly to maintain public order. In September 2014, the Constitutional Court ruled six provisions of a 2012 amendment to the law on assembly unconstitutional, including a ban on simultaneous demonstrations in the same place that could threaten public order; the legislature has one year to amend the law. As in previous years, the November 2014 Independence Day marches were marred by hooliganism and nationalist violence, prompting police to detain 276 people.

Nongovernmental organizations operate without government interference. 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: 13 / 16**

The judiciary is independent, but the courts are notorious for delays in adjudicating cases. Prosecutors' slow action on corruption investigations has prompted concerns that they are subject to political pressure. Pretrial detention periods can be lengthy, and prison conditions are poor by European standards.

In July 2014, the European Court of Human Rights ruled that Poland violated the rights of terrorism suspects Abu Zubaydah and Abd al-Rahim al-Nashiri by allowing their transfer to a secret detention center run by the U.S. Central Intelligence Agency (CIA) in Poland between 2002 and 2003, where the two suspects were subjected to "torture and inhuman or degrading treatment." The 2014 ruling marks the first time that a court has officially confirmed the existence and ruled on the activities of the CIA's secret prison network in Europe.

Ethnic minorities generally enjoy generous legal rights and protections. Some groups, particularly the Roma, experience employment and housing discrimination, racially motivated insults, and occasional physical attacks. Members of the LGBT (lesbian, gay, bisexual, transgender) community continue to face discrimination. In January 2014, a gay student was beaten to death by two men in Szczecin. A February 2014 UN Elimination of Racial Discrimination Committee report urged Poland to take increased steps to combat hate crimes.

#### **G. Personal Autonomy and Individual Rights: 14 / 16**

Citizens enjoy freedom of travel and choice of residence, employment, and institution of higher education. Citizens have the right to own property and establish private businesses.

Women hold senior positions in government and the private sector, including 24 percent of the seats in the Sejm. However, Poland's abortion laws are among the strictest in Europe. Under Polish law, abortion is only permissible if a woman's life or health are jeopardized by the continuation of a pregnancy, if the pregnancy is a result of a criminal act such as rape, or if the fetus is seriously malformed. Women who undergo illegal abortions do not face criminal charges, but those who assist in the procedures, including medical staff, can face up to two years in prison. The Your Movement party agitated throughout 2014 for the removal of the so-called conscience clause in Poland's abortion

legislation, which permits Catholic doctors to refuse an abortion to a qualifying patient provided they refer her to another clinic.

In March, about 8,000 people took part in the ninth annual March for the Sanctity of Life in Warsaw, an event organized by Catholic and conservative groups. Demonstrators also carried banners protesting “gender ideology,” a term used to designate radical feminism, sex education, and other ideas or practices seen as threatening to traditional family values.

Domestic violence against women remains a serious concern, as does trafficking in women and girls for the purpose of prostitution.

## Portugal

**Political Rights Rating:** 1

**Population:** 10,396,000

**Civil Liberties Rating:** 1

**Capital:** Lisbon

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

Portugal exited a three-year bailout program in May 2014 without a precautionary line of credit, making it financially independent; its economy is approximately 4 percent smaller than it was at the start of the bailout. A number of strikes and protests took place throughout the year in reaction to pay and pension cuts, though to a lesser extent than in the past. In May, the Portuguese Constitutional Court struck down public-sector pay cuts proposed by the government for the 2015 budget; the parliament passed legislation in September attempting to implement cuts again.

**POLITICAL RIGHTS:** 39 / 40

**A. Electoral Process:** 12 / 12

The 230 members of the unicameral legislature, the Assembly of the Republic, are elected every four years using a system of proportional representation. The president can serve up to two consecutive five-year terms. While the position is largely ceremonial, the president can delay legislation through a veto, dissolve the assembly to trigger early elections, and declare war as the commander-in-chief of the armed forces. The legislature nominates the prime minister, who is then confirmed by the president. The constitution was amended in 1997 to allow Portuguese citizens living abroad to vote in presidential and legislative elections, as well as national referendums.

Early legislative elections were held in 2011 after the Socialist Party (PS) government’s fourth austerity budget proposal was rejected by all five opposition parties. The Social Democratic Party (PSD) rose to power with 108 seats and 40 percent of the vote, compared to the PS’s 74 seats (29 percent). PSD leader Pedro Passos Coelho formed a coalition government with the Democratic Social Center–Popular Party (CDS-PP), which won 24 seats. The Unitarian Democratic Coalition, composed of the Portuguese Communist Party and the Greens, took 16 seats, and the progressive Left Bloc won 8.

Aníbal Cavaco Silva, a center-right candidate who had served as prime minister from 1985 to 1995, won the 2006 presidential election and was reelected in 2011.

In October 2014, Coelho rejected a call for early elections by PS leader Ferro Rodrigues.

**B. Political Pluralism and Participation:** 16 / 16

Political parties operate freely. The main political parties are the center-left PS, the center-right PSD, and the Christian-democratic CDS-PP. The 2011 elections saw a change of power from the PS to the PSD. Many smaller parties represent a range of social, political, and economic ideologies. 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

A 2009 police operation exposed companies engaged in illicitly obtaining industrial waste contracts. More than 30 people were charged with graft, money laundering, and influence peddling, including a number of officials linked to the PS. In September 2014, numerous high-profile individuals were convicted in connection with the scandal: Armando Vara, the former vice president of Millennium BCP Bank, was sentenced to five years in prison; Jose Penedos, former president of the country's power grid, also received a five-year sentence; and prominent businessman Manuel Godinho was sentenced to 17 years and six months.

In November, at least 60 police raids were carried out across the country as part of an investigation into corruption in immigration procedures. The raids led to the arrest of 11 officials, including the heads of the Portuguese border agency and notary institute. The investigation revealed corrupt practices in the issuing of so-called golden visas to wealthy foreign nationals in return for real-estate purchases and other investments. Also in November, former prime minister José Sócrates was arrested for suspected tax fraud and money laundering. The arrest marked the first detention of a former democratic premier and comes as the result of the country's attempt to curb its history of corruption.

In February 2014, the European Commission released the first European Anti-Corruption Report, which noted that Portugal did not have a national anticorruption strategy, that the country needs to address shortcomings in prosecuting high-level corruption cases, the lack of preventive measures for corruption in party funding and public procurement, and conflicts of interest among local-level politicians. The report also found that 90 percent of Portuguese believe that corruption is widespread in their country.

Portugal was ranked 31 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 58 / 60

**D. Freedom of Expression and Belief:** 16 / 16

Freedom of the press is constitutionally guaranteed. 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 condemned Portugal on multiple occasions for criminal defamation convictions. In April 2014, the ECHR awarded more than €16,000 (\$18,000) to two journalists from *Jornal do Centro* who had been found guilty of defamation in a 2002 ruling by a Portuguese court. Poorly funded public broadcasting channels face serious competition from commercial television outlets. Internet access is not restricted.

Watchdogs have expressed concern over Angola's influence over Portuguese media, which has increased in recent years as the financial crisis has led media owners to seek

investments from the wealthy former Portuguese colony. Powerful Angolans hold shares in the Newshold media group, which controls *Sol*—Portugal’s third largest weekly—and other major publications. There have also been repercussions for journalists who critique Angola, encouraging self-censorship.

Although Portugal is overwhelmingly Roman Catholic, 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), including tax exemptions, legal recognition of marriages, and respect for traditional holidays. Academic freedom is respected.

#### **E. Associational and Organizational Rights:** 12 / 12

Freedoms of assembly and association are honored, and national and international non-governmental organizations, including human rights groups, operate in the country without interference. In March 2014, more than 10,000 protesters gathered outside the parliament building in Lisbon in reaction to the effects of austerity; among the demonstrators were a large number of police officers affected by pay and pension reductions. Teachers’ unions organized protests against cuts to education in October.

Workers enjoy the right to organize, bargain collectively, and strike. However, a 2003 labor law mandated that workers assess a proposed strike’s impact on citizens, and provide minimal services during such an event. Only 19 percent of the workforce is unionized. Unions have organized a large number of strikes since the beginning of the economic crisis in the early 2000s, with an increased number since the introduction of austerity measures. Strikes continued throughout 2014, though in fewer numbers than the country has witnessed in recent years. In October, the Frente Comum, a union coalition representing hundreds of thousands of public sector workers, organized a strike in protest of austerity measures.

The 2012 Labor Code included changes to the right of collective bargaining. In 2013, the Constitutional Court ruled that three of the new provisions were unconstitutional.

#### **F. Rule of Law:** 15 / 16

The constitution provides for an independent judiciary, though staff shortages and inefficiency have contributed to a considerable backlog of pending trials. Human rights groups have expressed concern over unlawful police shootings and deaths in custody.

A 2012 investigation of Portugal’s prisons and detention centers by the Council of Europe’s Committee for the Prevention of Torture (CPT) found many cases of alleged ill-treatment of prisoners, including physical assaults, failure to give prisoners access to lawyers, poor conditions in detention cells, overcrowding, lack of programmed activities to reduce extended confinement, long periods of solitary confinement, accommodation of juveniles with adults, and inadequate numbers of staff. A CPT follow-up visit in 2013 found little improvement. Overcrowding in prisons remains a major problem, as do mortality rates, which are higher than the European average, according to the Council of Europe.

Equal treatment under the law is guaranteed by the constitution and various laws, which prohibit discrimination based on factors including gender, race, disability, and sexual orientation. The human rights of LGBT (lesbian, gay, bisexual, and transgender) people have in recent years received strong legal protections. The government continues to combat racism, including by launching initiatives to promote the integration of immigrants and Roma. A 2007 immigration law facilitates family reunification and legalization for immigrants in specific circumstances. A 2012 law extends temporary visas and imposes higher penalties for employers who hire staff that are in the country illegally, bringing the country closer to EU migration policy.

**G. Personal Autonomy and Individual Rights: 15 / 16**

The freedoms of movement and residence are protected by the country's constitution and laws, and the government respects these rights in practice. The government does not interfere with citizens' rights to own property, establish private businesses, and engage in commercial activity.

Domestic violence against women and children remains a problem, and few domestic violence cases are prosecuted. Portugal legalized same-sex marriage in 2010.

Portugal is a destination and transit point for trafficked persons, particularly women from Eastern Europe and former Portuguese colonies in South America and Africa. In 2014, the government began implementation of two three-year plans to combat human trafficking and sexual violence. Although forced labor is prohibited by law, it sometimes occurs in practice, especially in the construction industry. Immigrant workers are especially vulnerable to economic exploitation. According to a 2008 study by the Observatory for Immigration, immigrants pay excessively high taxes even while little revenue is channeled to projects that benefit them directly.

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## Qatar

**Political Rights Rating:** 6**Population:** 2,268,000**Civil Liberties Rating:** 5**Capital:** Doha**Freedom Rating:** 5.5**Freedom Status:** Not Free**Electoral Democracy:** No**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF

**INTRODUCTION**

Throughout 2014, Emir Tamim bin Hamad al-Thani pursued an assertive foreign policy in the Middle East, providing financial support to Islamist groups in the Palestinian territories, Syria, Egypt, and other countries. However, as the year progressed, diplomatic pressure from other Arab states of the Persian Gulf led Qatar to decrease its support for such foreign groups.

Large numbers of migrant workers continue to be subjected to slave-like conditions, despite increased attention from the media and human rights groups in the run-up to the 2022 World Cup, which will be held in Doha.

**POLITICAL RIGHTS: 10 / 40****A. Electoral Process: 2 / 12**

The head of state is the emir, whose family holds a monopoly on political power. The emir appoints the prime minister and cabinet, and also selects an heir-apparent after consulting with the ruling family and other notables. In 2013, Hamad abdicated, handing over power to his fourth-born son, 33-year old Tamim bin Hamad bin Khalifa al-Thani. Sheikh Abdullah bin Nasser bin Khalifa al-Thani, the former head of state security, became prime minister as well as interior minister.

The constitution stipulates that 30 of the 45 seats of the parliament, the Advisory Council (Majlis Al-Shura), be filled through elections every four years; the emir appoints the

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other 15 members. However, elections for the Advisory Council have yet to take place, so all members are currently appointed. Elections scheduled to take place in 2013 were postponed due to the transfer of power to Tamim. The Advisory Council does not currently have the power to propose legislation, only to propose changes.

The country held its first elections in 1999 for a 29-member Central Municipal Council, a body designed to advise the minister on municipal affairs and agriculture. Its members serve four-year terms. In the most recent Municipal Council elections, held in 2011, 4 of the 101 candidates were women; only one, who was running for reelection, won a seat. Voter turnout was 43 percent, with just 13,606 registered voters participating. The next municipal elections are scheduled for May 2015.

In a 2003 referendum, Qataris overwhelmingly approved the country's first constitution, which came into force in 2005. The new constitution slightly broadened the scope of political participation without eliminating the ruling family's monopoly on power. All Qatari citizens over the age of 18 are eligible to vote. However, approximately 80 percent of the country's population is composed of foreign workers, who are not eligible to vote.

#### **B. Political Pluralism and Participation: 2 / 16**

The government does not permit the existence of political parties. The system is dominated by the ruling family.

#### **C. Functioning of Government: 3 / 12**

Critics continue to complain of a lack of transparency in government procurement, which favors personal connections. Official information is very tightly controlled and not transparent. However, Qatar was ranked 26 out of 175 countries surveyed in Transparency International's 2014 Corruption Perceptions Index. In 2014, Qatar faced allegations of corrupt practices in securing the winning bid to host the 2022 World Cup. Criticism of the country's labor practices in constructing the infrastructure needed to support the tournament has also grown.

#### **Discretionary Political Rights Question A: 3 / 0**

Citizens can petition elected local government representatives with limited powers over municipal services; these representatives report to the Ministry of Municipal Affairs and Urban Planning.

### **CIVIL LIBERTIES: 18 / 60**

#### **D. Freedom of Expression and Belief: 8 / 16**

Although the constitution guarantees freedom of expression, both print and broadcast media are influenced by leading families. The top five daily newspapers are privately owned, but their owners and boards include members of the ruling family. In 1996, Hamad permitted the creation of Al Jazeera, which has achieved a global reach. Although it is privately held, the government has reportedly paid for the channel's operating costs since its inception. As a result, Al Jazeera generally does not cover Qatari politics. All journalists in Qatar practice a high degree of self-censorship and face possible jail sentences for slander.

A draft media law approved by the Advisory Council in 2012, proposing wider protections for journalists and their sources but also fines for offenses like criticizing the regime or neighboring governments, remained under consideration in 2014. In September 2014, Qatar's government passed a cybercrimes law with greater restrictions on content posted on social media and news websites. The law prohibits any content spreading "false news" or undermining "general order," subjecting the author to up to three years in prison. Further-



more, the law also prohibits the spread of content that violates “social values” by publishing news, pictures, audio, or video of individuals’ “personal or family life;” the author can face up to one year in prison and a fine even if the content is true. The emir had not yet approved the law at year’s end. The government censors online content and blocks access to websites that are deemed pornographic or politically sensitive.

Islam is Qatar’s official religion, though the constitution explicitly provides for freedom of worship. The Ministry of Islamic Affairs regulates clerical matters and the construction of mosques. Several churches have been built for Qatar’s growing Christian community. The constitution guarantees freedom of opinion and academic research, but scholars often self-censor on politically sensitive topics. Several foreign universities have established branches in Qatar under a program to strengthen Qatar’s educational institutions.

#### **E. Associational and Organizational Rights: 2 / 12**

While the constitution grants freedoms of assembly and association, these rights are limited in practice. Protests are rare, with the government restricting the public’s ability to organize demonstrations. In November 2014, a group of migrant construction workers assembled to protest low pay and was reportedly confronted by police, who arrested a number of the workers. All nongovernmental organizations need state permission to operate, and the government closely monitors their activities. There are no independent human rights organizations, but a government-appointed National Human Rights Committee, which includes members of civil society and government ministries, investigates alleged abuses.

A 2005 labor law expanded some 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, which prohibits the membership of noncitizens and government-sector employees.

#### **F. Rule of Law: 4 / 16**

Despite constitutional guarantees, the judiciary is not independent in practice. The majority of Qatar’s judges are foreign nationals who are appointed and removed by the emir. The judicial system consists of Sharia (Islamic law) courts, which have jurisdiction over a narrow range of issues including family law, and civil law courts, which have jurisdiction over criminal, commercial, and civil cases. Although the constitution protects individuals from arbitrary arrest and detention and bans torture, a 2002 law allows the suspension of these guarantees for the “protection of society.” The law empowers the minister of the interior to detain a defendant for crimes related to national security on the recommendation of the director-general of public security.

The two-year criminal case against Grace and Matthew Huang concluded in November 2014, when both were acquitted of child endangerment stemming from the death of their eight-year-old daughter, whom they had adopted from Ghana prior to moving to Qatar. The Huangs were originally arrested on suspicion of murder and human trafficking, with the prosecutor calling into question their motives in adopting a child of a different race.

The Penal Code punishes same-sex sexual activity with imprisonment, and Sharia law, which applies only to Muslims, prohibits any sexual acts outside of marriage. Same-sex relationships must be hidden in public.

#### **G. Personal Autonomy and Individual Rights: 4 / 16**

Qataris face no apparent restrictions on freedom of movement within Qatar or on type or place of employment. Such freedoms, however, are not extended to noncitizens and

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foreign workers. Qataris are also permitted to own property and start private businesses, although the process of obtaining necessary commercial permits can be cumbersome.

The constitution treats women as full and equal persons, and gender-based discrimination is banned. Emir Tamim appointed a female minister for communication and information technology in 2013; she is the third-ever female minister in Qatar. In 2006, Qatar implemented a codified family law to regulate issues such as inheritance, child custody, marriage, and divorce. While this law expands protections for women, they continue to face disadvantages, including societal discrimination, and have few effective legal mechanisms to contest incidents of bias.

Domestic violence is not criminalized and is prevalent. The Qatar Foundation for Child and Woman Protection (QFCWP) has noted a significant increase in cases of violence since 2004. The 2011–2016 National Development Strategy includes measures to better protect victims of abuse, including laws against domestic violence, increased legal protections for victims, and robust social support services. In 2013, the government reorganized multiple social services organizations, including the QFPWC, putting them under the purview of the Qatar Foundation for Social Work. The QFPWC operates a shelter for abused women and children and, in cooperation with the public prosecutor's office, facilitates the legal response to cases of abuse. However, it is unclear how many domestic abuse charges were filed in 2014. Qatar is a destination for the trafficking of men and women, particularly for forced labor and prostitution.

While the constitution prohibits discrimination based on nationality, the government discriminates against noncitizens in the areas of education, housing, healthcare, and other services that are offered free of charge to citizens. Foreign nationals comprise more than 80 percent of the country's population and over 90 percent of the workforce, and most rights do not apply to noncitizen residents. Under Qatar's *kafala* system, many foreign workers face economic abuses, including the withholding of salaries or contract manipulation, while others endure poor living conditions and excessive work hours. However, fear of job loss and deportation often prevents them from exercising their limited rights. Female domestic workers are particularly vulnerable to abuse and exploitation. Migrants working to build the infrastructure for the 2022 World Cup continue to work in terrible conditions. There have been reports of workers not receiving wages for more than a year and being stranded in Qatar after the collapse of their contracting company. The government announced in May 2014 that the labor system would be reformed, but no substantial details were provided by year's end.

## Romania

**Political Rights Rating:** 2

**Population:** 20,015,000

**Civil Liberties Rating:** 2

**Capital:** Bucharest

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

**INTRODUCTION**

Romania's ruling coalition, the Social Liberal Union (USL), disbanded in February 2014 after Prime Minister Victor Ponta of the Social Democratic Party (PSD) rejected attempts by the National Liberal Party (PNL) to replace several cabinet ministers. The PNL left the government, and a new cabinet consisting of the PSD, the Democratic Union of Hungarians in Romania (UDMR), and two small parties—the Conservative Party (PC) and the National Union for the Progress of Romania (UNPR)—took office in March.

The shifting political alliances were seen as part of preparations for the November presidential election, which pitted Ponta against Klaus Iohannis, leader of the PNL and joint candidate of that party and the center-right Democratic Liberal Party (PDL). Iohannis, running on a reformist, anticorruption platform, won a surprise victory in the runoff and took office in December. Ponta reorganized his cabinet after losing the support of two parties in Parliament.

A Constitutional Court ruling and the political changes ahead of the election delayed a package of draft constitutional amendments. The proposals include a reduction of presidential powers, changes to the size of Parliament, and a reorganization of the country's administrative divisions.

**POLITICAL RIGHTS:** 34 / 40 (–1)

**A. Electoral Process:** 11 / 12 (–1)

The president is directly elected for up to two five-year terms and appoints the prime minister with the approval of Parliament. Members of the bicameral Parliament, consisting of the 176-seat Senate (upper house) and the 412-seat Chamber of Deputies (lower house), are elected for four-year terms. Elections since 1991 have been considered generally free and fair.

In the 2012 parliamentary elections, the USL took 273 of 412 seats in the Chamber of Deputies and 122 of 176 seats in the Senate. The opposition PDL and its Right Romania Alliance placed a distant second with 56 lower house seats and 24 upper house seats, followed by the People's Party–Dan Diaconescu with 47 and 21, the UDMR with 18 and 9, and various national minority representatives with a total of 18 seats in the lower house. International observers assessed the elections positively.

The PSD led the voting for Romania's 32 European Parliament (EP) seats in May 2014 amid 32 percent turnout, capturing 16 seats in combination with smaller coalition partners. The PNL followed with six seats, the PDL won five, the UDMR and the Popular Movement Party each took two, and an independent secured the remaining seat.

In the November presidential election, Ponta, one of 14 candidates, won 40.3 percent of the vote in the first round, followed by Iohannis with 30.4 percent. However, Ponta's personal attacks on his opponent frustrated voters, as did extensive polling problems for Romanians living abroad, many of whom were unable to vote due to long lines and a shortage of official stamps to mark ballots. Voters abroad overwhelmingly supported Iohannis, and many saw the bottlenecks as an attempt to limit their participation. Despite an outcry, Foreign Minister Titus Corlatean refused to increase the number of polling sites. He resigned under pressure on November 10, as did his successor a week later. The number of ballots cast abroad more than doubled in the runoff, but thousands were again unable to vote, leading to clashes with local police in Paris, London, and Turin. Domestic turnout also surged in the second round, and Iohannis won with 54.4 percent.

**B. Political Pluralism and Participation:** 14 / 16

Romania's unfettered multiparty system features vigorous competition between rival blocs. No single force has been able to dominate both the executive and legislative branches

in recent years. Some parties display little ideological consistency and tend to seek coalitions that will advance their leaders' personal or business interests. Critics noted that many of the 2014 EP candidates were relatives or personal associates of Romania's political elite. The entire PNL leadership resigned following the party's poor showing in those elections.

The 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 18 such seats were allotted in 2012. The UDMR represents ethnic Hungarians. It has lobbied for the creation of an autonomous region for the minority's Szekler subgroup as part of the constitutional reform. The PSD in 2014 said it opposed the plan, and the UDMR quit the PSD-led governing coalition in November. Iohannis, an ethnic German and a Lutheran, became the country's first president from either minority.

Roma, who make up over 3 percent of the population, are underrepresented in politics, though three Romany candidates won seats in Parliament in 2012, and a Romany PSD candidate won an EP seat in 2014.

### **C. Functioning of Government:** 9 / 12

Romania, 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. It was ranked 69 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. A European Commission report released in July 2014 found that Romania was the source of the second-highest number of attempts to defraud the EU in 2013, after Italy.

However, the National Anticorruption Directorate (DNA) increased its growing record of charges and convictions against high-ranking officials from across the political spectrum during 2014. New arrests included Mircea Băsescu, brother of outgoing president Traian Băsescu, who was held in June for allegedly taking a bribe from an organized crime figure, and Bacau mayor Romeo Stavarache, who was detained in July for allegedly accepting bribes in exchange for public contracts. Many other investigations involving high-ranking politicians were under way at year's end. The DNA reported in June that some 850 people had been convicted over the previous 12 months, including 4 ministers or former ministers, 5 lawmakers, 11 mayors, and 5 judges. In January, former prime minister Adrian Năstase of the PSD was sentenced to four years in prison for bribery. He was released in August for good conduct under a law allowing sentence reductions for inmates over the age of 60. Also in August, an appellate court sentenced politician and media mogul Dan Voiculescu to 10 years in prison over a corrupt land deal.

In 2013, the lower house passed a bill that would have exempted many national and local elected officials, including the president and legislators, from most corruption charges in the criminal code. The Constitutional Court struck down the measure in January 2014.

### **CIVIL LIBERTIES:** 49 / 60

#### **D. Freedom of Expression and Belief:** 14 / 16

The constitution protects freedom of the press, and the media environment is pluralistic. The government does not interfere with internet access. However, poor economic conditions have led some foreign media companies to sell their Romanian assets, leaving a larger share of important outlets in the hands of wealthy Romanian business figures, who typically use them to advance their political and economic interests. Many outlets have also been forced to close, cut staff, or change to more entertainment-based formats, though signs of a recovery in the advertising market were reported in 2014. Financially hobbled public media remain dependent on the state budget and vulnerable to political influence. A 2013

Constitutional Court ruling created ambiguity about defamation, raising the possibility that it could be treated as a criminal offense.

Religious freedom is generally respected, but the Romanian Orthodox Church remains dominant and politically powerful. The government formally recognizes 18 religions, each of which is eligible for proportional state support. The Orthodox Church accounts for about 85 percent of the population, meaning it receives the bulk of state funds. Religious minorities report discrimination by some local officials and hostility from Orthodox priests.

The government does not restrict academic freedom, though the education system is weakened by widespread corruption. Private discussion is unrestricted.

#### **E. Associational and Organizational Rights: 11 / 12**

The constitution guarantees freedoms of assembly and association, and the government respects these rights in practice. In 2014, protests were held on issues including shale-gas exploration and calls for a Szekler autonomous region. After pro-Szekler demonstrators scuffled with police at a March event attended by Hungarian far-right figures, Romania imposed a travel ban on a number of Hungarian citizens belonging to such groups.

Nongovernmental organizations (NGOs) operate freely and have increasing influence, though they suffer from funding shortages, often rely on foreign donors, and sometimes face hostility from politicians. Workers have the right to form unions and a limited right to strike, but in practice many employers work against unions, and enforcement of union and labor protections is weak.

#### **F. Rule of Law: 12 / 16**

The country's courts continue to suffer from chronic problems such as corruption, political influence, staffing shortages, and inefficient resource allocation. The EU praised the independence of the Constitutional Court in January 2014, but political and media pressure on the judiciary persisted in cases against powerful defendants. Conditions in prisons remain poor, though overcrowding has eased in recent years.

In 2014, the courts began proceedings against former commanders of communist-era prison camps for their role in the deaths of hundreds of political prisoners. The prosecutions were the first of their kind in postcommunist Romania.

Roma, people with disabilities, LGBT (lesbian, gay, bisexual, and transgender) people, and HIV-positive children and adults face discrimination in education, employment, and other areas. The country's antidiscrimination council fined Băsescu 600 lei (\$180) in February 2014 for racist remarks made in 2010—the first such penalty against a sitting president in Romania.

#### **G. Personal Autonomy and Individual Rights: 12 / 16**

Romanians face no significant restrictions on freedom of movement, whether for internal or external travel. Citizens are also free to change residence and employment, though bribery can play a role in access to higher education.

A large proportion of business activity in Romania takes place in the so-called gray economy and is exposed to criminal influences and practices. This unofficial, untaxed sector accounted for about 28 percent of gross domestic product in 2013, according to the Council of Europe.

The constitution guarantees women equal rights, but gender discrimination is a problem. Women hold less than 12 percent of the seats in Parliament. A 2012 legal amendment provided for restraining orders in domestic violence cases, which are rarely prosecuted. Romany community leaders agreed in March 2014 to ban marriages of children under age

16, an illegal practice that has persisted among some minority groups. Trafficking of women and girls for forced prostitution remains a major concern, as does trafficking of children for forced begging.

Same-sex marriage is not permitted, and proposed constitutional amendments have included a provision that would define marriage to exclude same-sex relationships.

## Russia

**Political Rights Rating:** 6

**Civil Liberties Rating:** 6 ↓

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Ratings Change:** Russia's civil liberties rating declined from 5 to 6 due to expanded media controls, a dramatically increased level of propaganda on state-controlled television, and new restrictions on the ability of some citizens to travel abroad.

**Population:** 143,747,000

**Capital:** Moscow

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,6,NF

### INTRODUCTION

The Russian political environment in 2014 was dominated by events in neighboring Ukraine. In February, a mass protest movement—triggered in late 2013 by corrupt, Russian-aligned president Viktor Yanukovich's refusal to sign an Association Agreement with the European Union (EU)—overcame police violence and forced the unpopular leader to flee to Russia. To discourage any similar movement inside Russia and regain leverage over Ukraine, Russian president Vladimir Putin ordered a military invasion. Crimea was occupied and formally annexed to the Russian Federation in March, and despite Kremlin denials, Russian troops played a role in ongoing separatist violence in Ukraine's easternmost regions. The intervention was justified with claims that ethnic Russians in Ukraine were threatened by Ukrainian ultranationalists who had supposedly seized power in Kyiv.

While Russia's relations with Europe and the United States had already been deteriorating, the invasion of Ukraine forced the democratic powers to respond. The United States, the EU, and other allied countries imposed a series of sanctions that targeted individuals around Putin, key companies that support his regime or allegedly manage his illicit wealth, and important economic sectors like banking and energy. The sanctions, combined with plummeting world oil prices and existing economic weaknesses in Russia, helped to fuel capital flight, a dramatically falling ruble, and a deepening budget deficit. Russia's own countersanctions, targeting European agricultural imports and other goods, only added to the suffering of businesses and consumers.

Faced with international pressure and the rising potential for domestic discontent, the government expanded its control of the media, stepped up a propaganda campaign to justify its actions and vilify its opponents, and cracked down on independent news outlets, particularly online. Journalists, politicians, and family members who sought to investigate the deaths of Russian servicemen in Ukraine encountered bureaucratic obstruction and trumped-up criminal charges. Regional elections in September were tightly controlled from

above, with any coherent opposition eliminated. By the end of the year, Russia's government was increasingly isolated from the international community and struggling to neutralize anticorruption activists and other domestic critics.

**POLITICAL RIGHTS:** 7 / 40

**A. Electoral Process:** 1 / 12

The 1993 constitution established a strong presidency with the power to dismiss and appoint, pending parliamentary confirmation, the prime minister. Putin served two four-year presidential terms from 2000 to 2008, and remained the de facto paramount leader while working as prime minister until 2012, violating the spirit if not the letter of the constitution's two-term limit. The March 2012 presidential election was skewed in favor of Putin, who benefited from preferential media treatment, numerous abuses of incumbency, and procedural irregularities during the vote count, among other advantages. He won an official 63.6 percent of the vote against a field of weak, hand-chosen opponents, led by Communist Party leader Gennadiy Zyuganov with 17.2 percent. Under a 2008 constitutional amendment, Putin is set to serve a six-year term, and will be eligible for another in 2018.

The Federal Assembly consists of the 450-seat State Duma and an upper chamber, the 166-seat Federation Council. The 2008 constitutional amendment extended Duma terms from four to five years. The deeply flawed 2011 Duma elections were marked by a "convergence of the state and the governing party, limited political competition and a lack of fairness," according to the Organization for Security and Co-operation in Europe, but many voters used them to express protest against the status quo. The ruling United Russia party captured just 238 seats, a significant drop from the 315 seats won in 2007. The Communist Party placed second with 92 seats, followed by A Just Russia with 64 and the Liberal Democratic Party of Russia with 56. Registration and other obstacles ensured that truly independent opposition parties could not compete.

Since the 2007 elections, all Duma deputies have been elected on the basis of party-list proportional representation. In February 2014, Putin signed a law restoring a system in which half of Duma members are elected by proportional representation and half in single-member districts. Half the members of the upper chamber are appointed by governors and half by regional legislatures, usually with strong federal input. 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.

A law signed in May 2012 restored gubernatorial elections, ending a system of presidential appointments that dated to 2004. The new rules allowed federal and regional officials to screen the candidates for governor, and United Russia has won every subsequent election. Nevertheless, given the ability of anticorruption campaigner Aleksey Navalny to win a relatively strong 27 percent in the 2013 Moscow mayoral election, the country's growing economic strains, and the unpredictable risks of the Ukraine war, the authorities in 2014 sought to close the process further, blocking the registration of genuine opposition candidates. As a result, the Kremlin-backed victors won by large margins and avoided the need for a runoff. Turnout rates were lower than usual, and for the Moscow City Duma, the lowest since the creation of that body in 1993—21 percent. The authorities blocked electoral watchdogs from monitoring the polls; representatives of the nongovernmental organization (NGO) Golos were illegally prevented from observing elections in Chelyabinsk, Samara, and Bashkortostan and blocked from many precincts in the Nizhny Novgorod and Moscow regions.

Beginning in 2015, voters in municipal elections will have the option to vote "against all," according to legislation signed into law in June. Initial versions of the bill sought to return this option to federal and regional elections as well, but the provisions were removed.

**B. Political Pluralism and Participation:** 3 / 16

Legislation enacted in April 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. Moreover, the Ministry of Justice refused to register Navalny's Party of Progress in September 2014, arguing that even though the party had submitted proof of its branches in 40 regions, the documents on 24 of them came in after the legal deadline.

Opposition politicians and activists are frequently targeted with fabricated criminal cases and other forms of administrative harassment. As Russia's most prominent opposition leader, Navalny spent most of 2014 under house arrest, having faced a series of overlapping investigations and suspended sentences. At the end of December, a Moscow court gave him a suspended 3.5-year sentence in a financial fraud case; his brother was ordered to serve the same term in prison.

**C. Functioning of Government:** 3 / 12

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 not often clear, and announced to the population after the fact. Corruption in the government and business world is pervasive, and a growing lack of accountability enables bureaucrats to act with impunity. Many analysts have argued that the political system is essentially a kleptocracy, in which ruling elites plunder public wealth to enrich themselves.

In July 2014, the Permanent Court of Arbitration in The Hague ordered Russia to pay the shareholders of the Yukos oil company \$50 billion, finding that Russian officials had manipulated the legal system to expropriate Yukos's assets in 2004. Later that month, the European Court of Human Rights awarded the Yukos shareholders \$2.5 billion on the grounds that the Russian state had violated their property rights by bankrupting the company through punitive tax claims.

In a new case that drew comparisons to the Yukos affair, billionaire businessman Vladimir Yevtushenkov was held under house arrest for 92 days in late 2014 on suspicion of financial crimes. Although ultimately he was not charged, the state seized his highly profitable Bashneft oil company, claiming that it had been illegally privatized. The move was seen as a possible effort to prop up state-owned oil firm Rosneft, which is heavily indebted and controlled by powerful Putin allies.

Foreign companies working in Russia sometimes participate in corrupt practices. In September, U.S. technology company Hewlett Packard agreed to pay a \$58.8 million fine for violating the U.S. Foreign Corrupt Practices Act by bribing Russian government officials to win a large contract.

The leadership frequently announces anticorruption campaigns, but their main purpose is to ensure elite loyalty and prevent the issue from mobilizing the opposition. In December 2013, Putin set up a new department in the presidential administration to fight corruption, and in April 2014 he endorsed a new anticorruption strategy; few observers expected either measure to produce concrete results.

**CIVIL LIBERTIES:** 16 / 60 (-3)**D. Freedom of Expression and Belief:** 4 / 16 (-2)

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. These media effectively serve as venues for Kremlin propaganda, which vociferously backs Putin's actions in Ukraine and denounces foreign and domestic opponents. TV Dozhd (Rain), the only politically independent television station, was dropped by multiple cable and satellite providers in early 2014 after angering officials with its reporting, though it survived—partly on the internet—with the help of viewer subscription fees. A law enacted in July banned advertising on cable and satellite channels beginning in 2015, meaning Dozhd and more than 100 regional cable and satellite broadcasters would lose their main source of revenue.

Only a small and shrinking number of radio stations and print outlets with limited reach offer a wide range of viewpoints. The liberal radio station Ekho Moskvy came under pressure from its state-owned parent company after it broadcast a major interview with Navalny in October, but it continued to operate at year's end. Also in October, Putin signed a law limiting foreigners to a 20 percent stake in media companies. Outlets will face closure if they fail to comply with the cap by January 2017. The measure was expected to damage the independence of key foreign-owned media, including the respected business newspaper *Vedomosti*, which is owned by a Finnish, British, and American consortium.

More than 60 percent of Russians have internet access, and penetration continues to increase. Discussion on the internet had been largely unrestricted until 2012, but following large antigovernment demonstrations in 2011 and 2012, the Kremlin adopted a series of laws that gave it more power to shut down critical websites. Although a Moscow court ordered the closure of the online news agency Rosbalt in October 2013 on the grounds that its website included videos with obscene language, the site was able to continue operating through 2014 under a different license. In March 2014, the prosecutor general instructed the state telecommunications agency Roskomnadzor to block four popular opposition-oriented websites: *Ezhednevny Zhurnal*, Grani.ru, Kasparov.ru, and Navalny's blog. Dozens of other sites were blocked during the year for vaguely defined offenses such as carrying "extremist content."

Also in March, after Roskomnadzor issued a warning to the respected news site Lenta.ru, its editor was fired, and many staff members quit to protest her dismissal. The site subsequently adopted a pro-Kremlin line. The social-networking platform VKontakte came under pressure for resisting the authorities' demands for user data, and owner Pavel Durov resigned as chief executive in April, surrendering control to government-friendly businessmen. In another move to bring blogs and social media under state control, a law that took effect in August required all sites with more than 3,000 visitors a day to register with Roskomnadzor as media outlets, subjecting them to legal measures such as responsibility for the accuracy of posted information.

A law enacted in July required internet companies, including foreign firms, to store the data of Russian users inside Russia, where it could be easily accessed by the authorities; a compliance deadline was set for September 2015 after an earlier January 2015 deadline was deemed impractical.

Russian journalists continue to face physical danger in the course of their work. In August, Kabardian journalist and human rights activist Timur Kuashev was found dead near Nalchik; poisoning was suspected. Before his death, he reported receiving threats from the police for his activities and postings on his blog.

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 Orthodox

Church has a privileged position, working closely with the government on foreign and domestic policy priorities, and in 2009 the president authorized religious instruction in public schools. Regional authorities continue to harass nontraditional groups, such as Jehovah's Witnesses and Mormons.

The education system is marred by bureaucratic interference, international isolation, and increasing pressure to toe the Kremlin line on politically sensitive topics. In March 2014, a leading history professor was fired from a Foreign Ministry–affiliated institute for writing an opinion article that compared the imminent annexation of Crimea to Nazi Germany's seizure of Austria. In May, Putin signed a law that prohibits the "rehabilitation of Nazism" and the spreading of "intentionally false information" about the Soviet Union's World War II actions. Historians have warned that the new law could be used to punish scholars who are critical of government policies. Also during the year, the authorities removed more than half of the previously approved school textbooks from the country's classrooms, leaving much of the market in the hands of a publisher owned by a close Putin associate.

#### **E. Associational and Organizational Rights: 4 / 12**

The government has consistently reduced the space for freedoms of assembly and association. Overwhelming police responses, the use of force, routine arrests, and harsh fines and prison sentences have discouraged unsanctioned protests, though pro-Kremlin groups are able to demonstrate freely. Despite the obstacles, tens of thousands of people turned out for demonstrations against Russian intervention in Ukraine in March and September 2014, and a smaller number gathered in late December to protest Navalny's sentencing, resulting in scores of arrests.

In February, Putin signed a law that increased the penalties for "extremism," adding to an array of restrictions that can be used against activists and NGOs. Groups that investigated Russian aggression in Ukraine and the death of Russian soldiers there faced particular pressure from the authorities during the year. A law enacted in 2012 required all organizations receiving foreign funding and involved in vaguely defined "political activities" to register as "foreign agents" with the Justice Ministry. After organizations refused to register voluntarily, Putin in June 2014 signed a law allowing the Justice Ministry to put them on the list at its discretion. At year's end, the ministry listed 30 organizations on its website, including Golos, the Sakharov Center, the PIR Center, Agora, Memorial, Soldiers' Mothers of St. Petersburg, the Institute for the Development of Information Freedom, and Public Verdict. To remove themselves from the list, NGOs must appeal the decision and pass a snap inspection. In October the justice minister asked the Supreme Court to liquidate Memorial, a prominent human rights group, but the court had not ruled on the case at year's end.

While trade union rights are legally protected, they are limited in practice. Strikes and worker protests have occurred in prominent industries, such as automobile manufacturing, but antiunion discrimination and reprisals for strikes are not uncommon, and 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.

#### **F. Rule of Law: 2 / 16**

The judiciary lacks independence from the executive branch, and career advancement is effectively tied to compliance with Kremlin preferences. In February 2014, Putin signed a law merging the Supreme Arbitration Court, which headed the system of courts handling

commercial disputes, into the Supreme Court, which oversees courts of general jurisdiction and will now also supervise the arbitration courts. The Supreme Arbitration Court had been widely respected as one of the most independent of Russia's courts. Its judges were required to go through a new round of confirmation procedures, and most did not secure seats on the Supreme Court. Some simply retired to avoid the court's planned move to St. Petersburg, which also led to the loss of experienced staff and a reduced applicant pool.

In October, Putin signed a law that reversed a 2011 reform of the criminal procedure code, restoring the power of police and other investigators to press charges for tax fraud, even if tax authorities find no evidence of wrongdoing. The 2011 changes had allowed only the tax authorities to press such claims, with the aim of reducing the ability of officials to harass and extort companies.

Parts of the country, especially the North Caucasus area, suffer from high levels of violence. Hundreds of officials, insurgents, and civilians die each year in bombings, gun battles, and assassinations. A December 2014 assault in the capital of Chechnya, which had been considered relatively secure in recent years, killed 14 policemen and at least 10 militants. Chechen leader Ramzan Kadyrov called for the attackers' families to be punished, and masked men subsequently burned down a number of homes in apparent reprisals for the raid.

Immigrants and ethnic minorities—particularly those who appear to be from the Caucasus or Central Asia—face governmental and societal discrimination and harassment. LGBT (lesbian, gay, bisexual, and transgender) people are also subject to considerable discrimination. A 2013 law banned dissemination of information promoting “nontraditional sexual relationships,” putting legal pressure on LGBT activists and encouraging violent attacks. Several teachers have been removed from their jobs on the basis of their sexual orientation or their support for equal rights for LGBT people.

#### **G. Personal Autonomy and Individual Rights: 6 / 16 (-1)**

The government places some restrictions on freedom 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.

Even though the Russian constitution gives each citizen the right to freely leave and enter the country, more than four million employees tied to the military and security services were banned from leaving under rules issued during 2014. Often employees who are not themselves banned from travel feel obliged not to go abroad because they would be out of step with colleagues. In June Putin signed a law forcing citizens to disclose any dual citizenship, and in October Russia withdrew from a long-standing U.S. student exchange program.

Women are underrepresented in politics and government. They hold less than 14 percent of the Duma's seats and about 8 percent of the seats in the Federation Council. Only two of 32 cabinet members are women. Domestic violence against women continues to be a serious problem, and police are often reluctant to intervene in what they regard as internal family matters. Economic hardships contribute to widespread trafficking of women abroad for prostitution.

# Rwanda

**Political Rights Rating:** 6

**Population:** 11,080,000

**Civil Liberties Rating:** 6↓

**Capital:** Kigali

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Ratings Change:** Rwanda's civil liberties rating declined from 5 to 6 due to the narrowing space for expression and discussion of views that are critical of the government, particularly on the internet, amid increased suspicions of government surveillance of private communications.

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,6,NF	6,5,NF	6,6,NF

## INTRODUCTION

In April 2014, Rwanda commemorated the 20th year anniversary of the 1994 genocide, in which the majority ethnic Hutus killed as many as one million minority Tutsis and moderate Hutus. Around the commemoration period, numerous independent journalists were harassed or arrested, with charges against them including inciting violence and attempting to overthrow the government. The repressive media environment led a number of journalists to flee the country, and there was notable harassment of foreign journalists critical of the government.

The space for free and private discussion decreased amid indications the government was monitoring private communications following the 2013 enactment of the Law Relating to the Interception of Communications. The law authorizes security officials to monitor the communications of individuals considered to be potential threats to "public security." Authorities intermittently censored a growing number of independent online news outlets and opposition blogs.

Threats and attacks against critical opposition members residing outside of Rwanda increased. There were multiple forced disappearances. Patrick Karegeya, the former head of Rwanda's external intelligence services, was found dead in South Africa in January. Efforts to dismantle civil society organizations that criticize the government continued. In November, two members of the Rwandan League for the Promotion and Defense of Human Rights (LIP-RODHOR) known for their criticism of the government were arrested for allegedly forging documents that would oust the organization's progovernment leadership.

**POLITICAL RIGHTS:** 9 / 40

**A. Electoral Process:** 2 / 12

Rwanda's 2003 constitution, which marked the end of a transition from the nation's postgenocide political period, grants broad powers to the president, who can serve up to two seven-year terms and has the authority to appoint the prime minister and dissolve the bicameral Parliament. The 26-seat upper house, the Senate, consists of 12 members elected by regional councils, 8 appointed by the president, 4 chosen by a forum of political parties, and 2 elected representatives of universities, all serving eight-year terms. 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. Parliament generally lacks independence, merely endorsing presidential initiatives.

Rwanda last held parliamentary elections in 2013. As anticipated, the coalition led by the ruling Rwandan Patriotic Front (RPF) won, taking over 76 percent of the vote and 40 out of 53 elected seats in the lower house. Independent observers found the elections to be peaceful, free, and fair, though the African Union observer mission noted that the ballot counting process was not fully transparent in some polling stations. East African Community observers noted an absence of opposition agents at most polling stations—increasing the election’s susceptibility to manipulation—but did not observe any abnormalities. The 2003 constitution requires women to occupy at least 30 percent of the seats in each chamber of Parliament.

The 2010 presidential election was regarded as administratively acceptable, despite presenting Rwandans with only a limited degree of choice. With no serious challengers, President Paul Kagame won reelection with 93 percent of the vote.

#### **B. Political Pluralism and Participation: 2 / 16**

The constitution permits political parties to exist but under strict controls, and its emphasis on “national unity” effectively limits political pluralism. The RPF dominates the political arena. Parties closely identified with the 1994 genocide are banned, as are parties based on ethnicity or religion, though the RPF is still Tutsi-dominated. These restrictions have been used to ban other political parties that might pose a challenge to the RPF.

In 2013, Parliament authorized the Rwanda Governance Board to register political parties. It also banned foreign funding to political organizations. In advance of the 2013 parliamentary elections, 11 political parties were registered, five of which were part of the RPF’s ruling coalition. In the run-up to the 2010 presidential poll, the government prevented new political parties from registering and arrested the leaders of several existing parties, effectively preventing them from fielding candidates. Victoire Ingabiré Umuhoza, the leader of the United Democratic Forces–Inkingi (FDU–Inkingi) and one of Kagame’s strongest challengers, was arrested twice in 2010, including before the election, and convicted in 2012 of engaging in terrorist activities. She received an increased prison sentence from the Supreme Court in 2013 upon appeal, a move that critics have seen as politically motivated. In October 2014, the African Union’s African Court of People’s and Human Rights agreed to hear Umuhoza’s case on appeal of the increased sentence.

In recent years, the government has been suspected of infiltrating opposition parties in an attempt to dismantle or divide them. In 2013, Frank Habineza, the founder and chairman of the Democratic Green Party of Rwanda, alleged that the government was plotting to replace him with someone more closely aligned with the RPF. A similar tactic against the opposition Social Party–Imberakuri was reported in 2010. Opposition critics residing outside of Rwanda have also been increasingly threatened, attacked, forcibly disappeared, or killed. Former members of the Rwandan security forces living in exile have gone missing in previous years, while others have been targeted for assassination. In January 2014, Patrick Karegeya, the former head of external intelligence services and a public figure known for criticisms of Kagame’s government, was found dead in South Africa. No suspects were arrested as of the end of 2014.

#### **C. Functioning of Government: 5 / 12**

Government countermeasures have helped limit corruption, but graft remains a problem. Rwanda was ranked 55 out of 175 countries and territories surveyed in Transparency International’s 2014 Corruption Perceptions Index, one of the best scores of any African

country. A 2013 law provides comprehensive access to information, but implementation remained weak in 2014.

Few independent organizations and media outlets investigate or report on corruption issues out of fear of government reprisals. In 2013, Gustave Makonene, an anticorruption campaigner working for Transparency International Rwanda, was found murdered in northwestern Rwanda. In September 2014, the National Police arrested two suspects, alleging that they killed Makonene for his awareness of their smuggling operation. Legal proceedings against the two began in December.

**CIVIL LIBERTIES:** 16 / 40 (-1)

**D. Freedom of Expression and Belief:** 4 / 16 (-1)

The government imposes legal restrictions and informal controls on freedoms of the press and expression. A vague 2008 law against “genocide ideology” prescribes heavy prison sentences and fines for a broad set of offenses, though amendments in 2013 aimed to make the law more definitive and limit punishments. A 2013 media law, at first lauded for expanding the rights of journalists and recognizing freedom for online communications, also threatened to limit press freedom, including through the creation of a government body with the power to set conditions for both local and foreign media outlets to operate. The government has increasingly censored online content in recent years. In 2014, a growing number of independent online news outlets and opposition blogs were intermittently inaccessible, including the websites of independent newspapers *Umuvugizi*, *Umusingi*, and *Inyenyeri News*.

Conditions for freedom of the press and expression in Rwanda deteriorated in 2014, with multiple cases of arrest, intimidation, and harassment of media workers and outlets. In April, Cassien Ntamuhanga, the director of a Christian radio station, was arrested alongside singer Kizito Mihigo for alleged association with the Rwanda National Congress (RNC)—an opposition party based in South Africa—and a Hutu rebel group. They were charged in December with conspiring to overthrow the government and inciting violence. Stanley Gatera, the editor of *Umusingi*, was arrested in April on charges of attempted extortion. In March, he had described the challenges of working as a journalist in Rwanda while a guest on Al Jazeera. Gatera was held for six hours and received death threats following his release, leading him to flee the country.

In October, authorities indefinitely suspended the radio broadcasts of the BBC Kinyarwanda language service in response to the broadcast of a BBC television documentary about the 1994 genocide that argues that the number of Hutus killed was higher than the Rwandan government recognizes. The Rwanda Media Commission, a self-regulatory body, declared the suspension illegal, prompting a wave of intimidation attacks against the body and its president.

Rwanda’s repressive media environment has led many journalists to work in exile. Eric Udahemuka of the *Isimbi* newspaper fled in April after harassment and threats for his critical articles about the government. Exiled opposition journalists and activists have been subject to intimidation and violence. The 2011 murder of Charles Ingabire, a Uganda-based editor and an outspoken critic of the Kagame government, remained unsolved in 2014. Foreign journalists who are critical of the government also faced harassment. Early in the year, a journalist for *Radio France Internationale* was repeatedly harassed on Twitter through an account that was revealed to be operated by the president’s office.

Religious freedom is generally respected. Relations between religious leaders and the government are sometimes tense, in part because of the involvement of clergy in the 1994 genocide.

Following parliamentary commission reports on divisionism from 2004 and 2008, numerous students and teachers were expelled or dismissed without due process. Fear among teachers and students of being labeled “divisionist” restrains academic freedom.

The space for free and private discussion decreased in 2014 amid indications that the government monitors e-mail and other private communications. The Law Relating to the Interception of Communications, enacted in October 2013, authorizes high-ranking security officials to monitor e-mail and telephone conversations of individuals considered potential threats to what the government considers public security.

#### **E. Associational and Organizational Rights: 2 / 12**

Although the constitution codifies freedoms of assembly and association, these rights are limited in practice. A widespread fear of arrest often leads individuals and organizations to refrain from exercising their right to peaceful assembly. Registration and reporting requirements for both domestic and foreign nongovernmental organizations (NGOs) are lengthy and onerous, and activities that the government defines as “divisive” are prohibited. Several organizations have been banned in recent years, leading others to self-censor, though civil society organizations that do not focus on democracy or human rights are able to function without direct government interference. The government has been accused of employing infiltration tactics against human rights organizations similar to those used against opposition political parties. In November 2014, two members of LIPRODHOR known for their critical stance toward the government were arrested for allegedly forging documents that would oust the organization’s progovernment leadership.

The constitution provides for the rights to form trade unions, engage in collective bargaining, and strike. Public workers are not allowed to unionize, and employees of the many “essential services” are not allowed to strike. The International Trade Union Confederation reported that although a 2009 labor code improved workers’ rights, the government continues to pressure unions in indirect ways.

#### **F. Rule of Law: 3 / 16**

Recent improvements in the judicial system include an increased presence of defense lawyers at trials, better training for court staff, and revisions to the legal code. However, the judiciary has yet to secure full independence from the executive. In 2013, Rwanda signed the Protocol to the African Charter on Human and Peoples’ Rights, which allows individuals and NGOs to take cases before the African Court on Human and People’s Rights.

The community-based *gacaca* courts completed their work in 2012 after prosecuting hundreds of thousands of people accused of involvement in the genocide. Legal experts criticized the courts for failure to address genocide-era crimes allegedly committed by the RPF and for routinely trying politically motivated cases. The national criminal court system tries those accused of more serious crimes related to the genocide, including those transferred from the International Criminal Tribunal for Rwanda (ICTR). In 2014, the ICTR ended its operations after completing cases against 92 individuals, sentencing 61 of them—of whom seven are appealing—and acquitting the remainder. An international crimes chamber was created within Rwanda’s High Court in 2012 to prosecute extradited suspects.

Police officers sometimes use excessive force, and local officials periodically ignore due process. The construction of new prisons during the past decade has improved prison conditions, even as the *gacaca* trials increased the inmate population. Alleged dissidents have been increasingly subject to unlawful imprisonment, torture, and ill-treatment in secret military detention centers. In 2014, more than a dozen Rwandans had reportedly gone

missing or were forcibly disappeared, with many indications of involvement by state agents, according to Human Rights Watch.

Equal treatment for all citizens under the law is guaranteed, and legal protections against discrimination have been enacted in recent years. 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.” Additional preferences are afforded to those who returned from exile communities, particularly in Uganda.

Same-sex sexual activity is not criminalized in Rwanda, though social stigma still exists for sexual minorities. No laws specifically provide protection against discrimination based on sexual orientation.

#### G. Personal Autonomy and Individual Rights: 7 / 16

There are no restrictions on property rights, freedom of travel, or choice of employment, residence, or institution of higher education, although Hutus often face unofficial discrimination when seeking public employment or government scholarships. A national identity card—which is easily attainable and no longer indicates ethnicity—is required to move within the country.

Rwanda was ranked 46 out of 189 countries in the World Bank’s 2014 *Doing Business* report, ranking third in sub-Saharan Africa. The country also ranked third in sub-Saharan Africa, and 62 out of 144 economies, in the World Economic Forum’s Global Competitiveness Report 2014–2015, indicating relatively well-functioning institutions and a low level of direct government control over the economy.

Women currently fill 10 of the 26 Senate seats and 51 of the 80 seats in the Chamber of Deputies. Legislation has strengthened women’s rights to inherit land; however, de facto discrimination against women continues. Domestic violence is illegal but remains widespread.

## Saint Kitts and Nevis

**Political Rights Rating:** 1

**Civil Liberties Rating:** 1

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 54,744

**Capital:** Basseterre

#### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,2,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

#### INTRODUCTION

Throughout 2014, members of the government continued to fight a no-confidence motion that was submitted by the opposition in 2012, pursuing the matter in court. The motion, brought by former members of the ruling Saint Kitts and Nevis Labor Party (SKNLP), has been an ongoing source of tension within the party itself, and has had negative effects on coordination and agreement among various factions of the government.



**POLITICAL RIGHTS:** 37 / 40**A. Electoral Process:** 12 / 12

The federal government consists of the prime minister, the cabinet, and the unicameral National Assembly. A governor general represents the British Monarch as ceremonial head of state. Elected National Assembly representatives—eight from Saint Kitts and three from Nevis—serve five-year terms. In addition, the governor general appoints three senators and the attorney general, who is also a senator, with advice from the prime minister and the leader of the opposition.

The 2010 parliamentary elections were deemed generally free and fair. Denzil Douglas of the ruling SKNLP won a fourth term as prime minister. The SKNLP captured six seats, and the opposition People's Action Movement (PAM) won two seats as representatives from Saint Kitts. For the Nevis seats, the pro-independence Concerned Citizens' Movement (CCM) and the Nevis Reformation Party (NRP) retained two seats and one seat, respectively.

The Nevis Island Assembly is composed of five elected and three appointed members. Local authorities are responsible for most governance matters with the exception of police services and foreign relations. The constitution grants Nevis the option to secede. The most recent Nevis Island Assembly elections were held in 2013 and were declared peaceful and fair by international observers. The opposition CCM captured three of the five seats, defeating the NRP to become the majority party.

In 2014, the prime minister proposed alterations to the boundaries of electoral districts to account for changes in population growth. The opposition accused the government of gerrymandering, questioning the methodology used to determine the boundaries. A legal challenge brought by the opposition resulted in a court ruling that alterations could proceed only if a special commission consulted with representatives of civil society and opposition to ensure impartiality and fairness. The government pledged to move forward with the process in time for the 2015 elections.

**B. Political Pluralism and Participation:** 16 / 16

People have the right to organize in different political parties and to form and operate new parties. The SKNLP and the PAM dominate politics. In 2013, former SKNLP ministers Timothy Harris and Sam Condor launched the People's Labour Party (PLP), aligned with the opposition. The PAM, the PLP, and the CCM are associated as an opposition bloc known as Team Unity.

**C. Functioning of Government:** 9 / 12

The speaker of the National Assembly, under pressure from the prime minister, continued to refuse to table the opposition's no-confidence motion. In February 2014, a High Court judge ruled that the motion must be allowed to proceed. The government appealed the case at the Eastern Caribbean Court of Appeal (ECCA), which stayed the High Court ruling in August, pending a full hearing. In October, the ECCA ruled that the High Court ruling was improperly made, and ordered a new hearing before a different judge. At year's end, the case was still ongoing, and the motion remained stalled.

Saint Kitts and Nevis has generally implemented its anticorruption laws effectively. The government reiterated that freedom of information legislation was a priority in 2013, but no bill was passed in 2014. The Integrity in Public Life Bill was passed in September 2013, but government officials are not required to disclose financial assets. The Financial Intelligence Unit investigates financial crimes, but no independent body is specifically empowered to handle allegations of governmental corruption.

**CIVIL LIBERTIES:** 53 / 60**D. Freedom of Expression and Belief:** 15 / 16

There are several independent media outlets. The PAM-affiliated newspaper, *The Democrat*, enjoys a large readership. The government owns the sole local television station, and the opposition faces some restrictions on access. In addition to both government and private radio stations, there is one privately owned daily newspaper, and political parties publish weekly newspapers. Internet access is not restricted.

Freedom of religion is constitutionally protected, and academic freedom is generally honored.

**E. Associational and Organizational Rights:** 12 / 12

The rights to form associations and public assembly are generally respected. In 2014, Team Unity organized an antigovernment march, which proceeded peacefully and without interference.

Workers may legally form unions. A union can engage in collective bargaining only if more than 50 percent of the company's employees are union members. The right to strike, while not specified by law, is generally respected in practice.

**F. Rule of Law:** 13 / 16

The judiciary is largely independent, and legal provisions for a fair and speedy trial are generally observed. 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. Additionally, an appeal may be made to the Privy Council in London.

The rule of law continues to be challenged by the prevalence of drug-related crime, violence, and corruption. Law enforcement, particularly the Delta Squad, has been accused of using excessive force when conducting periodic raids. Prisons remain severely overcrowded.

Legal and societal discrimination against LGBT (lesbian, gay, bisexual, and transgender) people persists; same-sex sexual conduct between men is illegal and punishable with imprisonment of up to 10 years.

**G. Personal Autonomy and Individual Rights:** 13 / 16

Eminent domain laws allow the government to seize private property and business, and the government does not always provide adequate and timely compensation.

While domestic violence is criminalized, violence against women remains a serious problem. Only one woman serves in the National Assembly. The government passed equal pay for equal work legislation in 2012, but disparities remain.

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## Saint Lucia

**Political Rights Rating:** 1**Population:** 173,000**Civil Liberties Rating:** 1**Capital:** Castries**Freedom Rating:** 1.0**Freedom Status:** Free**Electoral Democracy:** Yes**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

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**INTRODUCTION**

Slow economic growth remained a challenge to Saint Lucia's development in 2014. Public debt continued to rise, surpassing 78 percent of gross domestic product (GDP). The unemployment rate was estimated to be 20 percent in 2014, a reduction from 23.3 percent last year. Despite domestic opposition, the government continued to attempt to reduce the deficit by cutting expenditure.

In 2013, Jack Grynberg, the president of the U.S.-based RSM Production Company, filed an arbitration claim against the Saint Lucian government after the country abandoned a contract for offshore oil exploration amid territorial disputes with neighboring islands. In 2014, the case was proceeding through arbitration, though no resolution had been reached by year's end.

**POLITICAL RIGHTS: 39 / 40****A. Electoral Process: 12 / 12**

Under the 1979 constitution, the bicameral Parliament consists of the 17-member House of Assembly, elected for five years, and an appointed 11-member Senate. The prime minister is chosen by the majority party in the House of Assembly. The prime minister chooses six members of the Senate, the opposition leader selects three, and two are chosen in consultation with civic and religious organizations. A governor general represents the British monarch as head of state. The island is divided into 11 quarters (districts), each with its own elected council and administrative services.

The Saint Lucia Labour Party (SLP) unseated the United Workers Party (UWP) in 2011 general elections with an 11-to-6 seat majority in the House of Assembly. Kenny Anthony, who served as SLP prime minister from 1997 to 2006, was sworn in for a third term.

In April 2013, the Constitutional Reform Commission presented a final report to Parliament, which was to consider the recommendations in 2014. However, parliamentary debate on the measures was postponed in August 2014, and had not been rescheduled at year's end.

**B. Political Pluralism and Participation: 16 / 16**

Political parties are free to organize, but the conservative UWP and the social-democratic SLP dominate politics. Five parties competed in the last general election, but no others gained representation. The Lucian People's Movement (LPM), launched before the 2011 elections, is especially active on the political scene.

**C. Functioning of Government: 11 / 12**

Saint Lucia has one of the lowest levels of corruption in the West Indies. Access to information is legally guaranteed, and government officials are required by law to present their financial assets annually to the Integrity Commission.

**CIVIL LIBERTIES: 53 / 60****D. Freedom of Expression and Belief: 15 / 16**

The constitution of Saint Lucia guarantees freedom of speech. There are a number of privately owned and independent news outlets that discuss a wide spectrum of issues. Internet access is not restricted.

Libel offenses were removed from the criminal code in 2006. However, in 2013, radio journalist Timothy Poleon and his employer, Radio Caribbean International (RCI), were threatened with defamation lawsuits by several government officials, including the national security minister, over critical remarks that Poleon had made on the air. He was forced to apologize in order to avoid legal action.

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The constitution guarantees freedom of religion, and that right is respected in practice. Academic freedom is generally honored as well.

**E. Associational and Organizational Rights:** 12 / 12

Constitutional guarantees regarding freedoms of assembly and association are largely upheld. Civic groups are well organized and politically active, as are labor unions, which represent the majority of wage earners. In September 2014, the Saint Lucia Fire Service Association went on strike for nearly two weeks demanding an improvement in working conditions.

**F. Rule of Law:** 12 / 16

The judicial system is independent and includes a high court under the Eastern Caribbean Supreme Court (ECSC). Saint Lucia announced in May 2014 that it will adopt the Caribbean Court of Justice (CCJ) as its final court of appeal, replacing the London-based Privy Council.

Police brutality is a significant problem. In 2013, the United States cut aid to the Royal Saint Lucia Police Force (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 and enlisting the Jamaican police to investigate the RSLPF. In June 2014, a mentally ill man was shot and killed for allegedly threatening police officers with rocks. In August, a man was assaulted during a police raid on his home. The Deputy Police Commissioner had advised officers earlier in the year to exercise restraint, but no meaningful reform efforts were adopted.

Rising crime rates have been attributed to gang violence. In June 2014, the government criminalized membership in gangs, passing the Anti-Gang Act No. 4. If convicted, individuals may face up to 10 years in prison. Overcrowding in prisons remains a problem. Bordelais prison, for example, has a capacity of 500 inmates but holds more than 600.

Same-sex sexual relations are illegal and punishable by up to 10 years in prison, but civil society voices have begun to demand changes in legislation in recent years.

**G. Personal Autonomy and Individual Rights:** 14 / 16

Women are underrepresented in politics and other professions; there are currently five women serving in Parliament. Domestic violence is a serious concern and often goes unreported. The Saint Lucia Fire Service Association strike in September 2014 resulted in an agreement to create a legal mechanism to respond to matters of sexual harassment in the workplace. Saint Lucia is still a destination country for human trafficking and for forced labor and prostitution, but significant progress has been reported.

## Saint Vincent and the Grenadines

**Political Rights Rating:** 1

**Civil Liberties Rating:** 1

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 106,000

**Capital:** Kingstown

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,1,F	2,1,F	2,1,F	2,1,F	2,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

**INTRODUCTION**

In January 2014, a lower court in Biabou dismissed opposition senator Vynette Frederick's application for the dismissal of false declaration charges against her, clearing the way for the senator to stand trial. The government had filed the charges against Frederick in relation to a complaint she lodged against Prime Minister Ralph Gonsalves after the 2010 elections. While no libel lawsuits were filed in 2014, government officials issued inflammatory statements about each other and the media throughout the year.

The economy continued to show signs of slow recovery after in the wake of heavy rainfall that devastated the country's banana industry in 2011, destruction caused by Hurricane Tomas in 2010, and the global financial crisis. However, public debt remained above 70 percent of the gross domestic product (GDP), with close to one-third of all revenue servicing the debt.

**POLITICAL RIGHTS: 36 / 40****A. Electoral Process: 11 / 12**

A governor general represents the British monarch as head of state. The constitution provides for the 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 prime minister is the leader of the majority party.

Legislative elections were most recently held in 2010. The incumbent social-democratic Unity Labour Party (ULP) won eight seats, and Gonsalves retained his post as prime minister for a third term. The conservative New Democratic Party (NDP) more than doubled its representation, taking seven seats. Despite threats of legal challenges from NDP leaders, observers from the Caribbean Community, the Organization of American States (OAS), and the National Monitoring and Consultative Mechanism deemed the elections free and fair.

Prime Minister Gonsalves appointed three new senators to the cabinet in 2013, including his son as minister of foreign affairs, foreign trade, and consumer affairs. Gonsalves's cousin is also a minister. In September 2014, Gonsalves placed the ministry of works under the purview of the prime minister's office.

Efforts to clean up the voter list, initiated by the supervisor of elections in early 2013, continued in 2014. A significant portion of the population has migrated elsewhere but maintained registration. An individual must have lived abroad for five years before they can be removed from the voter list, although details of residency are often hard to verify.

**B. Political Pluralism and Participation: 16 / 16**

The political landscape is dominated by the NDP and the ULP, although the Green Party also contested the 2010 elections. The Democratic Republican Party, led by a former NDP senator, was formed in 2012. In 2014, the NDP announced that it was suspending all cooperation with the Gonsalves government until the next general elections.

Opposition senator Vynette Frederick faces a criminal case based on charges of swearing falsely and lying under oath in relation to a private criminal complaint she filed against the prime minister following the 2010 elections. Frederick has continued to hold office despite the pending case against her. A magistrate court denied Frederick's challenge to the charges in January 2014, and her trial remained pending at year's end.

**C. Functioning of Government: 9 / 12**

In recent years, there have been allegations of transnational money laundering through local banks and drug-related corruption within the government and the police force. The

government has taken some steps to prevent and prosecute such crimes, including by enacting the Amendment to the Proceeds of Crime and Money Laundering (Prevention) Act 2012. No independent body investigates government corruption, and there is no active legislation requiring government officials to disclose assets, incomes, or gifts.

In October 2014, the former registrar of Saint Vincent's High Court, Vanessa Gibson-Marks, pled guilty to stealing court funds and abusing her authority while in office. Saint Vincent and the Grenadines was ranked 29 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. The OAS issued a report in September 2014 detailing the country's adherence to the Inter-American Convention against Corruption; many of the OAS's initial implementation recommendations remain pending.

**CIVIL LIBERTIES:** 54 / 60 (+1)

**D. Freedom of Expression and Belief:** 15 / 16

The press is independent, and the constitution guarantees freedoms of speech and the press. While freedom of information legislation was passed in 2003, it has yet to be fully implemented. There are several privately owned independent weeklies and one daily newspaper. The national newspapers freely publish opinions critical of the government. The Saint Vincent and the Grenadines Broadcasting Corporation operates one television station, and satellite dishes and cable television are available. The main news radio station is partly owned by the state. Internet access is not restricted.

While libel lawsuits are common in the country (Prime Minister Gonsalves has filed five since taking office), none were initiated in 2014. Nice Radio—considered to be aligned with the opposition—has faced numerous lawsuits in the past. In 2013, the station was ordered to pay the prime minister EC\$206,000 (US\$76,000) in damages for defamation. Also in 2013, the newspapers *Vincentian* and *News* issued apologies in response to separate threats of lawsuits by Gonsalves. A newspaper considered to be aligned with the ULP had printed the same article as the *News* but was not asked to apologize.

Freedom of religion is constitutionally protected and respected in practice, and academic freedom is generally honored.

**E. Associational and Organizational Rights:** 12 / 12

Freedoms of assembly and association are constitutionally protected, and nongovernmental organizations are free from government interference. Labor unions are active and permitted to strike and engage in collective bargaining.

**F. Rule of Law:** 13 / 16 (+1)

The government generally respects judicial independence. The highest court is the Eastern Caribbean Supreme Court, which includes a court of appeals and a high court. The country recognizes the original jurisdiction of the Caribbean Court of Justice, but the Privy Council in London remains the final court of appeal. There are often long judicial delays and a large backlog of cases caused by personnel shortages in local courts. In 2013, parliament passed important witness protection legislation. Police occasionally use excessive force in arrest proceedings and in custody. In May 2013, four civilians were shot by police in a period of ten days, including a man in police custody who died. However, no such incidents were reported in 2014.

Crowded prison conditions have improved after the long-awaited transfer of prisoners to a new correctional facility in 2012.

Same-sex sexual activity remains a criminal offense, carrying a prison sentence of up to 10 years.

**G. Personal Autonomy and Individual Rights:** 14 / 16

Women are underrepresented in political decision-making positions, and hold only 4 of the 23 seats in parliament. Violence against women, particularly domestic violence, remains a problem. The Domestic Violence Summary Proceedings Act, which provides for protective orders, offers some tools and resources to victims.

The Prevention of Trafficking in Persons Act of 2011 criminalizes forced labor and prostitution. In 2013, the government appointed a 12-member Reparations Committee to investigate the killings and forced deportations of the indigenous Garifuna and Kalinago groups, as well as land appropriation and the enslavement of African people in Saint Vincent and the Grenadines. Also in 2013, Prime Minister Gonsalves announced a Caribbean Community joint legal action against the United Kingdom, France, and the Netherlands for the legacy of the slave trade. In March 2014, the joint committee adopted a plan to seek reparations from these nations, including formal apologies and debt cancellation.

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## Samoa

**Political Rights Rating:** 2**Population:** 190,000**Civil Liberties Rating:** 2**Capital:** Apia**Freedom Rating:** 2.0**Freedom Status:** Free**Electoral Democracy:** Yes**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

**INTRODUCTION**

In 2014, legislators and the public continued to debate the Citizen Investment Bill, which would grant legal permanent residence to foreigners who invest a minimum of \$1.5 million in Samoa. Opponents protest that the government is selling citizenship in light of the dire national financial situation.

In January, a judge in Samoa overturned the jury verdict in a murder case, acquitting an inmate who had been accused of killing his mentally ill cellmate, a New Zealand national. The case has shed light on abuse of office and misconduct by police and prison staff.

**POLITICAL RIGHTS:** 32 / 40**A. Electoral Process:** 9 / 12

Samoa is an electoral democracy. The 49-member legislature elects the head of state to appoint a prime minister from the party with the most seats. Two seats are reserved for at-large voters, mostly citizens of mixed or non-Samoan heritage who have no ties to the 47 village-based constituencies. All lawmakers serve five-year terms.

In the March 2011 parliamentary elections, the Human Rights Protection Party (HRPP) took 36 seats, while the Tautua Samoa Party (TSP) captured the remaining 13. The elections were generally deemed fair and free. After four legislators, one from TSP and three from HRPP, were stripped of their seats due to misconduct, by-elections were held in July 2011;

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HRPP won all four seats, boosting their total to 37. Prime Minister Tuilaepa Aiono Sailele Malielegaoi was elected to a third term.

**B. Political Pluralism and Participation:** 13 / 16

The centrist HRPP has dominated politics since Samoa gained independence in 1962. Prospective office holders seek endorsement by *matai*, traditional chiefs of extended families, as the latter are very influential in mobilizing their villagers to vote for their preferred candidates.

**C. Functioning of Government:** 10 / 12

Official corruption and abuse are a source of public discontent. In March 2014, five senior Education Ministry officials were charged with theft. A parliamentary inquiry also found that revenue ministry staff had been dishonest in tax collection; the inquiry concluded that funds could have been embezzled in the process. Two other high-profile cases in 2014 involved the finance minister and the deputy prime minister. The finance minister was alleged to have used public funds to purchase a high-end vehicle for personal use. He resigned in April amid pressure from his party. The deputy prime minister faced charges associated with a traffic incident in 2013. In April 2014, he was found guilty of obstructing police work. In December, the head of the Electoral Commission was suspended for nepotism and bribery.

A constitutional amendment in January 2014 extended the chief auditor's term from 3 to 12 years, which proponents say will give the position greater independence and capacity.

**CIVIL LIBERTIES:** 49 / 60

**D. Freedom of Expression and Belief:** 14 / 16

While freedoms of speech and the press are generally respected, politicians and other powerful actors have repeatedly used libel or defamation suits to respond to remarks or stories about them. In January 2014, a youth was arrested and charged with defaming the prime minister in a video he published online. The village council also ordered his family to apologize and make immediate payment of \$4,000 in cash, two cows, and 30 boxes of canned fish (totaling \$7,000) to the prime minister or risk banishment from the village. The council further threatened to banish any villager who spoke to the media about the incident.

There are several public and private newspapers and radio and television stations. Internet cafes are common. In February 2014, Samoa announced a \$20 million soft loan from China's Export-Import Bank and technical support from China's Huawei Technologies to bring broadband access to government offices. Mobile telephone coverage reaches 95 percent of Samoa.

Public consultation on the Media Council Bill ended in March. If passed, a professional media body—the Media Council—will be established to enforce codes of ethics and investigate public complaints. It will also be able to order media outlets to make corrections, public apologies, and monetary reparations. The media industry and the opposition have dismissed the need for such a council and cautioned against government intervention in the freedom of media. The bill would also amend the Printers and Publishers Act of 1992 to protect journalistic sources in civil and criminal proceedings (unless courts find that disclosure is in the public interest).

Freedom of religion is respected in practice. Relations among religious groups are generally amicable. There were no reports of restrictions on academic freedom in 2014.

**E. Associational and Organizational Rights:** 10 / 12

Freedoms of assembly and association are respected. Human rights groups operate freely. Workers, including civil servants, can strike and bargain collectively. Approximately



60 percent of adults work in subsistence agriculture, and 20 percent of wage earners belong to trade unions.

**F. Rule of Law:** 13 / 16

The judiciary is independent and upholds the right to a fair trial. The Supreme Court is the highest court with full jurisdiction over civil, criminal, and constitutional matters. The head of state, on the recommendation of the prime minister, appoints the chief justice. To ease court backlog and reduce wait times, the parliament approved in March 2014 the creation of a Family Court to provide dispute resolution with trained mediators.

Prisons generally meet minimum international standards. In 2013, the police commissioner and several deputies were suspended on allegations of corruption and prisoner abuse. An inquiry into the matter found mismanagement and other serious misconduct, including improper sexual relationships between prisoners and staff, at the Tafa'igata prison.

In January 2014, a judge found an inmate not guilty of killing his cellmate, a mentally ill detainee from New Zealand. The case began in 2012 when the New Zealand national was imprisoned following a cyclone, during which he lost his medication and allegedly become violent. He was later murdered in his cell. The police commissioner and his deputy, also the prison warden, were suspended with pay and privileges during the process. Both were later dismissed or resigned when evidence of serious mismanagement and misconduct in the prison emerged.

Samoa has no military, and the small police force has little impact in the villages. The *matai* control local government and churches through the village *fono*, or council, which settles most disputes. The councils vary considerably in their decision-making styles and capacities. Light offenses are usually punished with fines; serious offenses risk banishment from the village. Individuals and entire families have been forced to leave villages for allegedly insulting a *matai*, embracing a different religion, or voting for political candidates not endorsed by the village head. Several controversial cases led the Supreme Court to rule in 2002 that these councils could not infringe on freedoms of religion, speech, assembly, or association.

Same-sex sexual activity is a criminal offense. Female impersonation was decriminalized in 2013.

**G. Personal Autonomy and Individual Rights:** 12 / 16

Domestic violence against women and children is a serious problem. The government is beginning to respond. The Crimes Act of 2013 made spousal rape a crime and life imprisonment the maximum penalty for sex with a minor. The Family Safety Act of 2013 also gave more power to the police, public health officials, and educators to assist victims and families. However, social stigma and fear of reprisal frequently inhibit reporting.

In 2013, the government adopted a constitutional amendment allocating 10 percent of the seats in the Legislative Assembly to women. If in future elections this threshold is not met, the women with the highest number of votes will be added to the assembly until the requirement is satisfied, even if it pushes the body above 49 members. The new law is set to take effect in 2016.

Samoa has one of the highest youth suicide rates in the world. Experts claim that a slow economy and widespread unemployment may be partly to blame.

There is a growing Chinese presence in the local economy, which has led to resentment from local workers and business leaders. Jobs within certain industries and geographic areas are legally reserved for native Samoans.

# San Marino

**Political Rights Rating:** 1

**Population:** 33,000

**Civil Liberties Rating:** 1

**Capital:** San Marino

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

## INTRODUCTION

In recent years, the government of San Marino has placed an emphasis on combating corruption and money laundering. In 2014, the government established several measures to help the country implement suggestions made by the Council of Europe's Group of States against Corruption (GRECO). One high-profile case ended in September with the conviction of at least seven individuals on bribery and corruption charges connected to the construction industry.

**POLITICAL RIGHTS:** 40 / 40

**A. Electoral Process:** 12 / 12

The 60 members of the Great and General Council, the unicameral legislature, are elected every five years. Executive power rests with the 10-member State Congress (cabinet), which is headed by two captains regent. As the joint heads of state, the captains regent are elected every six months by the Great and General Council 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; Pasquale Valentini was elected to the post in 2012. Under changes to the electoral law in 2008 that were designed to increase accountability, government stability, and citizen participation, the winning coalition must hold 35 of the 60 parliamentary seats.

After the resignations of two legislators in July 2012, the captains regent dissolved the legislature in August, calling for early elections on November 11. The Sammarinese Christian Democratic Party (PDCS) captured 21 seats and formed a three-party coalition—San Marino Common Good—with the Party of Socialists and Democrats (PSD), which won 10 seats, and the Popular Alliance, which took 4 seats. Opposition groups included the Agreement for the Country coalition with 12 seats, the Active Citizenship coalition with 9 seats, and the Civic Movement R.E.T.E. with 4 seats.

**B. Political Pluralism and Participation:** 16 / 16

Parties are free to form and operate in San Marino, and a number of them are active during elections. The two main parties are the Christian-democratic PDCS and the social-democratic PSD. Due to the large number of small parties, the government is often run by changing coalitions of parties. In the 2012 elections, the PDCS and the Popular Alliance retained power in the legislature.

**C. Functioning of Government:** 12 / 12

There is little abuse of office by public officials in the country, though financial misconduct has prompted the government to increase financial transparency. In 2010, San Marino became the 48th state to join the GRECO.

In June 2014, the government launched four programs to combat money laundering: a hotline to report suspected corruption; a training program on corruption and money laundering for the police force; strengthened cooperation with Italy about financial data; and a training program for judges on issues concerning corruption.

In 2012, Livio Bacciocchi of the financial institution Fincapital was arrested amid accusations of money laundering and extortion. In 2013, Bacciocchi was sentenced to five years and six months' imprisonment by a Bologna court. Also in 2013, a trial commenced against two commissioners at San Marino's environmental hygiene agency who were accused of bribing construction contractors for personal gain. The case also implicated Bacciocchi and four others. In September 2014, seven defendants in the case were sentenced to prison terms ranging from two years to five-and-a-half years, in addition to facing fines.

In 2012, Marco Bianchini, the former head of the financial firm Karnak, was accused of extortion and corruption related to a Neapolitan mafia group; he was arrested after transferring €5 million (\$6.5 million) into a Maltese bank. The case was ongoing at the end of 2014.

An investigation into a money laundering scheme at the Commercial Bank of San Marino led to the arrest of former captain regent Claudio Podeschi in June 2014. Fiorenzo Stolfi, a former secretary of state for foreign affairs, was arrested in connection to the scheme in September, facing charges of conspiracy, money laundering, and voter trading.

#### **CIVIL LIBERTIES:** 60 / 60

##### **D. Freedom of Expression and Belief:** 16 / 16

Freedoms of speech and the press are guaranteed. There are several private daily newspapers; a state-run broadcast system for radio and television, RTV; and a private FM station, Radio Titano. The Sammarinese have access to all Italian print media and certain Italian broadcast stations. Access to the internet is unrestricted.

In February 2014, San Marino's RTV sued the Italian daily *Espresso* for publishing misinformation about the station's financial connection to the Italian company RAI and the Italian government.

Religious discrimination is prohibited by law. There is no state religion, though Roman Catholicism is dominant. Academic freedom is respected.

##### **E. Associational and Organizational Rights:** 12 / 12

Freedom of assembly is respected, and civic organizations are active. Workers are free to strike, organize trade unions, and bargain collectively, unless they work in military occupations. Approximately half of the country's workforce is unionized.

##### **F. Rule of Law:** 16 / 16

The judiciary is independent. Lower court judges are required to be noncitizens—generally Italians—to ensure impartiality. The highest court is the Council of Twelve, a group of judges chosen for six-year terms from among the members of the Great and General Council. Civilian authorities maintain effective control over the police and security forces. There is one prison in San Marino, and the inmate population is small. A 2013 visit by the Council of Europe's Committee for the Prevention of Torture to the facility prompted officials to consider improvements to the prison, which generally meets international standards.

##### **G. Personal Autonomy and Individual Rights:** 16 / 16

A 2013 report by the European Commission against Racism and Intolerance noted that several lingering concerns about the status of foreigners in the country. San Marino has no formal asylum policy, although a decree adopted in 2010 introduced a "stay permit" in spe-

cial cases of humanitarian need. A 2012 law loosened citizenship rules, including reducing the length of residency required for citizenship from 30 to 25. The European Convention on Nationality, which San Marino has not signed, recommends that such residence requirements not exceed 10 years.

In 2012, San Marino withdrew a 16th-century law in order to give visa rights to foreign nationals in same-sex relationships with Sammarinese citizens. However, in September 2014, the government rejected a proposal by Sammarinese to fully recognize the rights of same-sex couples who were legally married abroad.

Women are given legal protections from violence and spousal abuse, and gender equality exists in the workplace and elsewhere. There are, however, differences in the way men and women can transmit citizenship to their children. Abortion is permitted only to save the life of the mother, though abortion laws in neighboring Italy are more liberal, leading some women living in San Marino to seek services there. Under a 2008 electoral law, no more than two-thirds of candidates from each party can be of the same gender. Ten women were elected to the Great and General Council in 2012, but none sit in the State Congress.

## São Tomé and Príncipe

**Political Rights Rating:** 2

**Civil Liberties Rating:** 2

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 190,000

**Capital:** São Tomé

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

### INTRODUCTION

In October 2014, the country held simultaneous elections on the municipal, regional, and national levels. Of the 13 parties that participated in the elections, the Independent Democratic Action party (ADI) emerged as the winner, expanding its presence both in the National Assembly and at the local level. The Movement for the Liberation of São Tomé and Príncipe–Social Democratic Party (MLSTP-PSD) and the Democratic Convergence–Reflection Group (PCD-GR) sustained significant losses.

The country's economy continued to grow but remained dependent on international aid.

**POLITICAL RIGHTS:** 34 / 40

**A. Electoral Process:** 11 / 12

The president is elected for up to two five-year terms. Members of the unicameral, 55-seat National Assembly are elected by popular vote to four-year terms.

Former strongman Manuel Pinto da Costa, who ruled São Tomé and Príncipe for the first 15 years after independence, won the 2011 presidential election as an independent candidate. He defeated the incumbent ADI party's Evaristo Carvalho in a run-off election with 52.9 percent of the vote. Foreign observers deemed the elections credible and fair.

Simultaneous national, regional, and municipal elections took place in October 2014. The ADI, led by former prime minister Patrice Trovoada, secured a decisive victory in

elections to the National Assembly, taking 33 of 55 seats. The MLSTP-PSD took 16 seats, the PCD-GR captured 5 seats, and Union of Democrats for Citizenship and Development secured one seat. Trovoada became prime minister in November. International observers deemed the national elections to be transparent, fair, and free.

ADI was less successful in regional elections, particularly in the autonomous Príncipe region, where the Union for Change and Progress in Príncipe (UMPP) won 5 seats and MLSTP-PSD took 2. At the local level, MLSTP-PSD lost majority control of the Lembá, Cantagalo, and Lobata municipalities, while ADI's position in Água Grande and Mé-zochi grew stronger. Caué remained in the hands of MLSTP-PSD. Election results were upheld despite calls by the National Platform for Development (PND) party for a second vote due to voter boycotts in the Lembá, Cantagalo, and Caué districts. The Constitutional Court upheld a decision by the National Electoral Commission that a boycott is not grounds to repeat elections.

A number of changes marked the electoral landscape in 2014. In February, the National Assembly passed a law to combat *banho*, or vote-buying, a common electoral practice in São Tomé and Príncipe. The 2014 legislative elections also marked the first time that a benchmark for 30 percent female participation in the National Assembly was implemented.

#### **B. Political Pluralism and Participation:** 14 / 16

The multiparty system features vigorous competition between the ADI, the MLSTP-PSD, the PCD-GR, and other parties. Though political parties are free to operate, opposition leaders have reported political pressure and persecution. In June 2014, Trovoada filed a complaint at the International Criminal Court, citing persecution of ADI members and supporters by government officials.

In March, Pinto da Costa launched the National Dialogue, an initiative he had proposed in 2013 to bring together nongovernmental organizations (NGOs), communities, and political parties—except ADI—to discuss key issues affecting the country. The dialogue took place in provincial centers and culminated in a national meeting, in which participants issued a list of recommendations for reform.

Immigrants comprise a small percentage of the population and do not participate in elections. In March 2014, the president of the regional government of Príncipe voiced support for granting political rights to Cape Verdeans, an immigrant group that makes up more than 50 percent of all foreigners living in São Tomé and Príncipe.

#### **C. Functioning of Government:** 9 / 12

There have been some efforts in recent years to improve transparency and curb abuse of office. In 2013, following pressure from international donors, the National Assembly approved a law to prevent and fight money laundering. Nevertheless, corruption remains a major problem.

In January 2014, the country's minister of health and social affairs was dismissed after revelations that he had issued government funds for use by himself and by members of his family. Also in January, Pinto da Costa issued a decree that called for reshuffling the government, allegedly in an effort to combat abuses. The president replaced the minister for public works, infrastructure, and natural resources, and created two new positions—a minister of tourism, commerce and industry as well as a state secretary for public works, infrastructure, and natural resources.

São Tomé and Príncipe was ranked 76 out of 175 countries in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 47 / 60**D. Freedom of Expression and Belief:** 15 / 16

Freedom of expression is guaranteed and respected. While the state controls a local press agency and the only radio and television stations, no law forbids independent broadcasting. Opposition parties receive free airtime, and newsletters and pamphlets criticizing the government circulate freely. Residents also have access to foreign broadcasts. Internet access is not restricted, though a lack of infrastructure limits penetration.

Freedom of religion is respected within this predominantly Roman Catholic country. The government does not restrict academic freedom. However, although the government has identified education as a top priority, limited funds and poor training undermine the quality of teaching.

**E. Associational and Organizational Rights:** 10 / 12

Freedoms of assembly and association are respected, and citizens have the constitutional right to demonstrate with two days' notice to officials. NGOs are free to operate, but the effectiveness of domestic organizations is limited by lack of funding.

Workers' rights to organize, strike, and bargain collectively are guaranteed and respected. In February 2014, approximately 300 military officers went on strike to demand better wages and living conditions.

**F. Rule of Law:** 12 / 16

The constitution provides for an independent judiciary, though it is susceptible to political influence and is understaffed and underfunded. Reform of the judiciary was the focus of one of the recommendations stemming from the National Dialogue in March 2014. Inmates in the country's one prison suffer from poor living conditions, though authorities alleviated overcrowding in 2014 by opening new sections of the facility.

According to the minister of foreign affairs, cooperation, and communities, at least 90 kidnappings by armed individuals were recorded by September 2014. On multiple occasions in 2014, security forces apprehended ships in São Toméan waters conducting illicit activities, including trafficking illegal narcotics. To improve the system of criminal justice, the government has reached an arrangement with Brazilian authorities by which 30 members of São Tomé and Príncipe's Criminal Investigation Police will receive training from Brazilian federal police; the arrangement was made possible by an existing bilateral cooperation agreement.

In February 2014, striking military officers refused to report for duty in the presidential guard. Following the incident, Pinto da Costa convened meetings with military leaders and appointed a new chief of staff of the armed forces. In May, the government announced plans to improve military salaries and pay subsidies owed to soldiers. Failed attempts to stage military coups in 1995 and 2003 were linked to the military's discontent with living conditions.

Although there are no legal restrictions on same-sex sexual activity, same-sex relationships are generally hidden due to discrimination.

**G. Personal Autonomy and Individual Rights:** 10 / 16

While São Toméans are free to travel and seek employment, they have limited access to secondary and higher education.

São Tomé and Príncipe is one of the smallest economies in Africa and extremely dependent on international aid, with the majority of its budget financed by donors. Economic

activity is growing, but bureaucracy and corruption pose challenges to the process of establishing private businesses. Access to economic opportunities is also uneven.

Following the October 2014 elections, there were 10 women in the National Assembly, and one woman held a cabinet position. The constitution provides equal rights for men and women, but women encounter discrimination in all sectors of society. Domestic violence is common and rarely prosecuted.

## Saudi Arabia

**Political Rights Rating:** 7

**Population:** 30,814,000

**Civil Liberties Rating:** 7

**Capital:** Riyadh

**Freedom Rating:** 7.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline for Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	7,7,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF

### INTRODUCTION

Saudi Arabia tightened restrictions on dissent and freedom of speech in 2014, and intensified criminal penalties for religious beliefs that veer too far from official state orthodoxy. A sweeping 2013 “antiterrorism” law took effect in February, enabling authorities to press terrorism charges against anyone who demands reform, exposes corruption, or otherwise engages in dissent. A royal decree in April penalized atheism with up to 20 years’ imprisonment. Making use of these and other laws, authorities continued to crack down on dissidents, human rights defenders, artists, and journalists.

In February and March, in the midst of growing regional tensions and concerns over Saudi citizens participating in wars in Syria and Iraq, the government criminalized “fighting in conflicts abroad” and officially designated the Muslim Brotherhood and the Saudi branch of the Shiite Islamist movement Hezbollah as terrorist organizations. Authorities also continued to target members of the country’s Shiite Muslim minority, mostly in the Eastern Province. Most notably, in October a Saudi court sentenced the prominent Shiite cleric and rights advocate Sheikh Nimr al-Nimr to death on charges of sedition.

In March Muqrin bin Abd al-Aziz, a younger brother of King Abdullah, was named second in line to the throne behind Crown Prince Salman bin Abd al-Aziz, confirming the long-term succession plan.

**POLITICAL RIGHTS:** 3 / 40

**A. Electoral Process:** 0 / 12

The 1992 Basic Law declares that the Koran and the Sunna (the guidance set by the deeds and sayings of the prophet Muhammad) are the country’s constitution. The cabinet, which is appointed by the king, passes legislation that becomes law once ratified by royal decree. The king also appoints a 150-member Majlis al-Shura (Consultative Council) every four years, though it serves only in an advisory capacity. Limited elections for advisory councils at the municipal level were introduced in 2005, and elections were held a second time in 2011. Half of the seats on the 285 councils were open to nonpartisan voting by adult

male citizens, while the remainder was filled through appointment by the king. A 2011 royal decree granted women the right to vote and run for office in the 2015 municipal elections. It remained to be seen whether this would be implemented.

**B. Political Pluralism and Participation: 0 / 16**

Political parties are forbidden, and organized political opposition exists only outside the country. Political dissent is criminalized. Activists who challenge the kingdom's record on political inclusion or call for constitutional changes are treated harshly. For example, Waleed Abu al-Khair, a lawyer and human rights activist, was detained without explanation in April 2014 while at a hearing for previous charges related to "disrespecting and offending the authorities." In July he was sentenced to 15 years in prison. In May, during an appeal on charges of "insulting Islam," Raef Badawi, a rights activist and founder of the website Liberal Saudi Network, saw his previous sentence of six years' imprisonment and 700 lashes increased to 10 years and 1,000 lashes. In July, a court upheld the five-year prison sentence of human rights activist Mikhlif al-Shammari, and in November he was sentenced to two additional years and 200 lashes. Fawzan al-Harbi, a human rights defender and founding member of the Saudi Civil and Political Rights Association (ACPRA), was sentenced in June to seven years' imprisonment—six of which were suspended—and a travel ban for his human rights activism; after an appeal, in November he received a harsher sentence of 10 years' imprisonment followed by a 10-year travel ban.

The March decision to designate the Muslim Brotherhood and Hezbollah as terrorist organizations reflected official concerns about the domestic popularity of both organizations, which are considered threats to the regime.

**C. Functioning of Government: 1 / 12**

Corruption remains a significant problem, despite some earlier moves to hold certain officials accountable. Following two devastating floods in 2009 that killed upwards of 120 people and led to public protests, more than 40 people—including municipal officials and businessmen—were arrested on corruption charges. While the fate of many of those arrested remains unclear, two were given prison sentences in 2014, and six others were acquitted. A trial for 16 municipal officials accused of taking bribes in managing water in Jeddah began in August.

The Saudi state remains notably opaque in its budgets and financial practices. 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 its accounting or the various direct ways in which the state's wealth becomes a source of private privilege for the royal family and its clients. In 2014, the accounting firm Deloitte reported that annual Saudi military spending had increased by \$16 billion over the past five years.

**Discretionary Political Rights Question A: 2 / 4**

In addition to drawing advice from the Consultative Council, the monarchy has a tradition of consulting with select members of Saudi society. However, the process is not equally open to all citizens. From the king to local governors, royal family officials periodically host meetings for citizens to air grievances and seek access to money or power. These meetings are irregular, and while they afford some citizens rare opportunities to meet with the powerful, the outcomes reinforce the personalized nature of authority.

**CIVIL LIBERTIES: 7 / 40**

**D. Freedom of Expression and Belief: 3 / 16**

The government tightly controls domestic media content and dominates regional print and satellite-television coverage, with members of the royal family owning major stakes in



news outlets in multiple countries. Government officials have banned journalists and editors who publish articles deemed offensive to the religious establishment or the ruling authorities. A 2011 royal decree amended the press law to criminalize 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.

The regime has taken steps to limit the influence of new media, blocking access to more than 400,000 websites that are considered immoral or politically sensitive. A 2011 law requires all blogs and websites, or anyone posting news or commentary online, to have a license from the Ministry of Information or face fines and possible closure of the website.

Many writers and activists have been incarcerated for using the internet to express their views. In February 2014 a court sentenced online television host Wajdi al-Ghazzawi to 12 years in prison for criticizing the state, five of which were based on the kingdom's cyber-crimes law. In April the General Commission for Audiovisual Media declared its intent to restrict all non-state-run YouTube programming. In September three lawyers were convicted of criticizing the Ministry of Justice on Twitter, and were sentenced to prison terms of between five and eight years.

In March authorities banned hundreds and confiscated more than 10,000 copies of books at the annual book fair in Riyadh.

Islam is the official religion, and all Saudis are required by law to be Muslims. 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. Although the government recognizes the right of non-Muslims to worship in private, it does not always respect this right in practice. The building of Shiite mosques is banned.

In January, poet and artist Ashraf Fayadh was arrested for allegedly "spreading atheism." In April, the government issued a royal decree that punishes atheism with up to 20 years in prison, setting off calls from within the religious police to pursue such cases enthusiastically.

Academic freedom is restricted, and informers monitor classrooms for compliance with curriculum rules, such as a ban on teaching secular philosophy and religions other than Islam. Despite changes to textbooks in recent years, intolerance in the classroom remains an important problem, as some teachers continue to espouse discriminatory and hateful views of non-Muslims and Muslim minority sects.

#### **E. Associational and Organizational Rights: 0 / 12**

Freedoms of assembly and association are not upheld. The government frequently detains political activists who stage demonstrations or engage in other civic advocacy. While no large-scale protests have taken place in the kingdom, smaller demonstrations have become more common. The largest of these take place in the mainly Shiite Eastern Province.

Saudi Arabia has no associations law and has historically approved licenses only for charitable organizations. 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 imprisonment.

#### **F. Rule of Law: 2 / 16**

The judiciary, which must coordinate its decisions with the executive branch, is not independent. A special commission of judicial experts writes law that serves as the foundation for verdicts in the court system, which is grounded in Sharia (Islamic law). While Saudi courts have historically relied on the Hanbali school of Islamic jurisprudence, the commission incorporates all four Sunni Muslim legal schools in drafting new guidelines.

The penal code bans torture, but allegations of torture by police and prison officials are common, and access to prisoners by independent human rights and legal organizations is strictly limited. A sweeping new “antiterrorism” law, which includes lengthy prison sentences for criticizing the monarchy or the government, went into effect in February 2014. It also expanded the power of police to conduct raids against suspected antigovernment activity without judicial approval.

Substantial prejudice against ethnic, religious, and national minorities prevails. Shiites, who make up 10 to 15 percent of the population, are underrepresented in major government positions and have also faced physical assaults. Since 2011, protests in the largely Shiite-populated Eastern Province have grown in scale. Authorities have responded by issuing a most-wanted list of activists and violently dispersing demonstrations. Security forces continued their crackdown on Shiite activism in 2014. The prominent Shiite cleric and political dissident Sheikh Nimr al-Nimr, who had been arrested in 2012 for leading protests critical of the regime and calling for an end to sectarian discrimination, was sentenced to death in October 2014. His 18-year-old nephew Ali al-Nimr had been sentenced to death in May for participating in demonstrations against the government.

In November, masked gunmen allegedly connected to the Islamic State militant group opened fire on a crowd of young Shiite men in Al-Hasa during Ashura, an important Shiite religious commemoration; seven people were killed. Authorities subsequently detained six suspects.

#### **G. Personal Autonomy and Individual Rights: 2 / 16**

Freedom of movement is restricted in some cases. The government punishes activists and critics by limiting their ability to travel outside the country, and reform advocates are routinely stripped of their passports.

While a great deal of business activity is 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 royal family interference.

Women are not treated as equal members of society, and many laws discriminate against them. They are not permitted to drive cars or travel within or outside of the country without a male relative. According to interpretations of Sharia in Saudi Arabia, daughters generally receive half the inheritance awarded to their brothers, and the testimony of one man is equal to that of two women. Moreover, Saudi women seeking access to the courts must be represented by a male. The religious police enforce a strict policy of gender segregation and often harass women, using physical punishment to ensure that they meet conservative standards of dress in public. All sexual activity outside marriage, including same-sex activity, is criminalized, and the death penalty can be applied in certain circumstances.

Education and economic rights for Saudi women have improved somewhat in recent years, with more than half of the country’s university students now female, though they do not enjoy equal access to classes and facilities. Women gained the right to hold commercial licenses in 2004. In 2008, the Saudi Human Rights Commission established a women’s branch to investigate cases of human rights violations against women and children, but it has not consistently carried out serious investigations or brought cases against violators.

A 2013 law defines and criminalizes domestic abuse, prescribing fines and up to a year in prison for perpetrators. However, according to an analysis by Human Rights Watch, the law lacks clarity on enforcement mechanisms.

Saudi women continued to agitate for the right to drive in 2014. In December Loujain Hathloul and Maysaa Alamoudi were arrested at the border with the United Arab Emirates

for driving. Their case was referred to the Specialized Criminal Court, which deals primarily with cases related to state security and terrorism.

A 2005 labor law that extended various protections and benefits to previously unregulated categories of workers also banned child labor and established a 75 percent quota for Saudi citizens in each company's workforce. However, the more than six million foreign workers in the country have virtually no legal protections. In a small victory, in February 2014, the Ministry of Labor ruled that expatriate workers who go more than three months without a salary are free to switch their work sponsors without approval. A 2013 campaign to crack down on expatriate workers who had allegedly overstayed their visas or were no longer employed by their original host continued into 2014. More than 400,000 workers were deported throughout the year.

## Senegal

**Political Rights Rating:** 2

**Population:** 13,933,000

**Civil Liberties Rating:** 2

**Capital:** Dakar

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,3,PF	2,3,PF	2,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	2,3,F	2,2,F	2,2 F

### INTRODUCTION

Municipal elections held in June 2014 led to some losses by ruling coalition candidates in major urban areas; the elections were deemed free and fair by local election observers. A trial against Karim Wade, son of former president Abdoulaye Wade, began in July in the Court of Repossession of Illegally Acquired Assets (CREI), where he is accused of illicit enrichment. Abdoulaye Wade, who had left Senegal after losing the 2012 presidential election, returned in the midst of the CREI investigation in April. The Senegalese Democratic Party (PDS), which he founded in 1974, requested permission to publicly assemble upon his return, but authorities denied the request.

In February, Senegal drew criticism for the imprisonment of two men reported to have engaged in same-sex relations. The detentions of rapper and activist Malal Talla and of former energy minister Samuel Sarr in June and August, respectively, also evoked public disapproval; both men were detained after expressing criticism of government officials.

**POLITICAL RIGHTS:** 33 / 40

**A. Electoral Process:** 11 / 12

Members of Senegal's 150-seat National Assembly are elected to five-year terms; the president serves seven-year terms with a two-term limit. The president appoints the prime minister. In July 2014, President Macky Sall appointed Mohammed Dionne to this post to replace Aminata Touré, who was removed from power after losing a June local election in Grand-Yoff. The National Commission for the Reform of Institutions (CNRI), an outgrowth of a consultative body that engaged citizens about reforms in 2008–2009, presented a new draft constitution to Sall in February. The draft proposed an immutable five-year presidential

term limit, a Constitutional Court, and limitations on the president's ability to dissolve the National Assembly. The proposals remained under discussion at year's end.

The most recent presidential election took place in February 2012. In January, Abdoulaye Wade's candidacy for a third presidential term was validated by the Constitutional Council, whose members he had appointed. The presidential campaign period featured significant violence and intimidation, but the election ultimately resulted in a peaceful transfer of power. After placing second in the first round, Sall—a former member of Wade's Senegalese Democratic Party (PDS) who had previously served as his prime minister and campaign director, as well as the president of the National Assembly—won the March runoff. He took 66 percent of the vote, and Wade conceded defeat.

In the July 2012 parliamentary elections, Sall's United in Hope coalition, which included his Alliance for the Republic party, captured 119 of the 150 seats, followed by the PDS with 12. About a dozen parties divided the remainder.

Both the presidential and National Assembly elections were declared free and fair by international observers.

The National Autonomous Electoral Commission (CENA) is the domestic monitor of elections. Although the body is nominally independent, its members are appointed by the president on the advice of other public figures, and it is financially dependent on the government. The Interior Ministry organizes the elections.

#### **B. Political Pluralism and Participation:** 13 / 16

There is a significant opposition vote, and the opposition has viable opportunities to win presidential, legislative, and local offices, as seen in the 2014 municipal races. Opposition figures are active in politics, and political parties operate freely. The 2012 presidential election marked the second victory by an opposition candidate in 12 years.

The opposition still faces certain disadvantages when competing with incumbents—namely, major inequalities in financial resources. There is no public financing of political parties in Senegal, and international funding of parties is illegal. The ruling party can deploy a vast set of state resources to attract and maintain support, whereas opposition party leaders must often rely on personal wealth.

#### **C. Functioning of Government:** 9 / 12

Despite initial international praise of Sall's use of the CREI and the National Anti-Corruption Commission (OFNAC) to monitor corruption in government, the selection of cases is not always viewed as objective. In July 2014, the CREI began the trial of Karim Wade, who had been imprisoned and awaiting trial since April 2013. He is accused of the illicit acquisition of \$233 million. The International Federation of Human Rights, the African Assembly on Human Rights, the Senegalese League of Human Rights, and the National Organization for Human Rights have criticized the CREI for not guaranteeing a fair trial, as the court's assumption of guilt places the burden of proof on the accused. In a joint statement, the organizations also noted that the CREI provides no possibility of appeal.

Sall publicly declared his assets in 2012 after the election, as required by the constitution. In March 2014, the National Assembly passed a law requiring certain public officeholders to disclose their assets. Parliamentarians and mayors are excluded from the requirement.

#### **CIVIL LIBERTIES:** 45 / 60 (–1)

#### **D. Freedom of Expression and Belief:** 15 / 16

The constitution guarantees the freedoms of speech and expression. The country has a number of independent media outlets in addition to one state television channel and a

number of radio stations and newspapers that are controlled by or affiliated with the state. Several privately owned newspapers have existed for decades and are widely read. Access to the internet is not restricted.

Blasphemy, security, and criminal defamation laws are in place but generally not used to silence independent voices. There were two notable exceptions in 2014. In June, Malal Talla, a popular rapper and a leader of the Y'en a Marre (Enough is Enough) civic movement, was detained briefly for publicly denouncing corruption within the police force. He was accused of disturbing public order but released without charge within a week. In August, authorities arrested Samuel Sarr, who served as energy minister in the Wade administration, and charged him with libel against President Sall under Article 80 of the criminal code. Sarr had posted a bank account number purported to be Sall's on a social media platform and accused the president of corruption. If convicted, Sarr could face up to five years in prison and a fine of up to \$3,000.

In March 2014, the National Assembly again refused to vote on a new press code that, among other things, would decriminalize violations of press laws; the code has been contested since its introduction in 2011.

There is no state religion, and freedom of worship is constitutionally protected and respected in practice. Muslims constitute 94 percent of the population. The country's Sufi Muslim brotherhoods are influential, including in politics. Academic freedom is legally guaranteed and generally respected.

#### **E. Associational and Organizational Rights: 10 / 12 (-1)**

Freedom of assembly is constitutionally guaranteed and respected in practice. The Interior Ministry must approve opposition leaders' requests to lead protests and demonstrations, can dictate the hours and locations of such activities, and can deploy security forces to monitor them. Two major violations of freedom of assembly occurred in 2014. In April, officials refused to allow PDS supporters to publicly gather to celebrate Abdoulaye Wade's return from France. While the PDS saw the refusal as politically motivated, Dakar city officials said the meeting was prohibited because it could threaten public order, would have obstructed the free movement of people and goods on a strategic road, and could be infiltrated by "malicious individuals." In August, hundreds protested in Dakar to show support for Karim Wade during his trial. Police employed tear gas against the crowd after protesters attempted to enter the courthouse where the trial was held.

Freedom of association is legally guaranteed. The leaders of nongovernmental organizations (NGOs), unions, and political parties must register their organizations with the Interior Ministry. Workers, with the exception of security employees, have legal rights to organize, bargain collectively, and strike.

#### **F. Rule of Law: 10 / 16**

The law guarantees fair public trials and defendants' rights. The judiciary is formally independent, but inadequate pay and lack of tenure expose judges to external influences and prevent the courts from providing a proper check on the other branches of government. The president controls appointments to the Constitutional Council. Sall has promised to shift power away from the executive, and the CNRI has requested a more powerful Constitutional Court, but no major changes were made to the judicial system in 2014. Geographic, educational, bureaucratic, and financial hurdles hinder public access to the courts.

When the cardiac condition of Karim Wade's alleged accomplice, Ibrahim Abdoukhalil ("Bibo") Bourgi, worsened in June 2014, CREI officials delayed his treatment in France

until October, even after the Ministry of Justice authorized it. In November, the government dismissed CREI special prosecutor Alioune Ndao without explanation and replaced him with Cheikh Tidiane Mara, a magistrate who had previously worked for the International Criminal Tribunal for Rwanda. In December, Wade's lawyers requested that he be released provisionally from jail while awaiting the completion of his trial, but the court denied the request, claiming that it would create too great a disturbance of public order.

The Extraordinary African Chambers, a special court established by the African Union and Senegal, continued its investigation into alleged war crimes and crimes against humanity committed by Hissene Habré, the ousted former president of Chad. Habré was arrested in 2013 in Senegal, where he had resided in exile. His trial, which could begin as early as 2015, would be the first use of universal jurisdiction in Africa.

Senegalese prisons are overcrowded. The Dakar-based NGO Tostan has noted poor living conditions, inadequate sanitation, and limited access to medical care for prisoners.

The low-level separatist conflict in Senegal's southern Casamance region continued in 2014 but did not lead to further large-scale displacement of the population. In May, Salif Sadio, the leader of the Movement of Democratic Forces of Casamance (MFDC), sued for peace and declared a unilateral ceasefire following secret talks held in Vatican City between his forces and the government of Senegal. The talks had excluded other wings of the MFDC that had previously split from his.

Individuals of lower castes in Senegalese society are sometimes subject to discrimination. LGBT (lesbian, gay, bisexual, and transgender) people face discrimination, physical attacks, and police harassment, and same-sex sexual activity remains a criminal offense. In February, two men reported to have engaged in same-sex relations were sentenced to six months in prison, a punishment in accordance with Article 319 of the criminal code.

#### **G. Personal Autonomy and Individual Rights: 10 / 16**

Citizens generally enjoy the freedom of movement and the right to choose their own residence. The civil code facilitates the ownership of private property, and the government generally provides compensation when it expropriates land. However, the enforcement of land tenure is not consistent in rural areas. A May 2014 report by Amnesty International noted a recent spike in forced evictions in southeastern Senegal precipitated by the government's sale of land rights to mining companies.

Human rights organizations note persisting difficulties for women in the country. In 2014, former prime minister Touré's initiative against gender-based violence continued, aiming, among other things, to halt the practice of female genital mutilation, which is practiced illegally throughout Senegal. Rape and domestic abuse also persist, and abortions for medical reasons are difficult to obtain. Women cannot obtain credit as easily as men, and early marriage remains an issue. Elements of Islamic and local customary law, particularly regarding inheritance and marital relations, discriminate against women. A gender parity law has resulted in women holding 64 seats in the 150-seat legislature. In the 2014 municipal elections, parity was not respected for candidacies in Touba, a city in central Senegal.

A Senegalese Ministry of Justice survey, released in September 2014, estimated that over 30,000 of the 54,837 children attending *daaras* (Koranic schools) in Dakar are required to beg in the streets. Other forms of forced labor, child labor, and sex trafficking also remain concerns, despite funding increases between 2012 and 2013 to the National Taskforce Against Trafficking of Women and Children.

## Serbia

**Political Rights Rating:** 2

**Population:** 7,129,000

**Civil Liberties Rating:** 2

**Capital:** Belgrade

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,2,F	3,2,F	3,2,F	3,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

*Note:* The ratings for 2005 are for the State Union of Serbia and Montenegro. Kosovo is examined in a separate report.

### INTRODUCTION

Amid tensions within the country's ruling coalition and a proposal for early elections initiated by the Serbian Progressive Party (SNS)—the leading party in the coalition—President Tomislav Nikolić scheduled legislative polls for March 2014, two years ahead of schedule. An SNS-led alliance won an absolute majority in the National Assembly, and SNS leader Aleksandar Vučić took the post of prime minister with an agenda of far-reaching reform.

In September, Serbian authorities permitted a pride parade in support of LGBT (lesbian, gay, bisexual, and transgender) rights to take place in Belgrade. This marked the first such parade to receive official permission since 2010, when counterdemonstrations led to widespread violence.

Despite concerns that Serbia would take a more nationalist tack after the 2012 elections, the country made notable progress on the path to European Union (EU) integration in 2014. In January, Serbia formally began accession negotiations following significant positive steps in an EU-led dialogue designed to improve relations between Serbia and Kosovo.

**POLITICAL RIGHTS:** 31 / 40 (+1)

**A. Electoral Process:** 10 / 12 (+1)

The National Assembly is a unicameral, 250-seat legislature, with deputies elected to four-year terms according to party lists. The assembly elects the prime minister. The president, a largely ceremonial post, is popularly elected for up to two five-year terms. In 2012, Nikolić defeated incumbent president and Democratic Party (DS) leader Boris Tadić in a presidential runoff with 51.2 percent of the vote.

Early legislative elections took place in March 2014 following a request from the center-right SNS, which noted a need for a stronger mandate to implement political and economic reforms on the road to EU accession. Critics claimed that the SNS rushed elections to capitalize on its lead in public opinion polls. In a field of 19 competing electoral lists, a five-party electoral alliance led by the SNS won by a landslide with 48.4 percent of the vote. The SNS captured 158 seats in the 250-seat National Assembly and propelled Vučić to the post of prime minister. Outgoing prime minister Iвица Dačić's Socialist Party of Serbia (SPS) and its junior partners took 44 seats, the Democratic Party (DS) won 19 seats, and a new party led by former president Tadić—the New Democratic Party—captured 18 seats. Three parties representing ethnic minorities took the remaining 11 seats. The elections were

considered free and fair by international monitors. The European Commission (EC) in its 2014 progress report noted that the elections were inclusive and transparent.

Despite the SNS bloc's absolute majority, Vučić formed a cabinet in April that also included members of smaller parties, as well as independent experts.

Elections are administered by the Republic Electoral Commission (REC), a permanent body. According to a 2011 Constitutional Court ruling, politicians elected on a party ticket are prohibited from filing a letter of resignation with the party before taking office. This practice had previously allowed party leaders to replace elected officials who proved disloyal.

#### **B. Political Pluralism and Participation:** 14 / 16

Under Serbia's multiparty system, the leading factions compete for influence. Since the ouster of authoritarian leader Slobodan Milošević in 2000, Serbian politics have witnessed a healthy rotation of power between left-wing and right-wing parties, with opposition coalitions boasting significant influence when not in power. In 2014, the landslide victory of the SNS bloc gave the party control of the executive and legislative branches of government—a rare occurrence in the usually contested political sphere. New parties are able to form without restriction; for example, former president Tadić formed the New Democratic Party in January 2014.

According to electoral regulations, women must account for at least 30 percent of a party's candidate list. The country's 5-percent electoral threshold does not apply to parties representing ethnic minorities. Of Serbia's 100 registered political parties, 70 represent minorities. Parties representing the Albanian, Bosniak, and Hungarian ethnic groups won seats in the 2014 elections. Nevertheless, ethnic minorities have a relatively muted voice in Serbian politics in practice.

#### **C. Functioning of Government:** 7 / 12

Serbia was ranked 78 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. Corruption remains a serious concern, as implementation of anticorruption legislation is relatively weak, law enforcement agencies need to take a more proactive approach, and the judiciary has yet to establish a track record of convictions in corruption cases, according to the EC. However, the EC noted some improvements in its 2014 progress report. In August, the government announced plans to establish a coordinating body for implementing the anticorruption strategy and action plan, adopted in 2013 to last through 2018. The body, which held its first meeting in September, is headed by Prime Minister Vučić and includes Serbia's justice and finance ministers, as well as a representative of the Anti-Corruption Council. Throughout the year, the government worked on a number of legislative reform projects to increase transparency and accountability, including in public procurement, public administration, and the judiciary.

A Regional Police Coordination Centre for Serbia, Bosnia and Herzegovina, and Montenegro was opened in March 2014 to combat cross-border crime in the region. In June, an operational agreement to fight organized crime entered into force between Serbia and the European Police Office (Europol).

#### **CIVIL LIBERTIES:** 49 / 60 (+1)

#### **D. Freedom of Expression and Belief:** 15 / 16

The press is generally free, although most media outlets are thought to be aligned with specific political parties, and the public broadcaster Radio Television of Serbia (RTS) remains subject to strong government influence. Changes to the criminal code in 2012 removed defamation as a criminal offense, though the code retains provisions criminalizing



insult. Funds for media advertising are controlled by a few economic and political actors, creating incentives for self-censorship, and media ownership is not fully transparent. Journalists face threats and even attacks, and media watchdogs noted an atmosphere of hostility between independent media and the Vučić administration throughout 2014. While internet access is generally unrestricted, the government faced allegations of online censorship in May after a number of websites criticizing the official response to severe flooding experienced attacks; some websites were temporarily disabled.

The constitution guarantees freedom of religion, which is generally respected in practice. Acts of religiously motivated discrimination remain a concern. Critics say the 2006 Law on Churches and Religious Communities privileges seven “traditional” religious communities by giving them tax-exempt status, while forcing other groups to go through cumbersome and inconsistent registration procedures. Relations between factions within the Muslim community in the largely Bosniak region of Sandžak—and between one of the factions and the Serbian government—have deteriorated in recent years.

There were no reports of government restrictions on academic freedom in 2014. Private discussion is generally free and vibrant, though the state of emergency declared after the floods in May empowered authorities to detain individuals for “inciting panic” or “disseminating false news,” including on social media platforms.

#### **E. Associational and Organizational Rights:** 11 / 12 (+1)

Citizens enjoy freedoms of assembly and association, though a 2009 law bans meetings of fascist organizations and the use of neo-Nazi symbols. Amid pressure from the EU and human rights groups, the government permitted a parade in support of LGBT rights to take place in September 2014, following three years of consecutive denials. Efforts were aided by an officer appointed by the Ministry of Interior in 2014 as a liaison for the LGBT community. The parade took place without major disturbances.

Foreign and domestic nongovernmental organizations (NGOs) generally operate freely. Workers may join unions, engage in collective bargaining, and strike, but the International Confederation of Trade Unions has reported that organizing efforts and strikes are substantially restricted in practice.

#### **F. Rule of Law:** 10 / 16

In 2012, the Constitutional Court abrogated a controversial reappointment procedure in effect during 2009 and 2010 that cost hundreds of judges and prosecutors their jobs; the officials who had appealed their “no reappointment” were reinstated. Many of these officials were reintegrated into the judiciary through an expansion of the system, initiated by legislation passed in 2013, that increased the number of basic courts to 66 in 2014. The legislation is part of the government’s 2013–18 judicial reform strategy to improve independence, competency, and efficiency in the government, including by strengthening the High Judicial and State Prosecutorial Councils. The legislation also mandates that Serbia no longer administer courts in northern Kosovo; negotiations on the issue between Serbian and Kosovar authorities were ongoing in 2014.

Prisons generally meet international standards, though overcrowding is an issue, and health care facilities are often inadequate.

Radical right-wing organizations and violent “sports fans” who target certain ethnic groups remain a serious concern. During a soccer match between Serbia and Albania held in Belgrade in October, confrontations at the stadium between the two teams, as well as between their respective fans, led to the suspension of the game. Following the suspension, violent groups attacked several businesses in Serbia owned by ethnic Albanians. Former

ultranationalist leader Vojislav Šešelj, provisionally released from the International War Crimes Tribunal for Former Yugoslavia where he has been on trial for alleged war crimes, drew thousands of supporters to an antigovernment protest in November in Belgrade.

Ethnic minorities are underrepresented in government. The country's main minority groups are the Bosniaks (Muslim Slavs), concentrated in the Sandžak region; and the Hungarian community, concentrated in Vojvodina. Serbia is also home to Roma, Albanian, Croat, Montenegrin, and other communities. In 2013, the government began implementation of a law enabling the roughly 6,500 people in Serbia without a birth certificate, most of them Roma, to obtain documentation; implementation remained incomplete in 2014. In October, authorities adopted an action plan for Serbia's 2013–18 antidiscrimination strategy, which aims to address widespread prejudice and mistreatment of ethnic and other minorities, including LGBT people. In September, a German activist was brutally attacked in Belgrade, where he was attending a conference on LGBT rights.

#### **G. Personal Autonomy and Individual Rights: 13 / 16**

There are no restrictions on travel within Serbia or between Serbia and most other countries. However, taxes imposed on travelers between Serbia and Kosovo are steep and constrain freedom of movement for poorer residents. Corruption is rife in the education sector, and bribery to enter universities and obtain good marks is widespread, undermining the credibility and efficacy of higher education.

The state sector remains a large portion of Serbia's economy, as does the gray economy. Since 2009, Serbia has struggled with stagnation and recession, which worsened in 2014. Unemployment hovers around 25 percent, and youth unemployment is of particular concern. In May 2014, Serbia began negotiations with the International Monetary Fund (IMF) for a loan program to restore the country's economic growth; the IMF had not approved a deal by year's end.

Women comprise 34 percent of the parliament. Although women are legally entitled to equal pay for equal work, traditional attitudes often limit their economic role. A 2009 law on gender equality provides a range of protections in employment, health, education, and politics. Domestic violence remains a serious problem. Serbia is a source, transit, and destination country for the trafficking of men, women, and children.

## Seychelles

**Political Rights Rating:** 3

**Population:** 90,000

**Civil Liberties Rating:** 3

**Capital:** Victoria

**Freedom Rating:** 3.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF

#### **INTRODUCTION**

In 2014, Seychelles took steps to increase national unity, including by removing a controversial statue linked to a 1977 coup.

Following an address by President James Michel to the UN Climate Summit, the World Bank approved funding of \$7 million of aid to assist the country with natural disasters associated with climate change. Corruption, drug trafficking, and extensive money laundering remain problems in the country.

**POLITICAL RIGHTS:** 25 / 40**A. Electoral Process:** 8 / 12

The president and the unicameral National Assembly are elected by universal adult suffrage for five-year terms. The head of government is the president, and the president appoints the cabinet. President Michel, running for the People's Party (PL), won a third term in 2011 with 55 percent of the vote. The opposition Seychelles National Party (SNP) boycotted parliamentary elections also held in 2011, citing alleged misconduct by the PL in the presidential vote and Michel's failure to implement electoral reforms. Of the National Assembly's 32 members, 25 are directly elected and 7 are allocated on a proportional basis to parties gaining at least 10 percent of the vote. The PL holds all the elected seats and 6 of 7 allocated seats. The seventh allocated seat is held by the Popular Democratic Movement, formed by a dissident SNP member who disagreed with the boycott. Despite the boycott, both the 2011 presidential and parliamentary elections were generally regarded as having met basic international norms.

The Forum for Electoral Reform, comprised of representatives from every registered political party, was established by the Electoral Commission (EC) following the 2011 parliamentary elections to review existing electoral registration. In 2013, the Forum completed these reviews and made recommendations to the EC, which subsequently published them.

**B. Political Pluralism and Participation:** 10 / 16

The ruling PL—formerly the Seychelles People's Progressive Front (SPPF)—remains the dominant party, having held continuous power since 1977. The leftist SPPF was the only legal party until a 1992 constitutional amendment legalized opposition parties. The centrist opposition SNP has claimed that its sympathizers face job discrimination in the public sector and harassment by police. The conservative Democratic Party has endured reduced support in recent elections.

**C. Functioning of Government:** 7 / 12

Concerns over government corruption have focused on a lack of transparency in the privatization and allocation of government-owned land. A 2011 report released by the auditor-general revealed nearly two decades of dysfunction in government finances, including unprofessional record-keeping, illegal procedures, and embezzlement. Seychelles was ranked 43 out of 175 countries surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 42 / 60**D. Freedom of Expression and Belief:** 11 / 16

The government controls much of the nation's print and broadcast media, including the daily *Seychelles Nation* newspaper. Strict libel laws are sometimes used to harass journalists, leading to self-censorship. In 2013, the first private commercial radio station, Pure FM, began broadcasting. The government can restrict the broadcast of material considered to be objectionable. The board of directors of the officially nonpartisan Seychelles Broadcasting Corporation includes several non-PL members, though coverage is biased in favor of the ruling party. There have been reports that authorities monitor electronic communications

and blogs, and opposition activists claim that the government blocks access to opposition party websites.

Religious freedom is constitutionally guaranteed and respected in practice. Churches in this predominantly Roman Catholic country have been strong voices for human rights and democratization, and they generally function without government interference. Academic freedom is also respected, though PL loyalists are reportedly favored in high-level academic appointments.

#### **E. Associational and Organizational Rights:** 9 / 12

Despite constitutional protections, the freedoms of assembly and association are restricted in practice. The government occasionally impedes opposition gatherings. In 2012, the Electoral Commission submitted a proposal to President Michel for the modernization of outdated legislation regarding freedoms of speech and assembly. When the act passed in December 2013, it contained none of the original recommended provisions and instead reinforced restrictions on public assembly and protest. Under the act, authorities continue to have wide discretion to ban public gatherings and prosecute demonstrators.

Human rights groups and other nongovernmental organizations (NGOs) operate in the country. Workers have the right to strike, but only if all other arbitration procedures have been exhausted. Collective bargaining is rare.

#### **F. Rule of Law:** 11 / 16

The judiciary is generally independent, but judges sometimes face interference in cases involving major commercial or political interests. The majority of the members of the judiciary are naturalized citizens or foreign nationals from other Commonwealth countries, and contract renewal has the potential to compromise the impartiality of the non-Seychellois magistrates.

Security forces have at times been accused of using excessive force, including torture and arbitrary detention. Prolonged pretrial detention and overcrowding in prisons are common. Pretrial detainees account for approximately 15 percent of the prison population, in large part due to inefficiencies in the judicial process.

In 2011, the country modified its laws to allow pirates captured anywhere in the world to be prosecuted in Seychelles. For several years, the European Union (EU) has transferred suspected Somali pirates to the country for prosecution, leading to a number of high profile sentences. This process continued in 2014, although not all cases resulted in conviction. Somali pirates make up approximately 20 percent of the prison population in Seychelles.

Islanders of Creole extraction face discrimination.

Sexual relations between men are illegal. However, a 2006 amendment to the Employment Act prohibits discrimination based on sexual orientation, and Seychelles pledged in 2011 that it would decriminalize same-sex sexual activity. Existing laws concerning the issue remained under judicial review in 2014.

#### **G. Personal Autonomy and Individual Rights:** 11 / 16

The government does not restrict domestic travel but may deny passports for unspecified reasons based on “national interest.”

The country’s political and economic life is dominated by people of European and South Asian origin. Prejudice against foreign workers has been reported.

Seychelles, which has no gender quota system, has one of the world’s highest percentages of female parliamentarians: 14 women were elected to the legislature in 2011. Gender discrimination in employment is illegal, but most women are engaged in subsistence

agriculture. Inheritance laws do not discriminate against women. Despite a 2008 National Strategy on Domestic Violence, rape and domestic violence remain widespread.

## Sierra Leone

**Political Rights Rating:** 3

**Population:** 6,200,000

**Civil Liberties Rating:** 3

**Capital:** Freetown

**Freedom Rating:** 3.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	4,3,PF	4,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	2,3,F	3,3,PF	3,3,PF

### INTRODUCTION

Sierra Leonean politics in 2014 were dominated by the Ebola epidemic in West Africa, as the country dealt with the worst outbreak of the disease in history. The government was criticized for its slow response and for the extreme measures it took, such as “closing down” the entire country to curb the spread of the virus. In October, in what public health workers described as an admission of defeat, the government approved plans to help families care for Ebola patients at home rather than seek treatment at overburdened, understaffed clinics and hospitals. The rate of transmission surged in the latter months of the year.

Corruption remained rampant. The Sierra Leone Anti-Corruption Commission (ACC) has been repeatedly criticized for its poor prosecutorial record, especially in trials involving the president’s friends, family, and political allies. The commission did, however, succeed in defending against appeal the prison sentences of three tax officials and two bankers—the most severe corruption-related sentences imposed to date under the ACC.

The administration of President Ernest Bai Koroma continues to suppress media freedoms through onerous libel and sedition laws. Still, the government was less aggressive than its neighbors (notably Liberia) in persecuting journalists under the pretense of protecting public health during the Ebola crisis.

**POLITICAL RIGHTS:** 28 / 40 (–1)

**A. Electoral Process:** 10 / 12

Of the unicameral Parliament’s 124 members, 112 are chosen by popular vote, and 12 seats are reserved for indirectly elected paramount chiefs. Parliamentary and presidential elections are held every five years, and presidents may seek a second term. Since the 1991–2002 civil war Sierra Leone has progressed toward increasing fairness and transparency in its electoral process. In 2012 Koroma, of the All People’s Congress (APC) party, was reelected with 59 percent of the vote; the opposition candidate of the Sierra Leone People’s Party (SLPP), former military ruler Julius Maada Bio, secured 37 percent. In concurrent parliamentary elections, the APC increased its majority from 59 to 69 seats, and the SLPP held onto its 43 seats.

The SLPP refused to accept the results of the 2012 elections and filed a petition alleging numerous voting irregularities. Koroma and Bio later issued a joint statement recognizing the APC’s victory, and reversing the SLPP’s earlier threat of a government

boycott. International observers determined that both the presidential and parliamentary elections were free and fair, and they were widely considered a milestone for the consolidation of peace in the country.

Sierra Leone implemented its first biometric voter registration system in advance of the 2012 polls. The Political Parties Registration Commission, created in 2002, trained and deployed monitors throughout the country and publicized violations of electoral laws committed by both the APC and SLPP.

**B. Political Pluralism and Participation:** 11 / 16 (-1)

The APC and SLPP are the main political parties. Cohesion within the SLPP has deteriorated since the party's 2012 loss, and in June 2014, both the party chairman and the secretary general were removed from their posts on live national radio. Whether the party can recover to become a viable alternative to the APC remains to be seen.

Other parties include the People's Movement for Democratic Change, the National Democratic Alliance, and the United Democratic Movement. Both the All Political Parties Women's Association and the All Political Parties Youth Association, which became operational in 2011, play important roles in promoting peaceful electoral campaigning, dialogue, and participation.

Tensions between the opposition and state security forces mounted over the course of 2014. In June, the police stormed the SLPP party office in Freetown, destroying property and beating party members. In September, a confrontation between police officers and the SLPP chairman in the Kailahun district escalated into a riot, which police dispersed with tear gas.

Conflict between the SLPP and APC appears to have impeded the government's response to the Ebola crisis. In October, a scandal erupted over a shipping container filled with more than \$140,000 worth of medical equipment and supplies that sat idly at the Freetown docks for two months. The opposition politician from Makeni, President Koroma's hometown, who was responsible for organizing the shipment accused the government of delaying delivery of the supplies in order to prevent the SLPP from reaping potential political rewards.

Ethnic and religious minorities typically enjoy full political rights and electoral opportunities.

**C. Functioning of Government:** 7 / 12

Corruption remains a pervasive problem. Although Koroma has encouraged and supported the work of the ACC, the commission has been criticized for botched investigations and unsuccessful prosecutions, especially in trials involving the administration's friends, family, and allies. The commissioner of the ACC, Joseph Kamara, has family ties to the president. Most notably, the commission agreed to settle out of court one of the country's most high-profile corruption cases, involving allegations that the former director of the national social security trust fund had misappropriated millions of dollars. The trust fund director was later promoted to chief financial secretary of the Treasury Department. The commission did win an important victory in April when a high court sentenced three tax officials and two bankers to prison on charges of corruption—the most severe corruption-related penalties meted out since its establishment.

Sierra Leone was suspended from the Extractive Industries Transparency Initiative (EITI) in February 2013 for its failure to account for royalty and tax irregularities in its contracts with international mining companies. The government subsequently took several steps to increase the transparency of these deals—including reviewing and making public all mining and lease agreements in the country—and in April 2014 was deemed EITI compliant.

**CIVIL LIBERTIES:** 37 / 60 (-1)**D. Freedom of Expression and Belief:** 12 / 16

Freedoms of speech and the press are constitutionally guaranteed but sometimes violated in practice. The Sierra Leone Broadcasting Corporation (SLBC) was officially launched as the independent national broadcaster in 2010. The APC and the SLPP relinquished control of their radio stations that year, allowing for incorporation into the SLBC. Numerous independent newspapers circulate freely, and there are dozens of public and private radio and television outlets. The government does not restrict internet access, though the medium is not widely used.

The government continues to employ the country's antiquated libel and sedition laws to target journalists. In October 2013, two journalists with the *Independent Observer* newspaper were arrested over a piece in which Koroma was compared to a rat. They were charged with 26 counts of criminal libel, sedition, and conspiracy. They were let go after 10 court appearances and a High Court ruling in March 2014, but were required to plead guilty to conspiracy charges in return for leniency in sentencing.

In August, a journalist for the biweekly newspaper *Politico* was arrested on charges of contempt after publishing an article that accused the judiciary of intentionally delaying the trial of 14 soldiers on charges of mutiny. She was released the next day. In November, one of the country's most prominent journalists was detained after dedicating a segment of his radio program to a critical discussion of the government's response to the Ebola crisis. Free press advocates continue to clamor for the government to drop all charges against journalists related to "seditious libel" laws.

Freedom of religion is protected by the constitution and respected in practice, and Sierra Leone has been praised by the United Nations and other organizations for its culture of tolerance across ethnic and religious divides. Interreligious marriage is common and many Sierra Leoneans practice Christianity and Islam simultaneously. Koroma, a Christian, was elected by an electorate that is roughly 70 percent Muslim. Religious leaders were among the many groups in Sierra Leone to criticize the administration's slow response to the Ebola crisis, but there is no evidence that the denunciations provoked a government backlash. Academic freedom is also upheld.

**E. Associational and Organizational Rights:** 7 / 12

While freedoms of assembly and association are constitutionally guaranteed and generally observed in practice, protests frequently escalate into violence. In March, students at the Njala University College campus rioted when those who had failed to register in advance were barred from taking first-year examinations. Rioters threw stones at university staff and set fire to university property. The police were accused of responding with live bullets.

Nongovernmental organizations (NGOs) and civic groups operate freely, though a 2008 law requires NGOs to submit annual activity reports and renew their registration every two years. While workers have the right to join independent trade unions, violations of labor standards occur regularly. In July 2014, dozens of nurses at the Kenema Government Hospital in eastern Sierra Leone went on indefinite strike after three of their colleagues died, reportedly of Ebola. At the time, the Kenema hospital had treated the highest number of Ebola patients since the start of outbreak. Also in July, lab technicians at the country's only Ebola testing facility went on strike after the government failed to deliver a promised \$20 monthly risk premium.

**F. Rule of Law:** 9 / 16

The judiciary has demonstrated a degree of independence, and a number of trials have been free and fair. However, corruption, poor salaries, police unprofessionalism, prison

overcrowding, and a lack of resources continue to impede judicial effectiveness. In a public opinion survey conducted by the ACC and released in July 2014, the police were ranked the most corrupt institution in the country.

The Special Court for Sierra Leone, a hybrid international and domestic war crimes tribunal, has been working since 2004 to convict those responsible for large-scale human rights abuses during the civil war. In 2012, former Liberian president Charles Taylor, accused of fostering the insurgency that roiled the conflict, was convicted on 11 counts of war crimes and crimes against humanity and sentenced to 50 years in a UK prison.

While Sierra Leone's laws increasingly recognize the rights of minority groups, members of the LGBT (lesbian, gay, bisexual, and transgender) community face discrimination and violence. In March 2014, President Koroma criticized Western governments for withholding aid in protest of antigay laws in African countries (notably in Uganda).

### **G. Personal Autonomy and Individual Rights:** 9 / 16 (-1)

Freedom of movement was restricted during the Ebola crisis, sometimes severely. Most dramatically, in September the government announced that the country would "close down" for three days in an attempt to contain the virus. During that time, all Sierra Leoneans except health workers and other essential staff were expected to stay in their homes. Critics, including the charity Médecins Sans Frontières, denounced the measure as draconian and warned that it would force suspected Ebola patients underground, rupture trust between doctors and the public, damage the economy, and ultimately exacerbate the spread of the disease. Later that month, the Koroma administration expanded the quarantine to seal off nearly one-quarter of the country—over one million people in total. The government said it intended to enforce the quarantine for one year. Travel through quarantined areas was restricted to predesignated times and corridors, passengers were warned not to leave their vehicles, and in some areas residents were instructed not to travel beyond their chiefdom until further notice. The government declared a second lockdown in the north of the country in December. Thousands of troops and police officers were deployed to enforce these restrictions.

Sierra Leone has attracted an increasing number of international investors in recent years, but has often failed to regulate their activities, exacerbating threats to freedom of residence and private property rights. This problem has been especially severe in the lucrative natural resource sector, where reports of economic exploitation are common. In February, Human Rights Watch released a report documenting the forcible relocation of hundreds of families at the hands of government officials and the London-based mining company African Minerals Limited. Protesters were beaten by police and striking workers were barred from forming a union.

Laws passed in 2007 prohibit domestic violence, grant women the right to inherit property, and outlaw forced marriage. Despite these laws and constitutionally guaranteed equality, gender discrimination remains widespread, and female genital mutilation and child marriage are common. Reports of sexual and gender-based violence (SGBV) rarely result in conviction, and the Sierra Leonean police unit responsible for investigating and prosecuting SGBV remains underfunded and understaffed. Rape is not generally viewed as a crime, despite the 2012 passage of the Sexual Offenses Act, which increased penalties for rape to 15 years in prison.

In 2011, the government and the UN Integrated Peacebuilding Office in Sierra Leone drafted a gender equality bill as recommended by the Truth and Reconciliation Commission. If passed, the law would reserve a minimum of 30 percent of parliamentary seats and one ward per local council for women. However, the bill continues to await passage after questions were raised about its constitutionality.



# Singapore

**Political Rights Rating:** 4

**Population:** 5,487,400

**Civil Liberties Rating:** 4

**Capital:** Singapore

**Freedom Rating:** 4.0

**Freedom Status:** Partly Free

**Electoral Democracy:** No

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF

## INTRODUCTION

The government of Singapore, led by the long-ruling People's Action Party (PAP), continued to resist growing calls at home and abroad to allow its citizens a bigger role in governance. The next general election is scheduled for January 2017, and the PAP has already increased its efforts to suppress independent voices, especially those who question or criticize the regime online.

In November 2014, blogger Roy Ngerng Yi Ling was convicted of defamation for a blog post suggesting mismanagement of Singapore's retirement savings system; the court had not yet assessed damages at year's end. Blogger Alex Au faced continued legal battles after being held in contempt of court for two online articles critical of the judiciary's treatment of cases dealing with same-sex sexual activity.

**POLITICAL RIGHTS:** 19 / 40

**A. Electoral Process:** 4 / 12

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. The prime minister and cabinet are appointed by the president. The unicameral, 99-seat Parliament includes 75 members elected in Group Representation Constituencies (GRCs), a mechanism intended to foster ethnic minority representation, and 12 members elected from single-member constituencies. An additional 9 members are appointed by the president, and 3 are from a national compensatory list. Members serve five-year terms, with the exception of appointed members, who serve for two-and-a-half years.

The top-polling party in each GRC wins all of its four to six seats, which has historically bolstered the majority of the dominant PAP. Up to nine Parliament members can be appointed from among leading opposition parties to ensure a minimum of opposition representation; three seats were awarded following the most recent elections. Up to nine additional, nonpartisan members can be appointed by the president. In recent years, critics—including civil society organizations—have questioned whether the GRC system is the best way to ensure minority representation.

Elections are free from irregularities and vote rigging, but the PAP dominates the political process and uses legal harassment to deter opposition leaders from seeking office, as well as delineation to redraw (or eliminate) electoral districts to minimize support for the opposition. The country lacks an independent election authority. The 2011 parliamentary elections featured vigorous, coordinated efforts by opposition parties, which put forward candidates for 82 of the 87 directly elected seats, the highest number since independence. The largest opposition party, the Workers' Party (WP) took an unprecedented six directly elected seats,

including a five-seat GRC, demonstrating that the PAP's advantage in the GRC system could be challenged. The WP also received two seats from the national compensatory list. The Singapore People's Party (SPP) was allocated the remaining opposition seat. The PAP took 81 seats, although it had secured only 60 percent of the overall vote.

The first contested presidential election since 1993 was held in 2011, with all candidates running as independents, in accordance with the constitution. Former deputy prime minister Tony Tan, the PAP-backed candidate, won the race with 35.2 percent of the vote, narrowly defeating three opponents. The results confirmed the growing strength of opposition parties and an increased willingness of the electorate to vote against the ruling party.

In a 2012 by-election for the Hougang single-member constituency, Png Eng Huat of the Workers' Party defeated the PAP candidate, 62 percent to 38 percent, retaining the seat for the opposition. In a 2013 by-election, Workers' Party candidate Lee Li Lian defeated the PAP nominee to win the party's seventh elected seat, reducing the PAP to 80 seats.

#### **B. Political Pluralism and Participation:** 8 / 16

Although opposition parties have gained ground in recent years, their campaigns and activities are constrained by a ban on political films and television programs, the threat of defamation suits, strict regulations on political associations, and the PAP's influence on the media and the courts. In August 2014, the registration of a new party—Singaporeans First—was accepted by the authorities. In addition to the WP and SPP, other officially recognized parties include the Singapore Democratic Party, the National Solidarity Party, the Reform Party, and the Singapore Democratic Alliance.

The PAP has governed without interruption since the British colony of Singapore obtained home rule in 1959, entered the Malaysian Federation in 1963, and gained full independence in 1965. Moreover, the country has had only three prime ministers: Lee Kuan Yew from 1959 to 1990, Goh Chok Tong from 1990 to 2004, and Lee's son Lee Hsien Loong from 2004 to present day. The elder Lee remained active as "senior minister" during Goh's rule and as "minister mentor" from 2004 to 2011; he was also active as a parliamentarian in 2014.

Electoral rules, as well as regulations aimed at preventing ethnic or religious conflict, make it difficult for parties based on ethnic or religious grounds to garner support.

#### **C. Functioning of Government:** 7 / 12

Singapore has been lauded for its lack of corruption, though issues of transparency remain a concern. The country was ranked 7 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. However, there is increasing concern over the deeply entrenched position of the country's political elites. In February 2014, the former protocol chief for the Ministry of Foreign Affairs, Lim Cheng Hoe, was sentenced to 15 months in prison for committing fraud amounting to \$89,000 while in office.

Ministers in the government can serve in several capacities simultaneously. Legislators are allowed to and often do serve on the boards of private companies, including as chairpersons, which creates conflicts of interest.

#### **CIVIL LIBERTIES:** 32 / 60

#### **D. Freedom of Expression and Belief:** 9 / 16

The government maintains that racial sensitivities and the threat of terrorism justify draconian restrictions on freedoms of speech, but such rules have been used to silence criticism of the authorities. All domestic newspapers, radio stations, and television channels are owned by companies linked to the government. Editorials and news coverage generally sup-

port state policies, and self-censorship is common, but newspapers occasionally publish critical content. The Sedition Act, in effect since the colonial period, outlaws seditious speech, the distribution of seditious materials, and acts with “seditious tendency.” Popular videos, music, and books that reference sex, violence, or drugs are also subject to censorship. Foreign broadcasters and periodicals can be restricted for engaging in domestic politics, and all foreign publications must appoint legal representatives and provide significant financial deposits. Both traditional outlets and foreign-owned information providers such as Yahoo! have had to meet stricter licensing requirements and face legal challenges in recent years, which have been perceived as forms of harassment to hinder the free flow of information.

The internet is widely accessible, but authorities monitor online material and block some content through directives to licensed service providers. Singaporeans’ increasing use of social-networking websites has sparked interest in social activism and opposition parties, contributing to opposition electoral gains. The Media Development Authority requires news websites to apply for individual licenses that are subject to annual renewal, post a financial bond with the regulator, and respond to removal orders within 24 hours. Major websites are prohibited from “advocating homosexuality or lesbianism.”

Bloggers increasingly risk being charged with defamation. Prominent blogger Roy Ngerng Yi Ling faced a defamation suit from the prime minister in 2014 after covering corruption in the management of Singapore’s retirement savings plan. Ngerng was fired from his job at a hospital with approval from the Ministry of Health and in November was found guilty in the suit. In October, Senior State Counsel Tai Wei Shyong, acting for the attorney general, urged the High Court to hold blogger Alex Au, who actively advocates for the rights of LGBT (lesbian, gay, bisexual, and transgender) people, in contempt of court for two blog articles that suggested a “systemic bias” in Singapore’s judiciary against cases involving same-sex sexual activity; no judgment had been issued by the end of 2014.

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 groups like the Jehovah’s Witnesses and the Unification Church are banned. Religious groups are required to register with the government under the 1966 Societies Act. The government forbids the wearing of headscarves (*tudong* in Malay) by women who hold public sector jobs that require a uniform, but public debate continued in 2014 about the right of women to wear headscarves in the workplace; the Prime Minister stated that the government’s position was “evolving,” but no policy changes were made by year’s end.

All public universities and political research institutions have direct government links that enable at least some political influence. Academics engage in political debate, but their publications rarely deviate from the government line on matters related to Singapore.

#### **E. Associational and Organizational Rights: 4 / 12**

Public assemblies must be approved by police. A 2009 law eliminated a previous threshold requiring permits for public assemblies of five or more people, and political events involving just one person could require official approval. Permits are not needed for indoor gatherings as long as topics of discussion do not relate to race or religion or involve a foreign speaker. Throughout 2014, protesters held a series of demonstrations calling for transparency in the management of the Central Provident Fund, a mandatory pension system. At least six individuals were arrested during one of the protests in September for demonstrating outside of the designated protest zone.

The Societies Act restricts freedom of association by requiring most organizations of more than 10 people to register with the government, and the government enjoys full discre-

tion to register or dissolve such groups. Only registered parties and associations may engage in organized political activity, and political speeches are tightly regulated.

Unions are granted broad 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. 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. Workers in essential services are required to give 14 days' notice to an employer before striking.

#### **F. Rule of Law: 7 / 16**

The government's overwhelming success in court cases raises questions about judicial independence, particularly because lawsuits against opposition politicians and parties often drive them into bankruptcy. It is unclear whether the government pressures judges or simply appoints those who share its conservative philosophies. Defendants in criminal cases enjoy most due process rights. Prisons generally meet international standards.

The Internal Security Act (ISA) and Criminal Law Act (CLA) allow warrantless searches and arrests to preserve national security, order, and the public interest. Government agencies, including the ISA, conduct surveillance using extensive networks and sophisticated methods to monitor telephone and other private conversations. The ISA, previously aimed at communist threats, is now used against suspected Islamist terrorists. Suspects can be detained without charge or trial for an unlimited number of two-year periods. In 2014, Singapore actively detained Muslims seeking to join the Islamic State (IS). A 1989 constitutional amendment prohibits judicial review of the substantive grounds for detention under the ISA and of the constitutionality of the law itself. The CLA is mainly used to detain organized crime suspects; it allows preventive detention for an extendable one-year period.

The Misuse of Drugs Act empowers authorities to commit suspected drug users, without trial, to rehabilitation centers for up to three years. The death penalty applies to drug trafficking as well as murder, although judges may use discretion to impose lighter sentences under some circumstances. The penal code mandates caning, in addition to imprisonment, for about 30 offenses, though the punishment is applied inconsistently. Singapore's highest court, the Court of Appeals, heard a constitutional challenge against judicial caning in August 2014; caning remained legal at year's end.

There is no legal racial discrimination, although ethnic Malays reportedly face discrimination in both private- and public-sector employment. The LGBT community in Singapore faces significant legal obstacles. Section 377A of the penal code criminalizes consensual sex between adult men, which is punishable by up to two years in prison. The law is not actively enforced, but the Court of Appeals upheld its constitutionality in October. Attempts to promote tolerance and acceptance of LGBT Singaporeans continue. The Pink Dot parade, held annually in support of LGBT rights since 2009, drew an estimated attendance of 26,000 in 2014.

#### **G. Personal Autonomy and Individual Rights: 12 / 16**

Citizens enjoy freedom of movement, though opposition politicians have been denied the right to travel in the past. The government occasionally enforces its policy of ethnic balance in public housing, in which most Singaporeans live.

Women enjoy the same legal rights as men on most issues, and many are well-educated professionals. There are no explicit constitutional guarantees of equal rights for women.

Women do not have legal protections against marital rape except under special circumstances. No laws protect against discrimination on the basis of gender in employment, and few women hold top positions in government and the private sector. Twenty women won seats in the 2011 parliamentary elections.

Singapore's more than 200,000 household workers are excluded from the Employment Act and are regularly exploited. A 2006 standard contract for foreign household workers addresses food deprivation and entitles replaced workers to seek other employment in Singapore, but it fails to provide other basic protections and benefits, such as vacation days. A 2013 law requires that new contracts grant household workers one day off per week but allows employers to offer compensation in place of the day off if the worker agrees.

## Slovakia

**Political Rights Rating:** 1

**Population:** 5,421,000

**Civil Liberties Rating:** 1

**Capital:** Bratislava

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

Slovakia's political landscape experienced a number of key shifts in 2014. A record-breaking number of presidential hopefuls ran for office in March. Andrej Kiska—an independent candidate without previous political experience—won the presidency, beating Robert Fico, Slovakia's powerful prime minister and leader of the Direction–Social Democracy (Smer-SD) party, by a significant margin. After 10 years at the helm of the Supreme Court and Judicial Council, controversial judge Štefan Harabín lost a reelection bid to his dual post in May. His replacement was welcomed by many as a victory in the fight against corruption and politically motivated actors in the judiciary.

Major media acquisitions by the financial investment group Penta raised concerns about the editorial independence of several high-circulation publications in an environment where concentration of media ownership remains a key problem.

**POLITICAL RIGHTS:** 37 / 40

**A. Electoral Process:** 12 / 12

Voters elect the president for up to two five-year terms. Members of the 150-seat, unicameral National Council are elected for four-year terms through nationwide proportional representation. Parties must obtain at least 5 percent of the vote to win seats. The prime minister is appointed by the president but must have majority support in the parliament to govern. The presidency is mostly ceremonial, though the president has the power to name judges to the Constitutional Court and to veto legislation.

Early parliamentary elections in 2012 resulted in a landslide victory for Fico's Smer-SD, which won 83 seats. The two main parties in the outgoing center-right government, the Christian Democratic Movement (KDH) and the Slovak Democratic and Christian

Union–Democratic Party (SDKÚ–DS) captured 16 and 11 seats, respectively. Most-Híd (Bridge), which advocates for better cooperation between the country’s ethnic Hungarian minority and ethnic Slovakian majority, took 13 seats, and the Freedom and Solidarity (SaS) party won 11 seats. A new party composed of former SaS members, the Ordinary People and Independent Personalities (OLaNO), secured 16 seats.

President Ivan Gašparovič, elected in 2004 and reelected in 2009, left office in June 2014. The election for his successor took place in two rounds in March. An unprecedented fifteen candidates competed for the post, including Prime Minister Fico of Smer-SD, who justified his candidacy with the need to maintain “stability” and avoid “experiments.” No candidate secured a majority in the first round, but Fico and Kiska came out as frontrunners and proceeded to the second round. Kiska won the second round vote with 59 percent. Fico captured 41 percent.

In September, police launched an investigation into the presidential campaign financing of Radoslav Procházka, founder of the new Siet’ (Network) party, after allegations of off-the-books advertising purchases brought by opposition leader Igor Matovič. All candidates are required to submit complete campaign spending reports to the Finance Ministry within 30 days of the election.

In May, the parliament adopted contested changes to electoral laws, scheduled to come into effect in July 2015, that will unify voting procedures across the country, set new campaign spending limits and finance regulations, and prescribe fines for violating election rules. They also include a moratorium on campaigning for two days before an election and a ban on publishing opinion poll results for two weeks before the first round of voting and for one week before the second round. A 14-member committee, appointed with input from political parties and members of the judiciary, will oversee elections and campaigning.

#### **B. Political Pluralism and Participation: 15 / 16**

Slovakia is home to a competitive multiparty system. Since the country joined the European Union (EU) in 2004, power has shifted between center-left and center-right coalitions. The left-leaning Smer-SD, then in opposition, won the 2012 parliamentary elections by a margin large enough to form Slovakia’s first-ever single-party government.

Relations between Smer-SD and the opposition center-right parties remained confrontational throughout 2014, with the opposition accusing Smer-SD of using its majority to rush through legislation or block other factions’ proposals.

Persistent unemployment and a series of graft scandals have shaken the public’s confidence in mainstream political parties. Analysts also attribute Kiska’s 59-percent mandate to growing concern that Fico and Smer-SD—which controls two-thirds of the seats in Slovakia’s National Assembly—are developing a monopoly on political power in the country.

Slovakia’s first-ever Romany representative, Peter Pollak, was elected to the legislature in 2012 and later became the plenipotentiary for Romany communities, the government’s top policy coordinator for the Roma.

#### **C. Functioning of Government: 10 / 12**

Corruption remains a problem, most notably in public procurement and the health sector. According to Transparency International, many state-owned companies still do not publish even basic information, such as annual reports. Slovakia was ranked 54 out of 175 countries and territories surveyed in Transparency International’s 2014 Corruption Perceptions Index.

In 2014, a major corruption case involved parliamentary speaker Pavol Paška and a state hospital in the city of Piešťany whose board came under control of Smer-SD officials in

2012. The case involved the purchase of medical equipment at a much higher cost than was quoted prior to the Smer-SD takeover. Paška had ties with the firm that made the winning bid in the tender process, and while denying any wrongdoing, he resigned amid public anger in November. Health Minister Zuzana Zvolenská and Renáta Zmajkovičová, the hospital's board director and deputy speaker of the National Council, also resigned in the midst of the scandal. At year's end, no prosecutions had been launched.

About 2,000 demonstrators gathered in Bratislava for an opposition-led protest against corruption in late November. One of their demands—the removal of Health Ministry secretary general Martin Senčák—was met immediately. Newly instated health minister Viliam Čislák also dismissed the heads of three of the country's four state-run hospitals for signing seemingly fraudulent food service contracts.

In 2012, Slovakia's parliament lifted the immunity of its deputies from criminal prosecution; judicial immunity from prosecution was revoked through a constitutional amendment in June 2014.

Controversial revisions to Slovakia's public-procurement rules, adopted in 2013, introduced an electronic marketplace designed to increase competition and transparency in procurements, but included exemptions that would allow ministries and offices to award contracts without a tender process. A nine-member council was established to serve as an appeal body for the Public Procurement Office (ÚVO) to accelerate appeal proceedings and unify ÚVO decision-making. The council is headed by the chair and vice-chair of ÚVO. Nongovernmental organizations (NGOs) will nominate candidates to serve as the remaining seven members, who are appointed by the cabinet.

**CIVIL LIBERTIES:** 53 / 60 (-1)

**D. Freedom of Expression and Belief:** 15 / 16 (-1)

Freedoms of speech and the press are protected by the constitution, but media outlets sometimes face political interference. Journalists continue to encounter verbal attacks and libel suits by public officials, though these have occurred less frequently in recent years. In June 2014, a Bratislava court ordered the newspaper *Nový Čas* to publish an apology to a plaintiff in the ongoing "Bonanno" defamation case, brought against the daily by members of the judiciary who are seeking a total of €940,000 (\$1.23 million) in damages. The government does not restrict internet access.

News that Penta, a Central European financial investment group, was planning to buy a 50 percent stake in Petit Press, owner of the popular daily newspaper *SME* and several other news publications, prompted *SME*'s editor-in-chief, his deputies, and dozens of staffers to resign in October, citing concerns over editorial freedom. Penta was mentioned extensively in the infamous "Gorilla" file, a leaked document concerning government surveillance of allegedly corrupt relationships between politicians and prominent businessmen, whose contents *SME* was the first to publish in 2011. In November, Penta returned 5 percent of Petit Press shares back to the founder of the publishing house. Penta had also acquired the Holding and Spoločnosť 7 Plus publishing houses in 2014, gaining control of several prominent publications, including *Trend* and the tabloids *Plus 1 Deň* and *Plus 7 Dní*.

Penta's acquisitions are the latest of media buyouts by prominent Slovakian individuals and firms. Business tycoon Ivan Kmotřík controls the TA3 news-only television channel, and the investment group J&T owns the television channel JOJ and has links to the Slovak daily *Pravda*.

The government respects religious freedom in this largely Roman Catholic country. Registered religious organizations are eligible for tax exemptions and government subsidies. However, religious groups must have at least 20,000 members to register, effectively pre-

venting the small Muslim community and other groups from claiming government benefits. Academic freedom is respected.

**E. Associational and Organizational Rights:** 12 / 12

Authorities uphold freedom of assembly and association. NGOs generally operate without government interference. Labor unions are active, and organized workers freely exercise their right to strike. A new labor code with guarantees related to overtime and severance pay, as well as rules on hiring temporary workers, took effect in 2013.

**F. Rule of Law:** 12 / 16

The constitution provides for an independent judiciary. Despite some reforms pushed through by the previous center-right government in 2011, the court system continues to suffer from corruption and a significant backlog, and public trust in the judiciary is low.

Supreme Court chairman and Judicial Council head Štefan Harabin, an ally of Smer-SD, was nominated for reelection to his dual post in 2014. Thirteen Supreme Court judges protested the nomination, as did civil society groups and individuals. Harabin was allowed to run in May but lost the vote. During his 10-year tenure, he was accused of cronyism and intimidation in the selection and appointment of judges. Harabin also brought numerous lawsuits against the media.

In June, the parliament passed a constitutional amendment that introduced new screening procedures for judges, including background checks conducted by the National Security Office with Judicial Council oversight. Critics denounced the new procedure as a potential channel for political influence on the selection of judges and a threat to their public accountability. In September, the Constitutional Court temporarily suspended the procedure while assessing its constitutionality. The amendment also formally separated the positions of Supreme Court chairman and head of the Judicial Council.

Prison conditions in Slovakia meet most international standards, but overcrowding remains a concern. NGOs and members of the Romany community report that Romany suspects are often mistreated by police during arrest and in custody.

LGBT (lesbian, gay, bisexual, and transgender) people continue to report discrimination. In August, the Alliance for Family, an umbrella organization linked to over 100 conservative and religious groups, petitioned to put proposed constitutional amendments on marriage, adoption rights for same-sex couples, sex education in schools, and the rights of registered partnerships to a public referendum. The Constitutional Court ruled in October that the first three of the four proposed issues were permissible; the plebiscite is expected to take place in early 2015. Critics have denounced it as an anti-gay referendum. Slovakia currently does not allow same-sex couples to register as partners.

The rights of national minorities and ethnic groups are constitutionally guaranteed. Minority groups in Slovakia—including sizable Hungarian and Romany populations—have the right to develop their own culture, the right to information and education in their mother tongue, and the right to use their language in official communication. Nevertheless, minority groups—most notably the Roma—experience widespread discrimination. The Roma have reported forced evictions and de facto segregation of Romany children in schools. A number of Slovak cities have built walls to isolate Romany neighborhoods since 2008. In January 2014, prosecutors agreed to open a second investigation into a spate of violence that erupted in a Romany settlement in 2013 following a police raid; the first investigation, in which no Romany residents of the settlement were interviewed, had cleared the police of wrongdoing in 2013. The investigator is an employee of the Interior Ministry, raising doubts about the integrity of the process, which remained ongoing at year's end.



**G. Personal Autonomy and Individual Rights: 14 / 16**

The government respects the freedom of movement and does not arbitrarily interfere with citizens' rights to own property, establish private businesses, or freely choose their residence, employment, and educational institution.

The June 2014 constitutional amendment, drafted by Smer-SD and the socially conservative KDH, alarmed international rights groups with a seemingly unrelated provision that formally defines marriage as a union between a man and a woman. The amendment was adopted with the support of 102 of 128 voting deputies.

Although women enjoy the same legal rights as men, they continue to be underrepresented in senior-level government and business positions. Currently, 20 percent of parliamentary deputies are women. Domestic violence is punishable by imprisonment but remains widespread. Slovakia is a source, transit, and destination for the trafficking of men, women, and children for forced labor and prostitution.

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## Slovenia

**Political Rights Rating:** 1**Population:** 2,061,000**Civil Liberties Rating:** 1**Capital:** Ljubljana**Freedom Rating:** 1.0**Freedom Status:** Free**Electoral Democracy:** Yes**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

**INTRODUCTION**

Snap parliamentary elections were held in July, triggered by the resignation of Prime Minister Alenka Bratušek, who lost the support of her center-left Positive Slovenia (PS) party amid strict austerity measures and soaring public debt. The new center-left Modern Centre Party (SMC), led by novice politician and law professor Miro Cerer, won a majority with 34.8 percent of the vote on a campaign based on boosting economic growth and decreasing the national deficit. The parliament approved an SMC-led coalition in September. The Slovenian economy improved toward the end of the year, avoiding the possibility of a bailout with growth of 1.4 percent in its gross domestic product (GDP) for the year.

Ongoing legal proceedings against journalist Anuška Delić, who faces allegations of disclosing classified information, drew criticism from international and domestic media rights groups in 2014. In June, officials marked the beginning of a compensation plan for the “erased,” a group of individuals residing in Slovenia who lost their legal status after being removed from the state registry following the breakup of Yugoslavia.

A two-decade border dispute with Croatia—which concerns the delineation of the countries' maritime border in the Bay of Piran and parts of their common territorial border—remains a key foreign policy issue in Slovenia. Following parliamentary approval in both states and a successful 2010 referendum in Slovenia, an international arbitration panel held its first meeting in 2012. It entered its final stage of arbitration in June 2014 with the submission of final statements from both countries. The third-party ruling, which will demarcate the disputed border, was still pending at year's end.

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**POLITICAL RIGHTS:** 38 / 40**A. Electoral Process:** 12 / 12

Slovenia has a bicameral legislature. Members of the 90-seat National Assembly (Državni Zbor) are elected to four-year terms and have the power to choose the prime minister. Members of the 40-seat National Council (Državni Svet), a largely advisory body representing professional groups and local interests, are elected to five-year terms. The president is directly elected for up to two five-year terms.

In early elections held in July 2014, the SMC won with 34.8 percent of the vote, taking 36 seats. The center-right Slovenian Democratic Party (SDS), led by former prime minister Janez Janša, took 21 seats, making it the leading opposition party. The Democratic Party of Pensioners of Slovenia (DeSUS) took 10 seats, the United Left Alliance (ZL) and the Social Democrats (SD) each captured 6, New Slovenia–Christian Democrats (NSi) took 5, and the Alliance of Alenka Bratušek (ZaAB) took 4. Two seats were allocated to representatives of ethnic minorities. In September, the parliament approved a three-party coalition comprised of the governing SMC, DeSUS, and SD.

In a presidential runoff in 2012, former prime minister and head of the SD party Borut Pahor defeated incumbent Danilo Türk with 67.4 percent of the vote to Türk's 32.6 percent.

**B. Political Pluralism and Participation:** 15 / 16

A number of political parties compete for power in Slovenia. In the most recent parliamentary elections, 17 parties took part, including several formed in 2014. In addition to the SMC, the newcomers included the ZL, ZaAB, Verjamem, and the Slovenian Pirate Party (PSS). Meanwhile, the former majority PS—the former party of departing prime minister Bratušek—lost all 28 of its seats in the legislature.

In the National Assembly, one seat each is reserved for Slovenia's Hungarian and Italian minorities. For municipal councils, Roma are automatically given seats on 20 municipal councils. In 2010, Ghanian-born Peter Bossman was elected mayor of Piran, making him the first black mayor of an Eastern European city.

**C. Functioning of Government:** 11 / 12

Corruption is less prevalent in Slovenia than in many of its neighbors, and it usually takes the form of conflicts of interest involving contracts between government officials and private businesses. However, a number of high-profile corruption cases have emerged in recent years. Former prime minister Janša began serving a two-year sentence in June 2014 but was granted a temporary injunction in December. In January 2013, Slovenia's anticorruption commission had accused Janša and fellow PS member Zoran Janković of failing to declare their assets; and in June 2013, Janša was found guilty of accepting bribes in a 2006 arms deal with the Finnish company Patria during his first term as prime minister. Janša has maintained that he is innocent, saying the charges were politically motivated.

Only 5,000 of Slovenia's 80,000 public servants are subject to financial disclosure laws, according to the U.S. State Department. Slovenia was ranked 39 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 53 / 60**D. Freedom of Expression and Belief:** 14 / 16

Freedoms of speech and the press are constitutionally guaranteed, though defamation remains a criminal offense, journalists can be legally compelled to reveal their sources, and hate speech is outlawed. The government maintains stakes in a number of media outlets and has been known to interfere in the operations of the public broadcaster, Radio Televizija Slovenija. Internet access is unrestricted.

The case of Anuška Delić, a journalist for the daily *Delo*, continued in 2014. She faces the charge of disseminating information classified by the Slovenian intelligence services, for which she was indicted in 2013. If found guilty, she can serve up to three years in prison. The charges are connected to articles Delić authored in 2011 alleging links between the SDS and a neo-Nazi organization. In 2014, a court denied the prosecution's request to monitor Delić's phone. In another case, police searched the home of Politikus web writer Dejan in January 2014, shortly after the writer covered Janša's corruption scandal online.

The constitution guarantees freedom of religion and contains provisions that prohibit incitement to religious intolerance or discrimination. Approximately 58 percent of Slovenians identify themselves as Roman Catholics. In 2010, the Constitutional Court annulled certain provisions of the 2007 Religious Freedoms Law, including requirements for legal registration of religious communities and the payment of social security contributions to priests working in prisons and hospitals. Though societal discrimination against the small Muslim community has been problematic in the past, there were no major cases of interfaith conflict in 2014. After a decades-long struggle to build a mosque in Ljubljana, a groundbreaking ceremony was held in 2013; the project was ongoing in 2014.

There were no reports of government restrictions on academic freedom during the year.

#### **E. Associational and Organizational Rights: 12 / 12**

The government respects freedoms of assembly and association. Numerous nongovernmental organizations (NGOs) operate freely and play a role in policymaking.

Workers may establish and join trade unions, strike, and bargain collectively. The Association of Free Trade Unions of Slovenia has some 300,000 members and controls the four trade union seats in the National Council.

#### **F. Rule of Law: 14 / 16**

The constitution provides for an independent judiciary, and the government respects it in practice. Introduced in 2005, the Lukenda Project has helped the judiciary steadily reduce case backlogs and was partially extended through 2014.

Prison conditions meet international standards, though overcrowding has been reported.

In June 2014, the country began a national compensation scheme of approximately €19.7 million (\$22.4 million) for the so-called "erased." This group is comprised of more 25,000 non-Slovene citizens, mostly from other constituent republics within the former Yugoslavia, who remained in Slovenia after independence and were removed from official records after they failed to apply for citizenship or permanent residency during a brief window in 1992. In 2012, the European Court of Human Rights (ECHR) ruled that the "erasures" were human rights violations and ordered Slovenia to pay compensation to the victims. As of May 2014, the Interior Ministry reported that 6,561 applications for compensation had been filed, and 4,840 cases had been approved for payment. In 2009, Pahor's government began enforcing a 2003 Constitutional Court ruling intended to provide retroactive permanent residency status to those who had been erased. Legislation adopted in 2010 reinstated the legal status of those erased in 1992, but implementation has been problematic.

Roma face widespread poverty and societal marginalization. While there are legal protections against discrimination based on sexual orientation, discrimination against LGBT (lesbian, gay, bisexual, and transgender) people is common.

#### **G. Personal Autonomy and Individual Rights: 13 / 16**

There are no restrictions on internal or foreign travel, and citizens enjoy the right to choose their residence, employment, and institution of higher education.

According to official information, approximately 12 percent of the country is unemployed. Much of the economy remains state controlled.

Women hold the same legal rights as men, but they are underrepresented in political life and face discrimination in the workplace. Following the 2014 parliamentary elections, there were 32 women in the National Assembly and 3 in the National Council. Domestic violence remains a concern. Prostitution has been decriminalized in Slovenia. Slovenia is a transit point and destination for women and girls trafficked for the purpose of prostitution.

## Solomon Islands

**Political Rights Rating:** 4 ↑

**Population:** 641,900

**Civil Liberties Rating:** 3

**Capital:** Honiara

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Ratings Change:** The Solomon Islands' political rights rating improved from 4 to 3 as a result of relatively successful elections in October 2014, which featured biometric registration and were accepted as legitimate by both the opposition and voters.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	4,3,PF	4,3,PF	4,3,PF	4,3,PF	4,3,PF	4,3,PF	4,3,PF	4,3,PF	3,3,PF

### INTRODUCTION

In preparation for legislative elections in November 2014, voter registration using biometric technology began in March to create a more secure voter roll. No resources were allocated to register voters overseas, who were unable to participate in the polls. Of those who were registered to vote, nearly 90 percent participated—the highest turnout yet and a significant increase from the 52 percent who participated in 2010. In December, the National Assembly elected Manasseh Sogavare to the prime minister; he had previously held the post on two occasions.

**POLITICAL RIGHTS:** 25 / 40 (+3)

**A. Electoral Process:** 9 / 12 (+3)

Members of the 50-seat, unicameral National Parliament are elected for four-year terms. A parliamentary majority elects the prime minister. The National Parliament selects a governor general for a five-year term. He represents the British monarch as head of state and appoints the cabinet with advice from the prime minister. In May 2014, Sir Frank Kabui won a second term as governor general.

In legislative elections held in November 2014, a total of 32 independent candidates were elected to the National Parliament—a record-breaking number. The Democratic Alliance Party took 7 seats, the United Democratic Party took 5, the People's Alliance Party won 3, and three smaller parties secured one seat each. Observers reported general peace and orderly conduct at polling stations and found the elections to be generally free and fair.

Previous elections in the Solomon Islands have been plagued with problems including flawed voter rolls, allegations of bribery, fraudulent ballots, theft of ballot boxes, and voter

intimidation and violence. The introduction of biometric voter registration for the 2014 national general elections marked a notable step in addressing a number of electoral challenges, and the overall conduct of the elections was both peaceful and successful. Neither voters nor the opposition contested the results.

**B. Political Pluralism and Participation:** 10 / 16

There are several political parties, but alliances are driven more by personal ties and clan identities. Frequent changing of party affiliations has a destabilizing effect on government. In May 2014, the National Parliament approved a revised Political Parties Integrity Act, which the government claimed will streamline processes to register, deregister, and merge political parties. Opposition parties complained that their concerns about the constitutionality of some provisions had been ignored.

**C. Functioning of Government:** 6 / 12

Public offices are widely seen as opportunities for personal enrichment. Many public officials have faced charges of official abuse and corruption and even former prime ministers have been convicted. Lawmakers often give themselves pay raises and other benefits, like lifetime pension, and absenteeism from parliamentary sessions is common. Public pressure in 2013 forced the government to withdraw a bill that had proposed giving former prime ministers and their surviving spouses monthly pension payments, free housing, free health care, a service staff, and other benefits.

In August 2014, the Leadership Code Commission, which investigates allegations of misconduct by lawmakers, dismissed a case against Gordon Darcy Lilo, the prime minister at the time; the commission cited lack of evidence. The case had been launched based on a complaint by a civil society group.

The Constituency Development Funds Act was passed in 2013 to increase transparency and accountability in the use of development funds, which lawmakers can spend at their discretion on roads, services, and other assistance to improve conditions for their constituent communities. However, critics claim that the law places money in lawmakers' hands without clear measures to monitor how funds are managed and spent, and that little time was given to public consultation before the law's passage. Civil society groups called on international donors in 2014 to demand greater accountability from the government.

**CIVIL LIBERTIES:** 43 / 60

**D. Freedom of Expression and Belief:** 14 / 16

Freedoms of expression and of the press are generally respected, but politicians and elites sometimes use legal and extralegal means to intimidate journalists. There are several print newspapers. The government operates the only radio station. There is no local television station, but foreign broadcasts can be received via satellite. Internet use is growing, but access is limited by high costs and lack of infrastructure. Freedom of religion is generally respected, as is academic freedom. The first university opened in Honiara in 2013.

**E. Associational and Organizational Rights:** 9 / 12

The constitution guarantees freedom of assembly, and the government generally recognizes this right in practice. Organizers of demonstrations must obtain permits, which are typically granted. In May 2014, a protest in the capital led to mob violence and looting, and police responded with tear gas and detained 53 people. Protesters had gathered to express discontent with rehabilitation assistance to victims of flooding. Violent public disagreements over perceived inequality in assistance efforts took place in August.

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Civil society groups operate without interference. Workers are free to organize, and strikes are permitted. The Workers Union of the Solomon Islands was formed in July 2014. Its charter mandates that women must hold half of the union's executive positions.

**F. Rule of Law: 8 / 16**

The judiciary suffers from a lack of resources, which limits the provision of legal counsel and hinders the conduct of timely trials. Residents of rural areas have far more limited access to the formal justice system than those in urban centers. The Ombudsman's Office has far-reaching powers to investigate complaints of official abuse and unfair treatment, but it is poorly resourced. The effectiveness of the police is hampered by poor training, abuse of power, and factional and ethnic rivalries.

The military component of the Australian-led Regional Assistance Mission to the Solomon Islands (RAMSI) withdrew in 2013, ending a decade-long mission. RAMSI had maintained peace between the country's two dominant ethnic groups, the Gwale and Malaitans, since 2000. The police component—a 150-member force from Australia, New Zealand, and other Pacific Island countries—will remain through 2017 to train and support local police. The Royal Solomon Islands Police Force was disarmed in 2003 because of involvement in criminal activity and ethnic violence during a period of ethnic tensions in 1998–2003. In 2013, the government approved a limited rearmament project led by the police component of RAMSI.

In September 2014, Australian national Frank Prendergast began a two-year term as police commissioner.

A Truth and Reconciliation Commission investigated crimes tied to ethnic violence between 1998 and 2003 and produced a final report in 2012. Commission member Terry Brown published a copy of the report online in 2013 after more than a year of delays by the government in reviewing and approving it for official public release.

The government has voiced opposition to decriminalizing same-sex sexual activity on grounds that it is against traditional values.

**G. Personal Autonomy and Individual Rights: 12 / 16**

A growing Chinese economic presence in the Solomon Islands continues to deepen public resentment; many demand that the government enforce laws that reserve certain jobs for native islanders.

Discrimination limits economic and political opportunities for women. Many lawmakers have voiced support for increasing women's participation in the National Assembly. The country's first female high was appointed in February 2014.

Rape and other forms of violence against women and girls are common. In August 2014, legislators unanimously passed the Domestic Violence Act.

The U.S. State Department's 2014 *Human Trafficking Report* puts the country in the Tier 2 watch list, noting efforts to prevent and prosecute trafficking and to assist victims. The country is not a party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons.

## Somalia

**Political Rights Rating:** 7

**Population:** 10,806,000

**Civil Liberties Rating:** 7

**Capital:** Mogadishu

**Freedom Rating:** 7.0

**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.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	6,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF

### INTRODUCTION

The Somali government was plagued by political infighting in 2014, as parliament brought a no-confidence motion against Prime Minister Abdiweli Sheikh Ahmed. The incident marked the second consecutive year in which a prime minister was dismissed.

The Shabaab, an extremist group that once controlled most of southern Somalia, remained an active presence in the country despite significant gains made by the joint Somali National Army–African Union mission against it. The Shabaab attacked the presidential palace three times in 2014 and killed five members of parliament in targeted assassinations. In September, Shabaab commander Ahmed Abdi Godane was killed by a U.S. drone attack. Following Godane's death, the Somali government provided amnesty for Shabaab defectors through the end of the year; the administration announced in late September that more than 500 militants had already accepted the offer. In December, the Shabaab attacked an African Union military base in Somalia in retaliation for Godane's assassination, killing three Ugandan soldiers and a civilian. Subsequently, Somali government forces captured Shabaab intelligence chief Zakariya Ismail Ahmed Hersi.

Although the government remained publicly committed to holding a constitutional referendum in 2015 and national elections in 2016, little was done in 2014 to develop the country's electoral framework. Critical election-related legislation, including laws on an election commission and political parties, had yet to be drafted by year's end, and government officials were privately considering alternative options.

**POLITICAL RIGHTS:** 0 / 40

**A. Electoral Process:** 0 / 12

Prior to fall 2012, the Somali state had largely ceased to exist and had no governing authority. In September 2012, Somalia established a new government and drafted a provisional constitution in an attempt to usher in the country's first permanent government in more than 20 years. The constitution established a 275-member House of the People, with members to be elected to four-year terms. In the interim, Somali traditional elders appointed the provisional members. The provisional legislature elected President Hassan Sheikh Mohamud to a four-year term. An Upper House of Parliament, which would have 54 members, has yet to be formed. The provisional constitution outlines the expectation that women be included in all branches of government and includes a nondiscrimination clause that specifically mentions women.

In December 2014, parliamentarians close to the president passed a no-confidence motion against Prime Minister Ahmed, who had been embroiled in a public feud with Mohamud. The incident marked the second dismissal of a prime minister in as many years. President Mohamud appointed Omar Abdirashid Ali Sharmarke, then Somali ambassador to the United States, as Ahmed's replacement.

The semiautonomous region of Puntland in northeastern Somalia has a 66-member legislature nominated by clan elders to five-year terms. A new legislature was approved by a constituent assembly in December 2013 and included 34 first-time parliamentarians. Puntland's president is elected by the legislature and may serve up to two five-year terms. Though plans were made for the regional government's first multiparty presidential election in January 2014, the election was postponed. Instead, legislators selected Abdiweli Mohamed Ali Gas as president over incumbent Abdirahman Mohamed Farole.

Relations between Puntland and federal authorities in Mogadishu have been tense. In August 2014, the Puntland government withdrew members of parliament and other officials serving in federal institutions in a dispute over the Mudug region, which the federal government had attempted to include as part of a new state. The situation normalized in October after the two governments signed a cooperation agreement.

#### **B. Political Pluralism and Participation: 0 / 16**

No effective or legally recognized political parties currently exist. The political process is driven largely by clans: traditional kinship networks that are the pillars of Somali social and political organization. The four largest clans—Darod, Dir, Hawiye, and Digil-Mirifle—exercise outside influence.

A parliamentary committee is currently developing legislation that would create regulations for a political party system. Among the considerations is whether political parties can be formed on the basis of clan identity.

Parliamentary representation is determined by the so-called 4.5 formula, a quota system under which the four majority clans each receive 61 delegates while the remaining minority clans receive 31 delegates combined. Critics of the formula point out that it codifies the dominant role of majority clans in the political system. The process by which clan leaders doled out parliamentary seats in 2012 was opaque and reportedly rife with bribery and nepotism.

#### **C. Functioning of Government: 0 / 12**

Although the new parliament was highly regarded when it took power in 2012, a lack of member commitment and political infighting have stifled its effectiveness. In October 2014, Speaker of Parliament Mohamed Osman Jawari announced that a \$600 fine will be levied against parliamentarians who fail to attend legislative sessions.

Corruption is rampant in Somalia. A 2013 UN Monitoring Group report on Somalia and Eritrea indicated that 80 percent of withdrawals from Somalia's central bank were made for private purposes. In 2014, the monitoring group alleged that the president and a former foreign minister conspired with U.S.-based law firm Shulman Rogers to steal funds from overseas Somali assets.

In September 2014, the government announced a campaign, run by the Ministry of Information, to raise public awareness of the country's corruption problem. The government also announced it would rewrite several high-profile business contracts, including its oil deal with Shulman Rogers. In October, Musa Haji Mohamed Ganjab, a presidential adviser and prominent businessman, was accused of leaking arms to the Shabaab; Ganjab vehemently



denied the charges. Somalia ranked 174 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. Corruption is also pervasive in Puntland, where authorities have been complicit in piracy.

Somali citizens have little power to exert influence over the system, either as individuals or through civil society. Citizens rarely have relationships with or access to their local members of parliament. There are few accountability mechanisms for government officials; to the extent that these mechanisms exist, they largely come from the international community.

#### **CIVIL LIBERTIES: 2 / 40**

##### **D. Freedom of Expression and Belief: 1 / 16**

While the provisional constitution calls for freedom of speech and the press, the new government has taken a heavy-handed approach toward the media. Radio is the primary news medium in Somalia. Internet and mobile telephone services are widely available in large cities, but poverty and illiteracy limit access.

In September, Somalia's cabinet passed a controversial media law, to be presented to parliament for adoption, that permits censorship by the Ministry of Information, requires broadcasters to seek permission to air foreign media, prohibits the dissemination of material "harming the country, the people or the religion," and levies hefty fines for breeching an undefined code of ethics. Local journalist organizations claimed they were excluded from the drafting process after expressing concerns about the law. Domestic and international rights organizations characterized the legislation as overly restrictive.

Somalia remains one of the most dangerous countries in the world for journalists. According to the Committee to Protect Journalists, 53 journalists have been killed since 1992. In February 2014, state intelligence detained and beat journalists Mohamed Haji Bare and Ibrahim Mohamed after they aired stories about an explosion that harmed the deputy governor of Lower Shabelle region. In June, radio journalist Yusuf Ahmed Abukar, a critic of both the Shabaab and the Somali government, was killed by a bomb attached to his car. In August, the government shut down Radio Shabelle, arresting 19 journalists. Journalists alleged that the crackdown was retribution for the network's criticism of President Mohamed, who had recently accused Somalia media outfits of sympathizing with Shabaab. The incident followed the mass arrest of 11 journalists from various news outlets who attended an opposition press conference. In October, gunmen shot and wounded Somali Channel Television journalist Abdirisak Jama, a major critic of the government's new media bill.

In Puntland, in August authorities briefly detained Radio Daljir reporter Fatima Yusuf, who had recently talked to Voice of America about a group of soldiers who took over a state media station demanding unpaid salaries. In November, Radio Daljir journalist Abdirisak Ali Abdi was killed by unknown gunman. The following month, the regional administration raided Radio Garowe after it aired a report about demonstrations against government taxes.

Nearly all Somalis are Sunni Muslims, but there is a very small Christian community. Both Somalia's provisional constitution and Puntland's charter recognize Islam as the official religion, though the constitution does include religious freedom clauses. Anyone accused of apostasy risks execution by the Shabaab, which has also denied religious freedom to moderate Muslims and has caused deep offense among many Somalis by destroying the graves of Sufi saints.

The education system is severely degraded due to the breakdown of the state.

##### **E. Associational and Organizational Rights: 0 / 12**

Freedom of assembly has not been respected amid ongoing instability and violence in Somalia. Many nongovernmental organizations (NGOs) and UN agencies have reduced or

suspended their activities in the country in recent years. According to the Aid Worker Security Database, six Somali aid workers were killed and one abducted in 2014.

Labor unions are beginning to expand their operations. In March 2014, the Somali government ratified the International Labour Organization (ILO)'s conventions on the Freedom of Association and Protection of the Right to Organize, the Right to Organize and Collective Bargaining, and the Worst Forms of Child Labor. In June, the Federation of Somali Trade Unions, Somali Congress of Trade Unions, and the National Union of Somali Journalists wrote a joint letter to the Somali foreign minister requesting that he look into worker exploitation and improve working conditions in the country. In October, the three organizations met to identify strategies to curb corruption in the Ministry of Labor.

#### **F. Rule of Law: 0 / 16**

A weak judicial system functions at the national level. The provisional constitution outlines a judicial framework that includes the creation of a Constitutional Court, Federal Government courts, and Federal Member State courts, but these institutions have yet to be established. An independent expert commissioned by the UN Human Rights Council found that the judicial system was ineffective, thus denying Somalis the right to justice and equal protection under the law. The harshest codes are enforced in areas under Shabaab control, where people convicted of theft or other minor crimes are flogged or have their limbs amputated, often in public.

The absence of functional democratic institutions over a period of many years has given way to a lawless environment. Residents must also contend with abuses committed by warlords, clan leaders, and the Shabaab in the absence of government control in several areas of the country. The Shabaab continues to control large swaths of the south-central region. President Mohamud acknowledged in August 2014 that the group regularly tries to infiltrate various government institutions.

Most Somalis share the same ethnicity, but clan divisions have long fueled violence. The larger, more powerful clans continue to dominate political life and are able to use their strength to harass weaker clans.

Same-sex sexual activity is punishable by up to three years in prison. LGBT (lesbian, gay, bisexual, and transgender) individuals are subject to broad social stigma and hostility. They face harsh punishments in areas controlled by the Shabaab.

#### **G. Personal Autonomy and Individual Rights: 1 / 16**

Although all Somalis have constitutionally protected freedom of movement, the Shabaab, warlords, armed militias, and others often inhibit this freedom. The autonomy and individual rights of Somali citizens are severely restricted by the insecurity in the country, both in government and Shabaab-controlled areas.

The provisional constitution protects the right to own and use property. While the economy is a relatively bright spot in Somalia, it is largely informal and severely restricted by the conflict.

Women in Somalia face considerable discrimination. Although outlawed under the new constitution, nearly all Somali girls undergo some form of female genital mutilation. Sexual violence is rampant due to lawlessness and impunity for perpetrators, and rape victims are often stigmatized. The Shabaab imposes crude versions of Sharia (Islamic) law in areas under its control, banning music, films, and certain clothing. In one area it has prohibited men and women from walking together or talking in public.

Of the 275 seats in Somalia's parliament, women hold 38, or 14 percent, falling short of the country's 30-percent quota. In September 2014, the women's caucus, the Somali Women

Parliamentarians Association, presented recommendations on how to promote women's political participation and gender equality to the chair of Somalia's Independent Constitutional Review and Implementation Commission.

More than 40 percent of Somali residents rely on remittances, which total an estimated \$1 billion annually. In April 2014, British banking giant Barclays and Africa's largest money-transfer operator for remittances, Dahabshiil Holdings Ltd, agreed to a deal that would temporarily keep Dahabshiil's account with Barclays open. The account, which Barclays had planned to close in 2013 due to concerns that transfers were being used for money laundering and terrorist funding, would have affected hundreds of millions of dollars in remittance payments to Somalia. In summer 2014, American bank Merchants announced its intention to close the accounts of remittance organizations following fears of the funds being diverted to the Shabaab or other illicit actors. Existing labor laws are not adequately enforced. The Shabaab, among many other violations, have reportedly recruited child soldiers.

## South Africa

**Political Rights Rating:** 2

**Civil Liberties Rating:** 2

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 53,699,000

**Capital:** Tshwane/Pretoria

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

### INTRODUCTION

In May 2014, South Africa held national elections that were considered free and fair by domestic and international observers. However, there were growing concerns about a decline in prosecutorial independence, labor unrest, and political pressure on an otherwise robust media landscape. South Africa continued to be marked by high-profile corruption scandals, particularly surrounding allegations that had surfaced in 2013 that President Jacob Zuma had personally benefitted from state-funded renovations to his private homestead in Nkandla, KwaZulu-Natal.

The ruling African National Congress (ANC) won in the 2014 elections with a slightly smaller vote share than in 2009. The newly formed Economic Freedom Fighters (EFF), a populist splinter from the ANC Youth League, emerged as the third-largest party. The subsequent session of the National Assembly was more adversarial than previous iterations, including at least two instances when ANC leaders halted proceedings following EFF-led disruptions.

Beginning in January, the Association of Mineworkers and Construction Union (AMCU) led a five-month strike in the platinum sector, South Africa's longest and most costly strike. The strike saw some violence and destruction of property, though less than AMCU strikes in 2012 and 2013. The year also saw continued infighting between rival trade unions. The labor unrest exacerbated the flagging of the nation's economy and the high unemployment rate, which stood at approximately 25 percent nationally and around 36 percent for youth.

**POLITICAL RIGHTS:** 33 / 40**A. Electoral Process:** 12 / 12

Elections for the 400-seat National Assembly (NA), the lower house of the bicameral Parliament, are determined by party-list proportional representation. Winning 62.2 percent of the vote in the 2014 elections, the ANC controlled 249 of 400 seats in the NA. The liberal Democratic Alliance (DA) took 22.2 percent of the vote and 89 seats and the EFF won 6.4 percent of the vote and 25 seats. The Zulu-nationalist Inkatha Freedom Party (IFP) took 10 seats, and nine smaller parties shared the remaining seats. The 90 members of the upper chamber, the National Council of Provinces, are selected by the provincial legislatures; the ANC won majorities in 8 out of 9 of those bodies in the 2014 elections. The NA elects the president to serve concurrently with its five-year term, and presidents can serve a maximum of two terms. Zuma easily won election to a second term as president in May.

Domestic and international observers declared the May 2014 elections free and fair despite isolated instances of political violence, allegations of biased state-run media, and discrimination in allocating election rally permits. Party and voter registration proceeded transparently and without major incident.

The lead-up to the election saw some disputes related to opposition campaign activities, including over a text message the DA sent to some 1.5 million voters in March accusing Zuma of stealing public money in the Nkandla affair. In May, the Electoral Court upheld an ANC petition declaring that the message constituted false information. The DA said that it would appeal the ruling to the Constitutional Court. A ban by the state-run South African Broadcasting Corporation (SABC) on EFF election ads calling for the physical removal of road tolling stations was upheld by the Independent Communication Association of South Africa. In April, the SABC refused to air a DA ad campaign criticizing the ANC on the basis that the ad could incite violence against the police and constituted a personal attack on Zuma, violating the Advertising Standards Authority's code of conduct. The Independent Communications Authority of South Africa agreed with the DA that the SABC must overturn the ban, but subsequently required the DA to remove a section of the ad at the request of the South African Police Service (SAPS).

The Independent Electoral Commission (IEC) is largely independent. IEC credibility was weakened slightly by 2013 corruption allegations against chairperson Pansy Tlakula, which were unrelated to the IEC's management of the 2014 elections. Following a June 2014 Electoral Court ruling that Tlakula should be removed from her office, she stepped down in September.

**B. Political Pluralism and Participation:** 13 / 16

Of 152 registered political parties, 29 competed at the national level in 2014, and 16 only at the provincial level. The ANC, which is part of a tripartite governing alliance with COSATU and the South African Communist Party, has won every election since 1994 and dominates the political landscape. Factionalism within the ANC and within COSATU, as well as tensions between the alliance partners, has been a hallmark of South African politics in recent years, while patronage, purges, and political violence have become increasingly common.

The DA is the leading opposition party, followed by the EFF and the IFP. The emergence of new and more assertive opposition parties invoked occasional government restrictions on political events and rallies in 2014, as well as some notable clashes between rival party supporters. In February, lightly armed ANC supporters blocked DA supporters marching to ANC headquarters to protest unemployment. In April, a marquee at an EFF rally site was firebombed before the event. An April report by the Community Agency for Social Enquiry found that the spread of misinformation, disruption of rival political party events,

threats, and economic retaliation were the most common forms of political intimidation employed before the election; the report also identified 12 potentially politically motivated deaths between January 2013 and February 2014.

Postelection NA sessions have set a more adversarial tone than those of the past, despite the fact that the ANC still commands a large majority. In August, EFF members of Parliament demanding that Zuma “pay back the money” disrupted Zuma’s response to questions about the Nkandla affair, leading to the eventual suspension of the parliamentary session. In November, opposition members disrupted proceedings again, and riot police were called to intervene; four members of Parliament were reportedly injured in scuffles. The same month, five EFF members, including party leader Julius Malema, were suspended from Parliament for 30 days without pay over the August disruption, although a court overturned the suspensions in late December.

### **C. Functioning of Government:** 8 / 12

Several agencies are tasked with combating corruption, but enforcement is inadequate. Public servants regularly fail to declare their business interests as required by law, and the ANC has been criticized for charging fees to business leaders for access to top government officials. The tender process for public contracts is often politically driven and opaque. According to the auditor general’s report for the 2013–14 fiscal year, government departments made 62.7 billion rand (\$5.4 billion) in “irregular” expenditures (for example, spending that did not follow supply-chain procedures), and expenditures worth 2.6 billion rand (\$220 million) were not authorized at all. South Africa was ranked 67 out of 175 countries and territories surveyed in Transparency International’s 2014 Corruption Perceptions Index.

Zuma continued to face scrutiny in 2014. In August, the Supreme Court of Appeals upheld a lower-court ruling ordering the National Prosecuting Authority (NPA) to comply with a DA request to make public secret recordings of the NPA’s justifications for dropping fraud and corruption charges against Zuma in 2009. In March, Public Protector Thuli Madonsela released a long-awaited report on Nkandla, concluding that Zuma had derived undue personal benefit from the 246 million rand (\$23 million) in upgrades to his homestead, ostensibly made for security reasons; the report recommended that Zuma repay a portion of the funds. Opposition parties in September withdrew from the parliamentary committee responsible for responding to the report, arguing that the ANC leadership of the committee was unconstitutionally attempting to insulate Zuma from Madonsela’s findings; the ANC still held a quorum on the committee, however, and in October, the remaining members released a draft report that absolved Zuma of wrongdoing and held that Madonsela’s recommendations were nonbinding.

### **CIVIL LIBERTIES:** 48 / 60

#### **D. Freedom of Expression and Belief:** 15 / 16

Freedoms of expression and the press are protected in the constitution and generally respected in practice. South Africa features a vibrant and often adversarial media landscape, including independent civic groups that have helped push back government efforts to encroach on freedom of expression. Nonetheless, concerns about press freedom have grown in recent years as the ANC government has appeared to exert increasing political pressure on both state-run and independent outlets.

Most South Africans receive the news via radio outlets, the majority of which are controlled by the SABC. The SABC also dominates the television market, but two commercial stations and satellite television are expanding their reach. The government is highly sensi-

tive to media criticism and has increasingly encroached on the editorial independence of the SABC. Some government critics have been barred from SABC programs; a number of programs have been canceled due to political considerations; and there is strong pressure on journalists to refrain from critical reporting of the ANC and Zuma.

Private newspapers and magazines are often critical of powerful figures and institutions and remain a crucial check on the government. However, government allies own a growing share of independent media. A number of key staff members have left the Independent News & Media South Africa claiming political interference since the company was acquired by the ANC-connected Sekunjalo Investments. Internet access is unrestricted and growing rapidly, though many South Africans cannot afford the service fee.

The government has recently enacted or proposed several potentially restrictive laws, with significant pushback from civil society, judicial authorities, and opposition parties. In part because of such opposition, Zuma has yet to sign into law a revised version of the controversial Protection of State Information Bill, which would allow state agencies to classify a wide range of information as in the “national interest” and thus restrict its publication. In recent years, the government has increasingly made use of the apartheid-era National Key Points Act to restrict access to and reporting on locations deemed to be of interest to national security, including Nkandla. The High Court has ordered the police minister to release the list of the some 200 key points under a freedom of information request, but as of the end of 2014, he had yet to comply.

In January 2014, freelance photojournalist Michael Tshele was allegedly shot and killed by police while covering protests in North West province. He was the first journalist killed in South Africa since 1994.

Freedom of religion and academic freedom are constitutionally guaranteed and actively protected by the government. South Africans may freely engage in private discussions of a political nature without fear of harassment.

#### **E. Associational and Organizational Rights: 12 / 12**

The constitution guarantees freedoms of association and peaceful assembly. Freedom of assembly is generally respected, and South Africa has a vibrant protest culture; demonstrators must notify police ahead of time but are rarely prohibited from gathering. In recent years, however, a growing number of community protests over public-service delivery have turned violent and been forcibly dispersed by police.

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.

South Africans 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. In addition to the AMCU platinum-sector strike, the National Union of Metalworkers of South Africa led a month-long strike in metals and engineering in July. COSATU still dominates the labor landscape but is increasingly challenged by independent unions and intrafederation factionalism. Growing union rivalries, especially in mining, have led to an increase in violent tactics to win and retain members and attack opponents, while violent and illegal strikes have also increased in recent years.

The Farlam Commission, a government-sponsored inquiry into the 2012 police killings of 34 striking mineworkers at Marikana, concluded hearings in November 2014 and was expected to present its final report in March 2015. In an August 2014 press release, Amnesty

International alleged that police had used unlawful and unjustified lethal force at Marikana, had falsified evidence, and had attempted to mislead the Farlam Commission.

**F. Rule of Law:** 10 / 16

The constitution guarantees judicial independence, and the courts—particularly the Constitutional Court and the Supreme Court of Appeal—operate with substantial autonomy. The Constitutional Court is the country’s apex court, followed by the Supreme Court of Appeal, a general appellate court. The Judicial Services Commission appoints Constitutional Court judges based on both merit and government efforts to racially transform the judiciary. The controversial 2013 Legal Practice Bill, signed into law by Zuma in September 2014, allows the state to regulate the previously self-regulating legal profession with a 22-member council (3 members of which are appointed by the justice minister) in order to facilitate racial transformation.

Judicial and prosecutorial independence have come under pressure in recent years amid the Zuma corruption cases, prompting several instances of prosecutorial misconduct. Although judicial authorities continued to push back on infringements, the most senior ANC leaders generally maintained impunity for a range of alleged offenses. The NPA has seen a string of overtly political hirings and firings, and the office appeared to be experiencing increasing infighting between Zuma allies and critics. In July 2014, Zuma announced an inquiry into NPA head Mxolisi Sandile Oliver Nxasana—who had been appointed less than a year earlier but was apparently already at loggerheads with Zuma allies in the authority—after it was reported that he had been denied a security clearance because he had not disclosed that he had faced a charge of murder when he was 18 years old. (He had been acquitted of the murder charge on self-defense grounds.) In December 2014, Anwa Dramat, the head of the Hawks—a police body charged with investigating corruption, organized crime, and other serious crimes—was suspended over alleged involvement in the illegal rendition of Zimbabwean migrants; critics claimed that the suspension was in retaliation for his investigation of senior ANC officials, including Zuma.

Judicial staff and resource shortages undermine defendants’ procedural rights, including the rights to a timely trial and state-funded legal counsel. According to a Judicial Inspectorate for Correctional Services (JICS) report released in October 2014, there were more than 44,000 pretrial detainees in 2014, out of a total prison population of more than 154,000; more than 18,000 pretrial detainees, or 41 percent, were juveniles and children. Pretrial detainees wait an average of three months before trial, and some beyond the legal maximum of two years. Lower courts have proved more susceptible to corruption than the higher panels, and there have been reports of physical intimidation of judges and magistrates.

Customary law plays a significant role in areas that under apartheid had been designated as land reserves for the black population. Traditional councils in these areas have authority over some aspects of local administration and can enforce customary law, provided it does not contravene the constitution. While this policy reduces the burden on state courts, customary law is replete with discriminatory provisions affecting women and certain minorities.

Despite constitutional prohibitions and some government countermeasures, there are many reports of police torture and excessive force during arrest, interrogation, and detention. Prisons are often plagued by overcrowding, inadequate health care, and abuse of inmates by staff or other prisoners. The JICS investigates prisoners’ complaints but has limited resources and capacity. According to the October 2014 JICS report, there were 4,203 inmate complaints of assault by prison officials from April 2013 to March 2014, an increase of 25 percent over the previous year, and complaints of assault by other inmates increased 48 percent.

South Africa has one of the highest rates of violent crime in the world. After declining in recent years, murder, attempted murder, and armed robbery increased in the 12 months ending March 2013 and again in the 12 months ending March 2014; overall rates of assault declined in the latter period. The Zuma administration has given the police more latitude to use force against criminals. Mostly due to police incapacity, vigilantism is a problem.

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 and the Office of the Public Protector are empowered to investigate and prosecute discrimination cases. Affirmative action legislation has benefited previously disadvantaged groups (defined as “Africans,” “Coloureds,” “Asians,” and “Chinese”) in public and private employment as well as in education. Racial imbalances in the workforce persist, and a majority of the country’s business assets remain white owned. The government’s Black Economic Empowerment program aims to increase the black stake in the economy, mostly by establishing race-based ownership thresholds for government tenders and licenses.

The number of foreign nationals in South Africa is uncertain, with estimates ranging from two to seven million, including between one and three million Zimbabweans. South Africa now receives the third-highest number of asylum applications in the world—overwhelmingly from other African countries. It accepts only about 150 percent of applicants, and in November 2014 it released a draft asylum form to try to deter economic migrants, which make up the vast majority of applicants. Conditions at migrant detention centers are poor, and deportees are subject to physical and sexual abuse by police and immigration officers. Increased immigration, particularly from Zimbabwe, Mozambique, and Somalia, has spurred xenophobic violence by police and vigilantes. Sporadic attacks continued in 2014, often tied to wider service-delivery protests in which immigrants were scapegoated.

The indigenous, nomadic Khoikhoi and Khomani San peoples suffer from social and legal discrimination.

South Africa has one of the world’s most liberal legal environments for LGBT (lesbian, gay, bisexual, and transgender) people. Discrimination on the basis of sexual orientation is prohibited in the constitution; a 2002 Constitutional Court ruling held that same-sex couples should have the same adoption rights as heterosexual married couples; and the 2006 Civil Unions Act legalized same-sex marriage. Nevertheless, societal bias remains strong. LGBT people are routinely subject to physical attacks, including an increase in instances of so-called corrective rape, in which lesbians are raped by men who claim this can change the victim’s sexual orientation.

#### **G. Personal Autonomy and Individual Rights: 11 / 16**

While there are no official restrictions on housing, employment, or freedom of movement for most South Africans, freedom of movement and some other personal freedoms are inhibited by country’s high crime rate. In addition, the economic and spatial legacy of apartheid continues to segregate the population and restrict nonwhite opportunity.

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 9 percent of the population. As a result, thousands of black and mixed-race farmworkers suffer from insecure tenure rights. Illegal squatting on white-owned farms is a serious problem, as are attacks on white owners. The government vowed to transfer 30 percent of land to black owners by 2014; however, only about 7 percent of land has been transferred since 1994. A 2013 government land audit revealed the state owns between 14 and 21 percent of the country’s land. The ANC government proposed a number of bills in 2014 to implement a more aggressive “just and equitable” approach to land reform, echoing language in the



constitution, though most of these are still in preliminary stages. In June, Zuma signed an amendment to the 1994 Restitution of Land Rights Act that reopened the land-claims process for another five years.

The constitution guarantees and the Commission on Gender Equality promotes equal rights for women. While the constitution allows the option and practice of customary law, it does not allow such law to supersede women's rights as citizens. Nevertheless, women suffer de facto discrimination with regard to marriage (including forced marriage), divorce, inheritance, and property rights, particularly in rural areas. A Traditional Courts Bill, which sparked concerns among civic groups about women's rights, was withdrawn in February 2014 amid opposition.

Despite a robust legal framework criminalizing domestic violence and domestic rape, both are grave problems. Only a small percentage of rapes is reported. Women are also subject to sexual harassment and wage discrimination in the workplace and are not well represented in top management positions. Women are better represented in government, holding 41.5 percent of the seats in the NA. Two of the nine provinces are led by female premiers.

## ↓ South Korea

**Political Rights Rating:** 2

**Population:** 50,424,000

**Civil Liberties Rating:** 2

**Capital:** Seoul

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Trend Arrow:** South Korea received a downward trend arrow due to the increased intimidation of political opponents of President Park Geun-hye and crackdowns on public criticism of her performance following the *Sewol* ferry accident.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	2,2,F	2,2,F

### INTRODUCTION

The South Korean ferry *Sewol* capsized in April 2014, resulting in the loss of 304 of 476 passengers in one of the worst maritime disasters in South Korean history. Public outcry arose over what was perceived as untimely, disorganized, insensitive, and generally inadequate responses from the government in the handling of the incident, as well as questionable safety conditions that caused the disaster. Further controversy ensued over President Park Geun-hye's attempts to downplay government culpability. The captain—who was the first to be rescued—became a target of public outcry, as well as the operator and regulators who oversaw the operations; criminal charges were brought against all of them in May.

In an effort to control rumors about and criticism of the president in the wake of the disaster, a cyberinvestigation team was established in September 2014 to monitor social media and censor or prosecute those perceived as defaming Park. This led to millions of South Koreans seeking “cyberasylum” by using foreign-based social media platforms. It also resulted in an overall distrust in government.

In August, Japanese journalist Tatsuya Kato was arrested on defamation charges for republishing in Japan's *Sankei Shimbun* newspaper false rumors about Park's absence during

the *Sewol* ferry incident, which had originally appeared in South Korean media. Kato, who was banned from leaving the country, entered a plea of “not guilty” at the start of his trial in December.

Also in December, the Constitutional Court of Korea ruled to dissolve the Unified Progressive Party (UPP) on the grounds that its pro–North Korean ideology posed a threat to the South Korean government. The decision was the first time a South Korean political party has been forcibly disbanded.

**POLITICAL RIGHTS:** 34 / 40 (–1)

**A. Electoral Process:** 11 / 12

The 1988 constitution vests executive power in a directly elected president, who is limited to a single five-year term. In the 2012 presidential election, Park of the Saenuri Party defeated Democratic United Party (DUP) candidate Moon Jae-in 52 percent to 48 percent.

Of the unicameral National Assembly’s 300 members, 246 are elected in single-member districts and 54 are chosen through proportional representation, all for four-year terms. In the July 2014 by-elections for the National Assembly, the ruling Saenuri Party won in 11 of the 15 districts, including 5 districts in Seoul; the primary opposition party, New Politics Alliance for Democracy (NPAD), won only four races. The UPP and Labor Parties failed to win any seats. This gave Saenuri Party 158 seats, NPAD 130, the UPP 5, the Justice Party 5, and independents 2. Voter turnout was low at 32.9 percent.

In the June 2014 local elections, which were largely seen as a reflection of public opinion regarding Park’s handling of the *Sewol* ferry accident, voter turnout was around 56.8 percent. The results were split between Saenuri and NPAD, contrary to what many assumed would be an overwhelming win for the opposition.

In September, the Seoul Central District Court found former intelligence chief Won Sei-hoon guilty of violating a law that bans the National Intelligence Service (NIS) from becoming involved in domestic politics. Won was convicted for the actions of NIS officials, who posted more than 1.2 million pro–Park Geun-hye messages online during the 2012 presidential election. He was dismissed on a separate charge of violating a provision of the election law that prohibits public servants from interfering in elections, for lack of evidence that he had actually ordered his agents to support or oppose any specific candidate. Two other former senior NIS officials associated with the scandal were also sentenced to a year in prison for violating the ban on NIS political involvement, though their sentences were suspended.

**B. Political Pluralism and Participation:** 13 / 16 (–1)

Political pluralism is robust, with multiple parties competing for power. The two dominant parties during the 2014 elections were the ruling Saenuri Party and the NPAD, though party structures and coalitions are relatively fluid.

In December 2014, in an 8 to 1 vote, the Constitutional Court called for the immediate dissolution of the pro–North Korean UPP and the removal of its five elected National Assembly members. The lone dissenting voice on the court cautioned against overgeneralization of the party’s activities based on the actions of a few. The action was the culmination of a 2013 Ministry of Justice petition to disband the UPP following the arrests of its leader, Lee Seok-ki, and other UPP party members on charges of plotting a North Korean insurgency and violating the National Security Act. The UPP claimed to be an oppressed minority party and accused the NIS of fabricating evidence against Lee, who had been sentenced to 12 years in prison in February 2014. Conservatives hailed the outcome as a victory of “free democracy,” while opposition activists and political leaders had more mixed reactions.

International organizations, such as Amnesty International, said the decision calls into question South Korea's commitment to freedom of expression and assembly.

In order to restrict the power of the ruling party, the 2012 National Assembly Advancement Act requires a three-fifths majority to bring closely contested bills from standing committees to the plenum for a floor vote. In practice, this has made the National Assembly prone to deadlock. No bills were passed by the National Assembly from May to October 2014, when efforts were focused on passing a bill that stipulated the role and powers of a new committee responsible for conducting an investigation into the *Sewol* ferry incident. Once the *Sewol* bill passed, the National Assembly passed 91 bills in less than two hours.

### **C. Functioning of Government:** 10 / 12

Despite government anticorruption efforts, bribery, influence peddling, and extortion persist in politics, business, and everyday life. South Korea was ranked 43 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

Cases of NIS tampering in domestic political affairs continue to come to light. In January 2014, the Seoul Central District Court sentenced former NIS chief Won—separately convicted for tampering with the 2012 presidential election—for accepting bribes in 2009 and 2010 from the head of Hwangbo Construction in exchange for helping the company acquire construction projects. Won was sentenced to two years in prison and fined 160 million won (\$140,000).

In April 2014, an appeals court upheld a lower-court ruling that acquitted Yu Woo-sung, a North Korean defector in South Korea working for the Seoul municipal government, of spying for North Korea after an NIS agent and an NIS informant were indicted for forging documents to frame him. NIS second deputy director Suh Cheon-ho resigned as a result, and both NIS director Nam Jae-jun and President Park made public apologies for the service's actions.

In mid-May, an estimated 50,000 people staged a candlelight vigil in Seoul to protest the Park administration's mishandling and misreporting of the *Sewol* ferry incident. Protests continued throughout the summer, demanding a full investigation and accountability. At the center of the protests was a public belief that collusion between government and business were to blame for the negligence behind the accident.

### **CIVIL LIBERTIES:** 50 / 60

#### **D. Freedom of Expression and Belief:** 13 / 16 (-1)

The news media are generally free and competitive. Newspapers are privately owned and report aggressively on government policies and alleged official and corporate wrongdoing. However, although media censorship is illegal, official censorship, particularly of online content, increased during Lee Myung-bak's 2008–13 presidency. Under the National Security Law, enacted in 1948 to prevent espionage and other threats from North Korea, listening to North Korean radio is illegal, as is posting pro-North messages online; authorities have deleted tens of thousands of web posts deemed to be pro-North. The Office of the UN High Commissioner for Human Rights and Amnesty International have called for the law to be scaled back or repealed, insisting that its broadly written provisions are being abused to silence political opposition. The government has also attempted to influence reporting by media outlets and has interfered with the management of major broadcast media.

The August 2014 indictment of Japanese reporter Tatsuya Kato raises additional questions about South Korea's press freedoms. Kato, the former Seoul bureau chief for *Sankei Shimbun*, was charged with defamation of President Park for an August 2 report that printed rumors that the president was absent for seven hours during the *Sewol* ferry incident

while with a married man. The rumors originally appeared in the South Korean press, but only Kato has been indicted for reporting the falsehood. His trial began in December.

The government generally respects citizens' right to privacy. A wiretap law sets the conditions under which the government may monitor telephone calls, mail, and e-mail. In September, the Public Prosecutor's Office established an antidefamation cyberinvestigation team after Park claimed rumors about her in the wake of the *Sewol* tragedy were unacceptable. The team censored and prosecuted suspects of online defamation of the president that took place over Twitter, other social media, and text messaging. The investigation team used KakaoTalk, South Korea's most popular social media and text messaging service, to seek out defamation cases. Millions of KakaoTalk users sought "cyberasylum" by switching to non-South Korean-based social media platforms. In a public opinion survey conducted by the Centre for International Governance Innovation between October 7 and November 12, more than 7 out of 10 South Koreans said they were concerned that police or government agencies would secretly monitor their online activities.

The constitution provides for freedom of religion. Academic freedom is unrestricted, though the National Security Law limits statements supporting the North Korean regime or communism.

#### **E. Associational and Organizational Rights:** 11 / 12

The government generally respects freedoms of assembly and association, which are protected under the constitution. However, several legal provisions conflict with these principles, creating tension between the police and protesters over the application of the law. For instance, the Law on Assembly and Demonstration prohibits activities that might cause social unrest. Police must be notified of all demonstrations. Local nongovernmental organizations (NGOs) have alleged that police who mistreat demonstrators have not been penalized equally with protesters under this law.

Human rights groups, social welfare organizations, and other NGOs are active and generally operate freely. The country's independent labor unions advocate workers' interests, organizing high-profile strikes and demonstrations that sometimes lead to arrests. However, labor unions in general have diminished in strength and popularity, especially as the employment of temporary workers increases.

#### **F. Rule of Law:** 13 / 16

South Korea's judiciary is generally considered to be independent. 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 generally respect juries' decisions. Reports of beatings or intimidation by guards in South Korea's prisons are infrequent.

Cases of bullying and violence in South Korea's military have been on the rise. From April to August 2014, at least four conscript suicides were reported that may have been tied to hazing. In June, a sergeant killed five soldiers in a shooting spree at a military guard post in revenge for bullying. In July, the death of a soldier was blamed on beatings from his peers. The military is working to prosecute these cases.

The country's few ethnic minorities face legal and societal discrimination. Residents who are not ethnic Koreans face extreme difficulties obtaining citizenship, which is based on parentage rather than place of birth. Lack of citizenship bars them from the civil service and limits job opportunities at some major corporations.

Same-sex sexual relations are legal, but same-sex marriage is not. Such relationships are gaining acceptance, but still remain largely hidden. In October 2014, Seoul mayor Park Won-soon became the first major South Korean politician to endorse same-sex marriage.

Gender reassignment surgery is permitted by law to citizens over 20 years of age, though only after the completion of or exemption from military service. Since a 2003 Supreme Court ruling, transgender people have had the right to change their gender designations and names in official documents. In December 2014, the Seoul Metropolitan Government planned to enact the Human Rights Charter for Seoul Citizens, which would have included freedom from discrimination on the basis of sexual orientation or sexual identity; however, the last six public hearings about the charter were protested by antigay Christian groups, and failure to reach an agreement over the language of the antidiscrimination clause caused the charter to fail.

With more than 27,000 North Korean defectors resettled in South Korea, defectors' rights have come under scrutiny. In July 2014, the NIS announced measures to reform interrogation procedures for North Korean defectors trying to enter the country. Other measures included open-door interrogations, and plans to hire full-time female attorneys (as the majority of defectors are female).

#### **G. Personal Autonomy and Individual Rights:** 13 / 16 (+1)

Travel both within South Korea and abroad is unrestricted, except for travel to North Korea, which requires government approval. Korea fully recognizes rights of private ownership and has a well-developed body of laws governing the establishment of corporate and other business enterprises.

South Korean women enjoy legal equality and a 2005 Supreme Court ruling grants married women equal rights with respect to inheritance. Women face some social and employment discrimination in practice, and continue to be underrepresented in government. Female workers earn only 44 percent of their male counterparts.

## South Sudan

**Political Rights Rating:** 7↓

**Population:** 11,739,000

**Civil Liberties Rating:** 6

**Capital:** Juba

**Freedom Rating:** 6.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Ratings Change:** South Sudan's Political Rights Rating deteriorated from 6 to 7 to reflect the intensification of the civil war, which derailed the electoral timetable and led the warring sides to commit serious human rights abuses, some of which were planned and directed against ethnic rivals in an effort to seek political advantage.

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	—	—	—	—	—	—	6,5,NF	6,5,NF	6,6,NF	7,6,NF

#### **INTRODUCTION**

A political dispute between South Sudan's president Salva Kiir and his former vice president, Riek Machar, triggered intraarmy clashes at the end of 2013 that tipped the country into a full-scale civil war in 2014. The fighting quickly assumed ethnic dimensions, with targeted killings carried out by both sides. As in previous conflicts, civilians were not only

caught up in the fighting, but were specifically targeted by the combatants—even as they took shelter in hospitals, places of worship, and UN facilities.

Serious fighting engulfed 3 of South Sudan's 10 states, with the heaviest clashes taking place in the oil-producing states of Upper Nile and Unity, as well as in adjacent Jonglei state; in all three states, large numbers of soldiers from the Sudan Peoples' Liberation Army (SPLA) defected to the opposition. Both sides drew support from an assortment of domestic and foreign militia groups.

A cessation of hostilities agreement reached in January made little difference on the ground. Both sides continued to interfere with humanitarian access to the worst-affected areas and appeared immune to international pressure, including the announcement of sanctions by the United States and European Union against some of the key protagonists. Negotiations dragged on, with neither side showing any urgency to end the fighting.

By the end of the year, an estimated 1.9 million people had been displaced by the conflict. Almost 100,000 were taking shelter at UN bases throughout the country. The scale of disruption led to severe food shortages and warnings of famine by mid-year. Although conditions stabilized somewhat in the following months, the United Nations estimated that 6.4 million people would face food insecurity at the start of 2015. Estimates of the dead varied wildly but the International Crisis Group considered its figure of 50,000 to be conservative.

**POLITICAL RIGHTS:** 2 / 40 (-6)

**A. Electoral Process:** 3 / 12 (-1)

Kiir was elected president of the semiautonomous region of Southern Sudan in 2010, and became president of South Sudan when it achieved independence in 2011. A revised version of Southern Sudan's 2005 interim constitution, adopted at independence, gives sweeping powers to the executive. The president cannot be impeached and has the authority to fire state governors and dissolve the parliament and state assemblies. Kiir made use of his wide powers in 2013, dismissing his entire cabinet and the vice president. He also fired two state governors and missed constitutional deadlines to elect permanent replacements.

A permanent constitution was due to be passed by 2015, but work has been hampered by administrative delays, budget shortfalls, and the outbreak of civil war. A 55-member National Constitutional Review Commission, established in 2012, has yet to produce a draft. Some opposition politicians boycotted the constitutional consultation process, claiming it was insufficiently inclusive and was dominated by members of the ruling Sudan People's Liberation Movement (SPLM).

South Sudan's bicameral National Legislature was reconfigured after independence. The SPLM holds 90 percent of the 332 seats in the lower house, the National Legislative Assembly (NLA). In addition to members of the old, preindependence Southern legislature—who were elected in 2010—the chamber includes 96 former members of Sudan's National Assembly and 66 additional members appointed by the president. The upper chamber, the Council of States, includes 20 former members of Sudan's Council of States, plus 30 members appointed by Kiir. In principle, significant powers are devolved to the 10 state assemblies. Nine of the 10 state governors are members of the SPLM.

Preparations for the country's first national elections, scheduled for 2015, have been derailed by the outbreak of the civil war. Although an elections act was passed and a National Elections Commission established in 2012, the government and the international community largely concur that elections cannot happen until peace is secured and a transitional political arrangement agreed. International negotiators are pushing for a broad-based transitional

government to be established, but talks have stalled over the roles that Kiir and Machar would play in this arrangement, among other issues.

**B. Political Pluralism and Participation:** 0 / 16 (-2)

Opposition parties currently have no chance of winning real political power. Five opposition parties are represented in the NLA, but they lack both the resources to operate effectively and the experience to formulate policy and set party platforms. The SPLM is intolerant of opposition. It has repeatedly accused the largest opposition party, the Sudan People's Liberation Movement for Democratic Change (SPLM-DC), of supporting armed groups and has threatened to rescind its party registration. The derailment of electoral preparations by the civil war removed what little opportunity there might have been for the opposition to gain power.

The SPLM is also deeply intolerant of internal dissent. The December 2013 crisis was preceded by Kiir's decision to marginalize a significant portion of South Sudan's political leadership, his refusal to convene a meeting of the SPLM's executive body to discuss complaints about his governing style, and his failure to promote internal party democracy. Kiir has been accused of allowing his decisions to be led by a group of close advisers, described by his opponents as "regional and ethnic lobbies and close business associates." Accusations persist that members of the country's largest ethnic group, the Dinka, dominate the SPLM's leadership and the security services to the detriment of others.

South Sudan's military, the SPLA, continues to exercise strong influence over political affairs.

**C. Functioning of Government:** 1 / 12 (-1)

Endemic corruption has shattered public confidence in the state. South Sudan is ranked fifth from the bottom of the 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. Government appointments are typically handed to SPLM loyalists or potential rivals with little regard for merit, and corrupt officials take advantage of inadequate budget monitoring to divert public funds. Ghost workers are used to artificially inflate the public payroll, allowing corrupt officials to steal the surplus.

In 2014, President Kiir and the ruling clique around him operated in an increasingly opaque, authoritarian manner. Civil society had little to no impact upon policy and was cut out of deliberations over a new constitution and peace talks to end the civil war.

Opaque management of South Sudan's abundant oil wealth, which accounts for about 90 percent of government revenue, allows some SPLM officials to line their own pockets without consequences. In 2012, President Kiir accused 75 current and former officials of stealing a total of \$4 billion. He demanded the return of the money, but no further action has been taken.

A government committee formed in May 2014 looking into the misappropriation of tax revenues found that the Civil Aviation Authority had collected approximately \$2.2 million in landing fees between mid-2013 and mid-2014 but had not remitted any funds to the Ministry of Finance.

**Discretionary Political Rights Question B:** 2 / 0 (-2)

In both government-controlled areas and parts of the country occupied by Machar loyalists, combatants have engaged in targeted killings against opponents based on their ethnicity in order to pursue vendettas and seek political gain. The Dinka-dominated government forces particularly target Nuer individuals and vice versa. While some of these atrocities were the result of poorly disciplined fighters acting on their own initiative, others appear to have been officially planned and coordinated.

Members of the Nuer ethnic group were targeted at the outset of the fighting in Juba, in December 2013. During the height of the fighting in Bentiu, in April 2014, men purporting to be government officials broadcast hate speech on the radio, urging reprisal attacks against Dinka members of the community. The broadcast occurred within hours of one of the worst atrocities of the war to date, when opposition fighters killed hundreds of civilians in and around Bentiu's main mosque.

According to a May report by the UN Mission in South Sudan (UNMISS), many attacks demonstrated organization and adherence to command structures. Human Rights Watch accused both the government and opposition forces of committing "extraordinary acts of cruelty that amount to war crimes and in some cases potential crimes against humanity." Neither side has made serious efforts to hold anyone accountable.

**CIVIL LIBERTIES:** 15 / 60 (-9)

**D. Freedom of Expression and Belief:** 4 / 16 (-3)

The operating environment for journalists has deteriorated since independence. Conditions became even more difficult with the outbreak of the civil war, which prompted a government crackdown on reporters, including some foreign correspondents, who tried to interview rebel leaders or provide balanced coverage of the conflict. As a result, many reporters exercise self-censorship, while others have left the country altogether. In December, the head of the Union of Journalists of South Sudan estimated that 32 incidents of harassment or detainment of members without cause had occurred since the start of the conflict. Internet use is negligible.

According to Human Rights Watch, members of the National Security Service (NSS) ordered the closure of one newspaper, *Almajhar Alsayasy*, in early 2014, and seized editions of the weekly newspaper the Juba Monitor on eight occasions. In August, a Catholic radio station, Radio Bahkita, was closed down for several weeks for its coverage of the civil war. Little progress appears to have been made in arresting the murderer of an online journalist and critic of the government, Diing Chan Awuol, who was shot dead on his doorstep in 2012.

Although parliament has passed bills to govern public broadcasting in South Sudan, to set up a media oversight authority, and to guarantee the public right of access to information, none of the bills has yet been implemented.

The interim constitution guarantees religious freedom, but places of worship became targets for attack by both sides in the conflict after the civil war broke out. During the fighting in Malakal, Bor, and Bentiu, thousands of people taking refuge in churches and mosques became subject to attacks based on their ethnicity.

There are no restrictions on academic freedom, though basic access to education is limited outside state capitals. The education system has been seriously disrupted by the civil war. Some 70 percent of schools were closed in the three most conflict-affected states, Jonglei, Unity, and Upper Nile, and some schools have been commandeered for military use. At the country's main institution of higher learning, Juba University, classes were suspended for several weeks in early 2014 and Nuer students were reportedly targeted in ethnically motivated violence.

Public discussion of political issues is muted for fear of harassment by authorities. The government uses the NSS to track and intimidate perceived critics and is believed to use telephone surveillance to monitor opponents.

**E. Associational and Organizational Rights:** 3 / 12

Freedoms of assembly and association are enshrined in the interim charter but have been seriously eroded in practice. Protests do occur but have faced excessive governmental force.



South Sudan is highly dependent on assistance from foreign nongovernmental organizations (NGOs), yet the government has taken an increasingly confrontational approach toward them. In September 2014, South Sudan's labor minister gave NGOs one month to replace their foreign staff with locals. Although the order was later effectively withdrawn, an effort to tightly regulate the operations of NGOs has been tabled in the National Assembly. NGO offices, vehicles, and supplies have been routinely looted as the civil war has escalated.

Relations between the government and UNMISS sharply deteriorated in 2014. Armed groups have singled out UNMISS personnel and civilians in their care for attack. In April, an armed mob launched an assault on a UN compound in Bor, where approximately 5,000 civilians were sheltering. Both sides in the civil war have interfered with the delivery of humanitarian supplies.

Domestic civil society organizations, including unions, remain nascent. A Workers' Trade Union Federation, formed in 2010, has 65,000 members. Legislation to codify labor rights has stalled in the National Assembly.

#### **F. Rule of Law: 1 / 16**

The interim constitution provides for an independent judiciary. There are allegations that the government has used the courts to harass Kiir opponents. The court system is under huge strain. According to the U.S. State Department, pretrial detainees were estimated to account for between one-third and two-thirds of the prison population. Inefficiencies in the justice system have led to indefinite detention.

The president was accused of using the December 2013 crisis as a pretext to detain prominent political rivals after 11 current and former senior SPLM officials were arrested on suspicion of involvement in an attempted coup. All members of the group were released by late April 2014 following pressure from the international community. However, a spokesman for the government threatened to detain them again if they did not "change their attitude."

There is a culture of impunity within the security forces, with serious abuses carried out against civilians, reportedly with the full knowledge or on the orders of senior commanders. The NSS is an unregulated agency reporting directly to the president, and has been responsible for arbitrary arrests and abuses. A bill to further expand its powers appeared to be in legal limbo at year's end.

Members of the SPLA, the South Sudan National Police Service (SSNPS), and the NSS have played a central role in the violence that has engulfed South Sudan since December 2013. UNMISS and human rights organizations have accused members of the security services of involvement in extrajudicial killings, attacks on civilians, enforced disappearances, destruction of property, and sexual violence. Various branches of the security forces set up investigative teams in January and February to look into allegations of serious human rights violations carried out during the ongoing civil war, but few details have been released about their inquiries and they appear to have made little progress.

While there have been modest improvements to the penal system, prison facilities are poor, with unsanitary conditions and insufficient food for inmates. Children and the mentally ill are routinely detained with the general prison population.

Civilians, including children, the elderly, and the infirm, have been terrorized by both sides in the civil war. For example, at least twice in February, opposition militia members shot patients at Malakal Teaching Hospital who were not from the Nuer ethnic group.

Since the war for independence from Sudan ended in 2005, more than two million refugees and internally displaced people have moved back to the South. The government encouraged their return but has largely failed to provide them with even the most basic assistance.

Same-sex sexual conduct is not explicitly illegal in South Sudan, but “carnal intercourse against the order of nature” is punishable by up to 10 years in prison. LGBT (lesbian, gay, bisexual, and transgender) individuals face widespread discrimination and stigma.

#### G. Personal Autonomy and Individual Rights: 5 / 16

South Sudan’s interim constitution enshrines the rights of free movement and residence, as well as the right to an education. In reality, poverty, poor to nonexistent service delivery, and renewed conflict have restricted the ability of most citizens to exercise these rights.

Land use and ownership are frequent causes of conflict in South Sudan, and returning refugees have exacerbated the problem. Unclear or nonexistent laws have been exploited by SPLM officials and overseas investors to uproot people from their land. Foreign workers in South Sudan have complained of harassment and discrimination. Both sides in the civil war have reportedly looted foreign-owned businesses.

The interim constitution guarantees the rights of women to equal pay and property ownership. Women hold a quarter of the posts in the NLA, fulfilling a constitutional gender quota. Nonetheless, women are routinely exposed to discriminatory practices and domestic abuse. The prevalence of child marriage contributes to low levels of educational attainment among girls. Official figures suggest that almost half of girls aged 15 to 19 are married. Cases of sexual violence against women soared following the outbreak of the civil war.

According to UNICEF, both sides in the civil war have enlisted child soldiers. It accused the White Army, a Nuer militia nominally linked to former vice president Machar, of mobilizing thousands of underage soldiers, and claimed that the government sent children to the front lines during fighting in Bentiu in August.

## Spain

**Political Rights Rating:** 1

**Population:** 46,453,000

**Civil Liberties Rating:** 1

**Capital:** Madrid

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

#### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

#### INTRODUCTION

Regional tensions heated up in 2014 in Catalonia, which had planned to hold a referendum on independence in November. After Spain’s Constitutional Court outlawed the vote, a symbolic referendum was held instead.

In June, King Juan Carlos I abdicated the throne, naming his son, Felipe, as his successor. While King Juan Carlos enjoyed high popularity throughout the majority of his reign, the royal family has recently fallen out of favor with the public due to scandals. Upon succeeding to the throne in July, King Felipe VI vowed to make the royal family’s finances more transparent as part of a wider strategy of cleaning up the monarchy.

In January 2014, Spain became the second European Union (EU) country to exit its bailout program since the economic crisis began in 2008. However, low inflation in late 2014 prompted fears of a future deflationary spiral. Stringent austerity measures continue.

**POLITICAL RIGHTS:** 39 / 40**A. Electoral Process:** 12 / 12

The lower house of Spain's bicameral parliament, the Congress of Deputies, is comprised of 350 members elected in multimember constituencies, with the exception of the North African enclaves of Ceuta and Melilla, each of which is assigned one single-member constituency. The Senate has 264 members, 208 of whom are elected directly, and 56 of whom are chosen by regional legislatures. Spain's national and regional elections are generally considered free and fair. Members of both the Senate and Congress serve four-year terms. The royal family plays a largely ceremonial role.

Following legislative elections, the monarch selects a candidate for prime minister, generally the leader of the majority party or coalition. The parliament then votes on the selected candidate. With powerful regional parliaments, Spain is one of the most decentralized countries in Europe.

In general elections held in November 2011, the right-wing Popular Party (PP) trounced the center-left Socialist Party (PSOE), capturing 186 seats in the lower house. The PSOE took only 111 seats, its worst showing in 30 years. PP leader Mariano Rajoy Brey replaced the PSOE's José Luis Rodríguez Zapatero as prime minister.

**B. Political Pluralism and Participation:** 16 / 16

Citizens have the right to organize political parties and other competitive groupings of their choice. While a two-party system traditionally limited power to the right-wing PP and the center-left PSOE, recent corruption scandals and persistent economic woes have weakened their grip. In May 2014 European Parliament elections, Podemos, a new, leftist party, managed to capture nearly 8 percent of the vote, winning five seats. While regional electoral reforms have made it more difficult for small parties to win seats, some—such as the left-wing United Left party and the liberal Union, Progress and Democracy party—siphoned votes from the leading parties during the European Parliament elections.

Catalan regional tensions have continued to cause antagonism in Spain. While Catalonia is already autonomous—a distinction that facilitates a certain degree of self-governance—the wealthy region planned to hold a referendum on independence in 2014. After Spain's Constitutional Court suspended the legal basis for the referendum on November 4, however, Catalan regional authorities instead chose to hold a symbolic referendum on November 9. While turnout was much lower than expected, mobilizing less than 50 percent of Catalans, 80 percent of those who voted were in favor of leaving the union. Subsequently, the governments of Spain and Catalonia agreed to hold talks aimed at improving their relationship. Among the issues to be discussed was a reform of Spain's system to finance its 17 autonomous communities.

**C. Functioning of Government:** 11 / 12

A 2010 survey from Transparency International—which ranks Spain 37 out of 175 countries and territories in its Corruption Perceptions Index—found that political parties are popularly viewed as the institution most affected by corruption. Campaign financing is a particular point of contention. While more than three-quarters of party expenses are funded by the state, a 2007 law confirmed the right of political parties to use commercial bank loans

for funding. An EU Commission report released in February 2014 shows that while parties borrowed extensively during years of prosperity, controls over loans were compromised by undue political influence on bank boards. In 2012, Spain strengthened rules on political financing by restricting access to loans, increasing transparency, and establishing an audit framework; the effectiveness of the reforms is still unclear.

High-profile corruption investigations continued to plague the royal family in 2014. King Juan Carlos I's daughter, Princess Cristina, was charged with corruption and tax fraud. She will stand trial in 2015 along with her husband, Iñaki Urdangarín, who has been accused of embezzling several million euros in public funds in his role as chairman of a charitable organization.

Upon taking the throne, King Felipe VI began establishing rules to reform the monarchy. Among them are increased transparency of royal funds—including external audits that will be made public, a prohibition on members of the royal family working outside the palace; and greater controls on gifts to the royal family. Under the new rules, Felipe's sisters, Elena and Cristina, will retain their titles but will no longer be considered part of the royal family as they work in the private sector.

Although the courts have a solid record of investigating and prosecuting corruption cases, the high workload means that courts are often overburdened and cases proceed very slowly.

#### **CIVIL LIBERTIES: 57 / 60**

##### **D. Freedom of Expression and Belief: 15 / 16**

Spain has a free and active press, with more than 100 newspapers covering a wide range of perspectives and actively investigating high-level corruption. Despite this dynamic environment, excessive political intervention into the creation and staffing of television and radio stations has posed a threat to freedom of expression, especially at the regional and local levels.

The Spanish press has also suffered from ownership consolidation. Most broadcast media, as well as newspapers and magazines, are now controlled by a limited number of media groups. According to a December 2013 study from the Madrid Press Association, some 4,400 journalists lost their jobs in 2013 as a result of the closure of 73 media organizations.

The majority of Spaniards have access to the internet and there is no outright internet censorship. However, in 2014 Spain passed a copyright law that requires aggregators that post links and excerpts of news articles to pay a fee to the association of Spanish newspapers, with potential fines of up to €600,000 (\$800,000). The law can be applied to third-party sites providing hosting or payment services to an infringing site. In response, Google removed Spanish publishers from Google News and shut the site down in Spain.

Freedom of religion is guaranteed by the constitution and other laws. As the nation's dominant religion, however, Roman Catholicism enjoys privileges not afforded to others, such as financing through the tax system. The role of Catholicism in politics is strong, with the PP pushing conservative values. Nevertheless, proposed legislation that would have made it more difficult for women to obtain abortions was abandoned in September 2014. Jews, Muslims, and Protestants have official status through bilateral agreements with the state; other groups, including Jehovah's Witnesses and Mormons, have no such status. In May, Spain approved a bill allowing descendants of Sephardic Jews—who were forced to flee during the inquisition of 1492—the right to dual-citizenship. No similar provision was made for Muslims, who were expelled by Spain's Catholic leadership in the 1600s.

While the government does not restrict academic freedoms, necessary cuts to education funding have weakened the system, disproportionately affecting lower-income students.

**E. Associational and Organizational Rights: 12 / 12**

The constitution provides for freedom of assembly, a right that the government has long respected. However, the new Public Security bill, approved by parliament in late 2014 and expected to pass in the Senate, would introduce fines for unauthorized protesters up to €600,000 (\$800,000). Burning flags, demonstrating outside government buildings, insulting police officers, or disseminating photographs of members of the police force will also carry fines, and authorities could punish protesters without guarantee of judicial process. In December, large demonstrations against the bill took place across the country. Sizeable antiausterity protests and strikes have also become common in Spain.

Domestic and international nongovernmental organizations operate without government restrictions. With the exception of members of the military, workers are free to strike, organize, and join unions of their choice.

**F. Rule of Law: 15 / 16**

The constitution provides for an independent judiciary. Politicians elect members of some important judicial institutions, such as the Constitutional Court and the Office of the General Public Prosecutor. By removing the power of judges to nominate members of the General Council of the Judiciary and reducing the number of permanent positions on that body, experts believe that a 2013 reform weakens judicial independence. Court proceedings are bound by the rule of law. Prisons and detention centers are overcrowded, and police mistreatment is a concern.

Spain is a major pathway for undocumented immigrants, many of whom congregate at the Moroccan border in an attempt to reach Ceuta and Melilla. Spanish authorities are known to employ harsh tactics to restrict the movement of illegal immigrants. In February, at least 15 people drowned while police shot them with rubber bullets during an attempt to swim to Ceuta. The Public Security bill would entitle police in Ceuta and Melilla to summarily expel migrants and asylum seekers attempting to jump security barricades to reach Spanish territory, with no human rights safeguards.

Human Rights Watch raised concerns in 2014 about how budget cuts are affecting vulnerable groups. It highlighted high unemployment, restrictions on access to health care, de facto segregation of migrant neighborhoods, and anti-Roma sentiment. Racial profiling during police checks is also a persistent problem.

**G. Personal Autonomy and Individual Rights: 15 / 16**

Citizens may travel freely throughout the country and choose their residence, employment, and institution of higher education. Private business activity is largely unrestricted, although a lack of access to credit has created obstacles, especially for small and medium-sized firms.

Legal protections are in place to safeguard women from rape, domestic abuse, and sexual harassment in the workplace. In September, a proposed law that would make it more difficult for women to have abortions was struck down due to divisions in the PP. Violence against women remains a serious issue in Spain, as does human trafficking for the purposes of sexual exploitation and forced labor. Same-sex marriages are legal in Spain, and same-sex couples may adopt children.

# Sri Lanka

**Political Rights Rating:** 5

**Population:** 20,684,000

**Civil Liberties Rating:** 5↓

**Capital:** Colombo

**Freedom Rating:** 5.0

**Freedom Status:** Partly Free

**Electoral Democracy:** No

**Ratings Change:** Sri Lanka's civil liberties rating declined from 4 to 5 due to increased pressure on freedom of expression and association, including curbs on traditional media and internet-based news and opinion, and surveillance and harassment of civil society activists.

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,5,PF

## INTRODUCTION

The government, led by President Mahinda Rajapaksa of the United People's Freedom Alliance (UPFA), maintained its grip on power in 2014. However, results from provincial council elections in March and September signaled a decline in UPFA's popularity, despite the party's attempts to control its image by intimidating critical voices in the media and civil society. The party retained council control but lost seats in both elections.

Rajapaksa called for a presidential election to take place in January 2015, two years ahead of schedule. Though a strong contender, Rajapaksa faces a substantial challenge following a series of high-level defections from the ruling party and united preparations by a new opposition alliance.

In 2014, the government continued to deny allegations of war crimes committed in 2009, during the final phase of the military's campaign against the Liberation Tigers of Tamil Eelam (LTTE or Tamil Tigers) rebel group. Implementation of recommendations made in 2011 by the government-backed Lessons Learnt and Reconciliation Commission remains uneven, and in March 2014, the UN Human Rights Council mandated the UN Office of the High Commissioner for Human Rights (OHCHR) to investigate alleged wartime atrocities between 2002 and 2009. In July, the government announced the formation of a local commission of inquiry into possible war crimes that will draw on expertise from several top international legal experts.

**POLITICAL RIGHTS:** 16 / 40

**A. Electoral Process:** 6 / 12

The 1978 constitution vested strong executive powers in the president, who is directly elected for six-year terms with no term limit and can dissolve Parliament. The prime minister heads the leading party in Parliament but has limited authority. The 225-member unicameral legislature is elected for six-year terms through a mixed proportional representation system.

In an early presidential election in 2010, Rajapaksa won a second term with nearly 58 percent of the vote. His main opponent, former head of the armed forces Sarath Fonseka, received around 40 percent. In parliamentary elections also held in 2010, the ruling UPFA secured 144 of 225 seats but fell short of a two-thirds majority. The opposition United National Party (UNP) won 60 seats, the Tamil National Alliance took 14, and the Democratic National Alliance (DNA) coalition, led by the People's Liberation Front (JVP), won 7. In both elections, monitoring groups alleged inappropriate use of state resources—particularly

transport, infrastructure, police services, and the media—to benefit the ruling coalition. More than 1,000 incidents of violence, including at least four deaths, were recorded in the run-up period. In November 2014, Rajapaksa called another snap presidential election for January 2015, in what was seen as a move to renew his mandate before his waning popularity faded further. The Center for Monitoring Election Violence reported 195 instances of election-related violence and 98 instances of the misuse of state resources to the benefit of the regime between the election announcement and the end of the year.

The 18th amendment to the constitution, passed in 2010, removed the two-term limit on the presidency, allowing Rajapaksa to seek a third term. Key to the opposition platform ahead of the 2015 election was a pledge to repeal these amendments, reduce the power of the executive, and restore the independence of various oversight commissions.

**B. Political Pluralism and Participation:** 7 / 16 (+1)

A range of political parties, some of which explicitly represent the interests of ethnic and religious minority groups, are able to operate freely and contest elections. In addition to the ruling UPFA, the main parties include the center-right UNP, which has traditionally served as the main opposition to the UPFA; the Marxist Janatha Vimukthi Peramuna (JVP); the Buddhist nationalist Jathika Hela Urumaya (JHU); and the Sri Lankan Muslim Congress, the country's largest Muslim party.

The longtime ruling-coalition practice of coopting opposition members of parliament and abusing state resources during election periods was challenged in late 2014, when a number of parties and prominent politicians defected from the ruling coalition ahead of the 2015 presidential election. In November, disparate opposition groups—including the UNP, JVP, JHU and the Sri Lankan Muslim Congress—formed an alliance and selected a “common opposition candidate,” Maithripala Sirisena, a cabinet minister and former member of Rajapaksa's party. The JHU and the Muslim Congress had previously been members of Rajapaksa's ruling alliance.

Harassment of opposition politicians continues to occur. In December, the venue of a rally that was to feature Sirisena and other opposition leaders was vandalized by unknown assailants. Later that month, the headquarters of the UNP was attacked by progovernment elements that staged a protest in front of the building. In the north and east, members of Tamil political parties that do not support the government are particularly prone to threats.

**C. Functioning of Government:** 4 / 12

Some observers charge that Rajapaksa's centralized style of rule has produced a lack of transparent, inclusive policy formulation. Power is concentrated in the hands of the Rajapaksa family, who control approximately 70 percent of the national budget through various government posts. In 2014, the president maintained multiple ministerial portfolios—including defense, finance, and law and order—and his brothers served in the posts of defense secretary, minister for economic development, and speaker of Parliament. The controversial 2013 Divi Neguma Bill combined all local and provincial development agencies under his brother Basil. Following a series of challenges and delays, the department administering the newly combined portfolio commenced operations in January 2014, solidifying the executive branch's control over the country's development agenda.

Corruption remains a significant concern. The current legal and administrative framework is inadequate for promoting integrity and punishing corrupt behavior, and enforcement of existing safeguards is weak. The Commission to Investigate Allegations of Bribery or Corruption has insufficient resources and personnel to deal with a heightened level of complaints. Local activists charge that the commission has failed to investigate cases brought

to its attention; only dozens of several thousand claims are investigated each year. The government has repeatedly stalled the passage of freedom of information legislation. Sri Lanka was ranked 85 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**Discretionary Political Rights Question:** -1 / 0 (-1)

Following the end of the Sri Lankan Civil War in 2009, the traditionally Tamil areas of the north and east have seen a heightened military presence. The government has encouraged settlement by ethnic Sinhalese civilians by providing land certificates, housing, and other infrastructure with the aim of diluting Tamil dominance in these areas. In February 2014, the Northern Provincial Council passed a resolution condemning alleged land grabbing and settlement by Sinhalese.

**CIVIL LIBERTIES:** 25 / 60 (-1)

**D. Freedom of Expression and Belief:** 6 / 16 (-1)

Although freedom of expression is guaranteed in the constitution, a number of laws and regulations restrict this right, including the Official Secrets Act, antiterrorism regulations, and laws on defamation and contempt of court. State-run media outlets have fallen under government influence, while official rhetoric toward journalists and outlets that criticize the government or report on human rights or military issues has grown increasingly hostile. A number of journalists received death threats in 2014, and others were assaulted. Sunil Jayasekara, the convener of the Free Media Movement (FMM), received death threats in July, and journalists who attempted to attend FFM events also received threats on several occasions. Tamil-language outlets such as the *Uthayan* newspaper also face regular attacks and harassment; several hundred soldiers surrounded the paper's headquarters in May after it published writing and photographs commemorating a 2009 massacre by the Sri Lankan army. Past attacks on journalists and media outlets have not been adequately investigated, contributing to a climate of impunity. Online media, particularly Tamil-language news sites and other independent outlets, are subject to intermittent government-authorized blocks.

The constitution gives special status to Buddhism, and religious minorities face discrimination and occasional violence. Tensions between the Buddhist majority and the Christian minority—particularly evangelical Christian groups, which are accused of forced conversions—sporadically flare into attacks on churches and individuals by Buddhist extremists. Muslims have also faced increasing harassment in the past two years, particularly from Buddhist militant groups such as the Bodu Bala Sena (BBS, or Buddhist Power Force). In June 2014, riots and arson attacks by Buddhist mobs instigated by the BBS in several towns left at least four people dead, dozens wounded, and around 2,000 displaced. In recent years, the minority Ahmadiyya Muslim sect has also faced increased threats and attacks from Sunni Muslims, who accuse Ahmadis of apostasy.

Academic freedom is generally respected, but there are reports of increasing politicization in universities, lack of tolerance for antigovernment views, and a rise in self-censorship by professors and students. Academics who study Tamil issues have reported official harassment following their participation in conferences overseas, according to the Federation of University Teachers' Associations (FUTA). Other FUTA members have faced threats due to their activism and critiques of growing political interference in the education sector. Harassment of student leaders and activists continues to be a concern. In October, several peaceful student protests were violently dispersed, and efforts have also been made by officials to shut down student unions and suspend student activists. Mandatory "leadership training" for all university undergraduates, introduced in 2011,



continues to be conducted by the army at military camps. The curriculum allegedly promotes Sinhalese nationalist viewpoints and discourages respect for ethnic diversity and political dissent.

Authorities reportedly monitor the personal communications and activities of individuals known to be critical of the government, particularly in the Tamil-populated north and east, and a growing climate of fear dissuades many individuals from expressing dissent on politics or other sensitive matters. Former LTTE fighters and their social circles face special scrutiny and are repeatedly questioned by authorities, infiltrated by intelligence personnel, and encouraged to inform on their associates. In May 2014, Rajapaksa indicated that the government would increase online surveillance and crack down further on dissent.

#### **E. Associational and Organizational Rights: 6 / 12**

Although demonstrations occur regularly, authorities sometimes restrict freedom of assembly. Police occasionally use excessive force to disperse protesters. The army has imposed more widespread restrictions on assembly in the north and east, particularly for planned memorial events concerning the end of the war.

Nongovernmental organizations (NGOs) have experienced growing official harassment and interference, and the Defense Ministry has controlled the registration of NGOs since 2010. In July 2014, the ministry announced that NGOs are forbidden from issuing press releases, holding press conferences, or conducting trainings for journalists. Many NGOs face difficulty acquiring permits to operate in the northern and eastern areas of the country, although the United Nations and other humanitarian organizations are generally given adequate access to former conflict zones. Human rights and peace-seeking groups face surveillance, smear campaigns, death threats, disruption of activities, and criminal investigations into their funding and activities. In March, prominent human rights defenders Ruki Fernando and Father Praveen Mahesan were detained under antiterrorism laws and questioned for two days before being released following an international outcry. The local chapter of Transparency International faced increased harassment by government officials in 2014, who tried to disrupt the organization's educational and capacity-building initiatives.

Most of Sri Lanka's trade unions are independent and legally allowed to engage in collective bargaining, but this right is poorly respected. Except for civil servants, most workers can hold strikes, though the 1989 Essential Services Act allows the president to declare any strike illegal. While more than 70 percent 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, are regularly reported.

#### **F. Rule of Law: 5 / 16**

Concerns about politicization of the judiciary have grown in recent years. Judicial independence is hindered by the 18th amendment, which granted advisory powers to a parliamentary council and greater responsibility for judicial appointments to the president. The judiciary was also weakened by the replacement of Shirani Bandaranayake with government ally Mohan Peiris as chief justice of the Supreme Court in 2013. Corruption remains common in the lower courts, and judges face physical attacks, intimidation, and political interference.

Security forces have engaged in abusive practices, including arbitrary arrest, extrajudicial execution, forced disappearance, custodial rape, torture, and prolonged detention without trial, all of which disproportionately affect Tamils. Human Rights Watch in 2014 found the use of rape and other forms of sexual violence continuing against Tamil men and women

held on suspicion of links to the LTTE. Under the Prevention of Terrorism Act, suspects can be detained for up to 18 months without trial; this act and 2006 antiterrorism regulations have been used to detain perceived enemies of the government. Impunity remains the norm, as the National Human Rights Commission is empowered to investigate abuses but is characterized by insufficient authority, independence, and resources. Hundreds remained in detention without charge at the end of 2014, according to human rights watchdogs.

Of the roughly 11,000 Tiger cadres who surrendered in the war's final stages, around 230 remained in military-run "rehabilitation" programs in 2014, where they were subject to brutal and prolonged mistreatment. Human rights groups have claimed that insufficient registration policies in the postwar camps for internally displaced persons (IDPs)—of whom there were 90,000 in 2014—have contributed to widespread disappearances and removals without accountability. The status of hundreds of Tamils who disappeared during the war's closing offensives remains unclear.

Tamils report systematic discrimination in areas including government employment, university education, and access to justice. The status of Sinhala as the official language puts Tamils and other non-Sinhala speakers at a disadvantage. Ethnic tensions occasionally lead to violence, and the government generally does not take adequate measures to prevent or contain it.

LGBT (lesbian, gay, bisexual, and transgender) people face societal discrimination, occasional instances of violence, and some official harassment, though government officials have stated that LGBT people are constitutionally protected from discrimination. Sex "against the order of nature" is a criminal offense, but cases are rarely prosecuted.

#### **G. Personal Autonomy and Individual Rights: 8 / 16**

Freedom of movement is restricted by security checkpoints, particularly in the north. In late 2014, the government restricted foreigners from traveling to the north without prior permission. Government appropriation of land in the north and east as part of economic development projects or "high security zones" has prevented local people from returning to their property. Seizures of land in these areas by the predominantly Sinhalese security forces contributed to tensions with local Tamils. There have been few official attempts to help Muslims forcibly ejected from the north by the LTTE in the early 1990s to return to their homes.

Access to education is affected by rampant corruption from the primary through the tertiary levels, and observers have noted education as one of the most corrupt sectors in Sri Lanka. The problem remained endemic in 2014, with reports of dozens of cases of bribery for admission into schools.

Women are underrepresented in politics and the civil service. Female employees in the private sector face sexual harassment as well as discrimination in salary and promotion opportunities. Rape of women and children and domestic violence remain serious problems, with hundreds of complaints reported annually; existing laws are weakly enforced. Violence against women peaked during the civil conflict and has affected female prisoners and interned IDPs. The entrenchment of the army in the north and east has increased the risk of harassment and sexual abuse for female civilians in those areas. Although women have equal rights under civil and criminal law, matters related to the family—including marriage, divorce, child custody, and inheritance—are adjudicated under the customary law of each ethnic or religious group, and the application of these laws sometimes results in discrimination against women.

Although the government has increased penalties for employing minors, thousands of children continue to work as household servants, and many face abuse. The military has

broadened its economic activities in the north and east, competing with local people in both commerce and agriculture. Throughout the country, the military's role in a variety of economic sectors—including tourism and infrastructure projects—has expanded significantly, providing jobs and revenue for a force that has tripled in size under President Rajapaksa.

## Sudan

**Political Rights Rating:** 7

**Population:** 38,764,000

**Civil Liberties Rating:** 7

**Capital:** Khartoum

**Freedom Rating:** 7.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF

### INTRODUCTION

The year 2014 began with fragile hopes of political change when, in a widely anticipated speech in January, President Omar al-Bashir announced his willingness to revive all-party discussions on political reform and a new constitution. The opposition political alliance, the National Consensus Forces, declared its intention to take part, and al-Bashir's former-ally-turned-opponent, Hassan al-Turabi, publically made peace with the president in March.

The ruling National Congress Party (NCP)'s renewed pressure on opponents soon obscured this optimism. The so-called National Dialogue failed to achieve results, and by the spring, participants were accusing the NCP of acting in bad faith and stalling the negotiations to perpetuate its hold on power. In summer, many of Sudan's parties—the exception being al-Turabi's Popular Congress Party—had again lined up against the NCP, signing a pact with the main armed opponents of the regime, the Sudan Revolutionary Front (SRF), in August. The document called for the formation of a transitional all-party government that would convene a constitutional conference.

In October President al-Bashir was nominated as the NCP's candidate in presidential elections scheduled for April 2015. The opposition claimed this timetable was too short to conduct a meaningful National Dialogue or complete reforms needed to level the electoral field. In December, political parties, the SRF, and civil society groups issued a comprehensive plan for political and economic reform and resolution of the country's multiple conflicts. The authorities responded by arresting three of the document's the leading signatories, who remained in custody without charge at year's end.

Meanwhile, Sudan's multiple conflicts raged on: in Darfur, South Kordofan, and Blue Nile. There was a marked deterioration in the security situation in Darfur, where an upsurge in fighting displaced half a million people in the first six months of the year alone.

**POLITICAL RIGHTS:** 2 / 40

**A. Electoral Process:** 2 / 12

Sudan is governed according to a 2005 interim constitution. Efforts have been under way to redraft the document since the independence of South Sudan in 2011, but no meaningful progress has been made. Members of the opposition see the discussions as an oppor-

tunity to tackle the root causes of Sudan's chronic problems, including poor governance, religious and ethnic chauvinism, and overcentralized rule by an out-of-touch elite. In their view, the NCP has extended the discussions in order to perpetuate the status quo. Civil society has been largely excluded from the process.

Although the first multiparty elections in 24 years were held in 2010, they were plagued by irregularities and failed to meet international standards, according to local and international monitors. Members of the lower house of the bicameral legislature, the 450-seat National Assembly, were elected using a mixed majoritarian and party-list system. State legislatures chose the 50 members of the upper house, the Council of States. All lawmakers serve five-year terms. As a result of South Sudan's secession in 2011, the two chambers were reduced to 354 and 32 seats, respectively. Sudan has not held national elections since South Sudan's independence. Under the interim constitution, the president may serve a maximum of two five-year terms.

In 2010, the Sudan People's Liberation Movement (SPLM)—the dominant party in the South—and other leading opposition parties boycotted the national presidential and some legislative elections, citing unfair campaign conditions. Al-Bashir's long-ruling NCP manipulated the census used to compile the electoral roll, overstating the population in areas of core support and undercounting opposition strongholds. Although 72 political parties nominated candidates for the elections, many of them were not allowed to campaign freely and rarely received official permission to hold public events. The voting period was plagued by irregularities, with reports of inaccurate voter rolls, ballot stuffing, and cash handouts to NCP voters.

As a result of the boycott, al-Bashir won the presidency convincingly, capturing 68 percent of the vote. The NCP won 323 seats in the National Assembly, 91 percent of the state assembly seats in the North, and 32 seats in the Council of States.

#### **B. Political Pluralism and Participation: 3 / 16**

The NCP's dominance of the political system in Sudan was reinforced by the independence of South Sudan, which signaled the end of a power-sharing government with the SPLM and the withdrawal of the South's representatives from parliament. This was followed by a general crackdown on other political parties. Although al-Bashir announced the release of political prisoners in April 2014, the targeting of political leaders quickly resumed following the breakdown of the National Dialogue. Sadiq al-Mahdi, head of the National Umma Party (NUP), was held in May on charges of disseminating false news and inciting unrest after he criticized human rights abuses carried out by Sudan's latest brand of state-sponsored paramilitary fighters, the Rapid Support Forces. He was released the following month after his party apologized for his remarks. In August, his daughter and party deputy, Mariam, was detained in Omdurman and held for one month without charge. In June, Ibrahim al-Sheikh, head of the Sudanese Congress Party, was also detained for speaking out against the Rapid Support Forces. He was held until September.

In addition to the threat of arrest, political parties experienced problems registering with the authorities. The Sudanese Political Parties Affairs Council denied the Sudanese Republican Party recognition in May because it refused to endorse a system of Sharia (Islamic) law. An April decree requires opposition parties to seek permission to hold public meetings.

#### **C. Functioning of Government: 1 / 12**

Sudan is considered one of the world's most corrupt countries, ranking third from the bottom of Transparency International's Corruption Perceptions Index in 2014. Power and resources are concentrated in and around Khartoum, while outlying states are neglected and

impoverished. Members of the NCP, particularly those from favored ethnic groups, tightly control the national economy and use the wealth they have amassed in banking and business to buy political support. The International Crisis Group estimates that the party's top leadership owns more than 164 companies, which have their pick of government contracts. A high proportion of the national budget is spent on unspecified national security priorities. In January, Sudan's inspector general accused the central bank of hiding more than 16 billion Sudanese pounds (\$2.8 billion) of debt from its accounts. In 2013, a whistleblower who provided information about graft in the police force was sentenced to four years in prison on charges including ruining the reputation of the police.

**Discretionary Political Rights Question B:** -4 / 0

The government stands accused of attempting to change the ethnic distribution of the country through its ongoing response to an insurgency led by marginalized Muslim but non-Arab ethnic groups in Darfur. In 2004, government-supported Arab militias known as *janjaweed* began torching villages, massacring inhabitants, and raping women and girls. The military also bombed settlements from the air. More than two million civilians were displaced. In 2009, the International Criminal Court (ICC) issued an arrest warrant for al-Bashir on charges of war crimes and crimes against humanity in Darfur; a charge of genocide was added in 2010. Accusations of ethnically targeted violence have also been leveled against the government for its handling of the wars in South Kordofan and Blue Nile states, which began in 2011, in which Sudan's military has launched aerial bombardments and engaged in indiscriminate shelling of civilian areas thought to be strongholds of support for the militant group SPLM-North.

**CIVIL LIBERTIES:** 6 / 60 (-1)

**D. Freedom of Expression and Belief:** 2 / 16 (-1)

The 2005 interim constitution recognizes freedom of the press, but the media face significant obstacles in practice. The 2009 Press and Publication Act allows a government-appointed Press Council to prevent publication or broadcast of material it deems unsuitable, temporarily shut down newspapers, and impose heavy fines for violations of media regulations. Members of the National Intelligence and Security Services (NISS) routinely raid printing facilities to confiscate editions of newspapers considered to be in violation of the act. By waiting until editions are printed, the authorities impose crippling financial losses on media houses. Media workers whose reports meet with official disapproval or who cover sensitive topics risk arrest. In 2013 the government imposed a virtual media blackout during widespread protests, including the temporary closure of Sudan's leading newspapers.

This pattern of restrictions continued in 2014, with greater use of postpublication censorship and a government warning to media houses not to cross certain red lines in their coverage. At least 15 newspapers were stopped from circulating specific editions in the first three months of the year alone. In May, the license of the newspaper *al-Saiha* was suspended for one month and the authorities interrogated 13 of its journalists following publication of a series of articles on public-sector corruption. Journalist Hassan Ishaq, reporter for the privately owned newspaper *al-Jarida*, was arrested in June after reporting the speech of an opposition party leader. Ishaq complained of torture in custody but was denied medical treatment and remained in prison for more than three months.

Approximately one-quarter of the population has access to mobile broadband services. The authorities have been accused of turning off internet access in order to stifle protests such as the antigovernment demonstrations of September 2013. They have also used communications technology to monitor the online activities of activists.

Religious freedom, though guaranteed by the 2005 interim constitution, is not upheld in practice. Approximately 97 percent of Sudan's population is Muslim, nearly all of whom are Sunni. The authorities have shown increased intolerance of Christians since 2013; they have destroyed or shuttered several churches in the Khartoum area, including bulldozing an Omdurman church in February 2014. They have also closed church-affiliated nongovernmental organizations (NGOs), ordered expatriate Christian workers out of the country, and detained a number of evangelical Christians.

The law prohibits apostasy, blasphemy, and conversion to any religion apart from Islam. In May 2014, a court in Khartoum sentenced a Christian woman, Meriam Yahia Ibrahim, to death for apostasy. She was detained in prison with her young son while an appeal was lodged and gave birth to her second child while shackled. She was finally released in June following an international outcry and fled to the United States. The U.S. Commission on International Religious Freedom 2014 report recommended that the U.S. State Department renew its designation of Sudan as a country of particular concern.

Respect for academic freedom is limited. The government administers public universities, monitors appointments, and sets the curriculum. Authorities do not directly control private universities, but self-censorship among instructors is common. The authorities have adopted an increasingly confrontational approach toward universities, which have emerged as a center of opposition to the government. In March 2014, a student was shot dead and seven others were wounded at the University of Khartoum when security forces opened fire on peaceful protests against government policy in Darfur.

The NISS intimidates citizens who engage in private discussions on issues of a political nature.

#### **E. Associational and Organizational Rights: 1 / 12**

Freedoms of assembly and association are provided for by the interim constitution and by law. These were violently curtailed in September 2013, when security forces turned live ammunition on mostly peaceful street protests in Khartoum, Wad Madani, and other towns. The African Centre for Justice and Peace Studies (ACJPS), which monitors human rights in Sudan, has verified that 185 protesters, including at least 15 children, were killed by gunfire during the protests. On the eve of the one-year anniversary of the protests, the authorities preemptively rounded up nearly 60 activists in order to prevent further disturbances.

The operating environment for NGOs is challenging. All NGOs must register with the governmental Humanitarian Assistance Commission (HAC). The HAC regularly places restrictions or bans on the operations of NGOs and the movements of their workers, particularly in the conflict-affected areas of Darfur, Southern Kordofan, and Blue Nile. In September, the NISS raided the offices of a Khartoum-based NGO, the Centre for Civil Society Development, without providing a reason. International organizations also face obstacles. In February, the authorities suspended permission for the International Committee of the Red Cross (ICRC) to work in the country, citing "technical issues." The ICRC was not allowed to resume operations until September. In November, the joint UN-African Union Mission in Darfur (UNAMID) was ordered to close its human rights office and plan an exit strategy following its attempts to investigate allegations that Sudanese troops committed mass rapes. A month later, Khartoum ordered the expulsion of two senior UN Development Programme officials, accusing them of failing to respect Sudan's sovereignty.

Trade union rights are minimal, and there are no independent unions. The Sudan Workers' Trade Unions Federation has been coopted by the government, which also must approve all strikes.

**F. Rule of Law: 0 / 16**

The judiciary is not independent. Lower courts provide some due process safeguards, but the higher courts are subject to political control, and special security and military courts do not apply accepted legal standards. Sudanese criminal law is based on Sharia and allows punishments such as flogging and cross-amputation (removal of the right hand and left foot). In 2013, Sudan's deputy chief justice confirmed that 16 cases of amputation had been carried out since 2001.

In April 2013 and 2014, al-Bashir announced the release of all political prisoners. On both occasions, their cells were soon filled by other regime opponents. In the wake of the September 2013 street protests, at least 800 people were detained, including some who were arrested as they sought medical treatment. According to Human Rights Watch, many of the mostly young detainees were held for long periods incommunicado before being fined for acts of criminal damage. In one case, 12 young men who had been held for a year on suspicion of rioting were acquitted by a court in Omdurman in September 2014, only to be immediately rearrested and charged with the same offences. Meanwhile, the government has steadfastly refused to hold its security forces accountable for their handling of the 2013 protests. As of September 2014, only one case among more than 85 criminal complaints reached court, and the suspect was acquitted.

The 2010 National Security Act gives the NISS sweeping authority to seize property, conduct surveillance, search premises, and detain suspects for up to four and a half months without judicial review. The police and security forces routinely exceed these broad powers, carrying out arbitrary arrests and holding people at secret locations without access to lawyers or their relatives. Human rights groups accuse the NISS of systematically detaining and torturing government opponents, including Darfuri activists, journalists, and members of youth movements such as Girifna and Sudan Change Now. In June 2014, the courts finally decided the fates of 119 suspected members of the SPLM-North arrested in Blue Nile state in 2011. Of them, 53 were convicted of terrorist offences, and 46 of those received life sentences. According to the ACJPS, the vast majority reported being tortured in custody.

Beyond the capital and the immediate area around it, Sudan's many distinct ethnic, regional, and religious groups face political, social, and economic marginalization and the ruling elite treats them as second-class citizens. Some of these aggrieved groups have rebelled in Darfur, South Kordofan, and Blue Nile, and the state security forces and their proxies have responded with indiscriminate violence—including the bombing of civilians, targeted killings, forced displacement of communities, the burning of villages, and the use of rape as a weapon of war—for which no one has been held accountable. The government's agents for these activities are regular forces, supplemented by loosely controlled paramilitaries answerable to the NISS. A new counterinsurgency militia, the Rapid Support Forces, was responsible for numerous atrocities in 2014. Numbering up to 6,000 fighters, this latest incarnation of the notorious janjaweed militias led offensives in South Darfur in February and March and South Kordofan in May and June in which civilians were deliberately targeted. The approximately one million southerners who remained in the North following South Sudan's independence also face serious discrimination.

An estimated two million people have been internally displaced by conflict in Sudan, 400,000 in 2014 alone. They face discrimination and many lack access to basic facilities and legal services. As of mid-2014, more than 240,000 refugees are also living in Sudan, originating primarily from Chad, Eritrea, and South Sudan. The authorities do not adequately protect refugees. There is particular concern that refoulement is taking place to Eritrea, where forced returnees face imprisonment.

Same-sex sexual acts are illegal, though the law does not appear to be applied. However, official and societal discrimination against LGBT (lesbian, gay, bisexual, and transgender) individuals are widespread.

#### **G. Personal Autonomy and Individual Rights: 1 / 16**

The government restricts freedom of movement in conflict-affected areas, particularly in Darfur, South Kordofan, and Blue Nile, where a state of emergency is in place.

Under a political agreement reached by Sudan and South Sudan in 2012, southerners living in Sudan were guaranteed rights of residency and movement as well as the rights to engage in economic activity and acquire property. However the agreement, which has yet to be fully implemented, does not address the question of citizenship, putting some people at risk of being reclassified as “foreigners” even if they have lived in Sudan their entire lives.

Female politicians and activists play a role in public life in Sudan, and women are guaranteed one-quarter of the seats in the National Assembly. In daily life, however, women face extensive discrimination. Islamic law denies women equitable rights in marriage, inheritance, and divorce. Traditional and religious law restricts the property rights of women. A widow can only inherit an eighth of her husband’s estate, with the rest being divided among her children. Women convicted of adultery can face the death penalty. Police use provisions of Sudan’s Criminal Act outlawing “indecent and immoral acts” to prohibit women from wearing clothing of which they disapprove. Female genital mutilation is widely practiced. No laws specifically prohibit domestic violence, spousal rape, or sexual harassment. In February 2014, a woman who was gang raped in an attack filmed by her perpetrators was convicted of committing indecent acts and fined. Police refused to receive her complaint of rape.

While government officials have been accused of involvement, either through bribes or active engagement, in cases of human trafficking, Sudan has increasingly played a proactive role in addressing the problem. Following enactment of an anti-human trafficking law in March 2014, the government convened a regional conference to address the issue in October.

The Sudanese military and Darfur rebel groups continue to use child soldiers.

## Suriname

**Political Rights Rating:** 2

**Population:** 564,000

**Civil Liberties Rating:** 2

**Capital:** Paramaribo

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

#### **INTRODUCTION**

In 2014, the president’s son, Dino Bouterse, pled guilty for his collaboration with a known terrorist group while a senior official in Suriname’s counterterrorism unit. In a U.S. government sting operation, the younger Bouterse had agreed to sell Suriname passports and weapons to undercover U.S. operatives posing as members of Hezbollah. He was arrested



in Panama and extradited to the United States to face drug-trafficking and weapons as well as other charges. He faces between 15 years and life in prison.

**POLITICAL RIGHTS:** 33 / 40**A. Electoral Process:** 12 / 12

The 1987 constitution provides for a unicameral, 51-seat National Assembly, elected by proportional representation for five-year terms. The body elects the president to a five-year term with a two-thirds majority. If it is unable to do so, a United People's Assembly—consisting of lawmakers from the national, regional, and local levels—convenes to choose the president by a simple majority. A Council of State comprised of the president and representatives of major societal groupings—including labor unions, business, the military, and the legislature—has veto power over legislation deemed to violate the constitution.

In 2010 legislative elections, Desiré Bouterse's Mega Combination coalition—comprising the National Democratic Party (NDP) and a number of smaller parties—captured 23 seats, while the New Front for Democracy and Development (NF) took 14 seats. A-Combination took 7 seats, the People's Alliance won 6, and the Party for Democracy and Development in Unity gained 1 seat. Bouterse was elected president with 71 percent of the parliamentary vote, defeating NF candidate Chandrikapersad Santokhi.

By the end of 2013, Bouterse had dismissed 10 ministers from his cabinet since taking power. In 2014, six members of parliament and two ministers stepped down after conflicts with the president; this left a thin majority.

Suriname is gearing up for an election in 2015, which President Bouterse appears likely to win.

**B. Political Pluralism and Participation:** 13 / 16

Suriname's many political parties operate freely. They largely reflect the cleavages in the country's ethnically diverse society and often form coalitions in order to gain power. The major coalitions are the NF, an alliance of the National Party of Suriname and several smaller parties; the People's Alliance; the Mega Combination; and the A-Combination, which has strong support among Maroon communities (descendants of former slaves).

**C. Functioning of Government:** 8 / 12

The Ministry of Justice and Police is in charge of combating corruption, but the country has no anticorruption legislation. Corruption reportedly increased in 2014 over the previous year. It is blamed for a resulting increase in crime, drug trafficking, and human trafficking. Member of parliament Carl Breeveld has requested the government's explanation in a number of cases, including missing funds of up to SR\$87 million (US\$26 million). Breeveld also discussed the failure of the public prosecutor's office to properly investigate governmental corruption.

In 2013, counterterrorism senior official and the president's son Dino Bouterse was arrested in Panama and sent to the United States to face drug-trafficking charges and a weapons offense. He pleaded guilty a year later to a number of offenses, including aiding and abetting terrorist networks, drug trafficking, and trafficking in firearms. In 2012, he met with undercover U.S. Drug Enforcement Agency officials in Greece who were posing as Hezbollah operatives. He agreed to sell Suriname passports and fake identities as well as weapons, including surface-to-air missiles to attack the United States and the Netherlands, in exchange for US\$2 million as a down-payment. Bouterse insists that he hoped that Hezbollah would assist in maintaining Suriname's domestic and international security.

**CIVIL LIBERTIES:** 44 / 60**D. Freedom of Expression and Belief:** 15 / 16

The constitution provides for freedoms of expression and the press, and the government generally respects these rights in practice. However, defamation and libel remain criminal offenses; if convicted, citizens could spend up to seven years in prison. Suriname also has a crime of insult law (insulting the head of state) that carries a sentence of up to five years in prison and a loss of civil rights.

Freedom of religion is protected by law and the constitution and is generally respected. The authorities do not infringe on academic freedom.

**E. Associational and Organizational Rights:** 11 / 12

The constitution provides for freedoms of assembly and association, and the government respects these rights in practice. Workers can join independent trade unions, though civil servants have no legal right to strike. Collective bargaining is legal and conducted fairly widely. The labor movement is active in politics.

**F. Rule of Law:** 8 / 16

The legal system of Suriname is based on the Dutch Civil System. The judiciary is prone to political influence and suffers from a shortage of judges. While Suriname is a signatory to the 2001 agreement establishing the Caribbean Court of Justice (CCJ) as the final venue of appeal for member states of the Caribbean Community, it has yet to ratify the CCJ as its own final court of appeal; therefore, the final court of appeal remains the Privy Council in London, England. In 2013, the government attempted but failed to establish a constitutional court, which is still not in place.

Crime rates are high, including regular incidents of violent crime. Criminals carry and often use firearms. There are many cases of police abuse during arrests and use of deadly force against alleged criminals. Temporary detention centers are overcrowded and conditions are poor.

Suriname continues to serve as a major trafficking point for cocaine. In an August 2014 drug bust, cocaine worth up to US\$2 million was seized at the largest of Suriname's international airports. The country also functions as a transit point for arms trafficking in exchange for drugs.

President Bouterse has evaded justice for his role in the 1982 abduction and murder of 15 political opponents—including labor union leaders, attorneys, military officers, journalists, academics, and other citizens—of his military regime, which he led from 1980 to 1987. While he accepted “political responsibility” for the murders in 2007, the National Assembly controversially extended the country's 1992 amnesty law in 2012, thus granting immunity to him and 24 other suspects. The Prosecutor's Office has decided to uphold the amnesty law's constitutionality unless it is reviewed by a constitutional court, which has not been formed.

Discrimination based on race or ethnicity is prohibited by law. The government does not recognize or offer any special protections to indigenous groups. Their collective land rights are not acknowledged, and these populations continue to face problems due to illegal logging and mining on their land.

Same-sex sexual relations are legal, but LGBT (lesbian, gay, bisexual, and transgender) individuals face some discrimination. Members of the LGBT community accuse the police of brutality and not investigating the cases that they report. Three policemen were suspended in September after allegedly beating two gay men.

**G. Personal Autonomy and Individual Rights: 10 / 16**

Constitutional guarantees of gender equality are not adequately enforced. Domestic violence remains a serious problem. While the law provides for women's equal access to education and employment, women do not receive the same wages as men for performing the same work. Women held 25 percent of the seats in parliament at the end of 2014.

Suriname serves as a source, destination, and transit country for the trafficking of men, women, and children for the purposes of forced labor and prostitution. Efforts to tackle the problem have failed to put in place minimum standards.

## ↓ Swaziland

**Political Rights Rating:** 7**Population:** 1,268,000**Civil Liberties Rating:** 5**Capital:** Mbabane**Freedom Rating:** 6.0**Freedom Status:** Not Free**Electoral Democracy:** No

**Trend arrow:** Swaziland received a downward trend arrow due to an intensified crackdown on freedom of expression, including the jailing of a journalist and a lawyer for criticizing the country's chief justice.

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,5,NF	7,5,NF	7,5,NF	7,5,NF	7,5,NF	7,5,NF	7,5,NF	7,5,NF	7,5,NF	7,5,NF

**INTRODUCTION**

Swaziland faced a number of restrictions on freedom of expression, political freedoms, and judicial independence in 2014. The imprisonment of two journalists, the increasing encroachment of the king's power over the judiciary, and the opening of the underutilized \$250-million King Mswati III International Airport all contributed to the country's ongoing financial troubles.

In June, Swaziland lost its preferred trading status under the United States's African Growth and Opportunity Act after failing to meet the human rights requirements stipulated in the agreement. This is likely to result in loss of income for thousands of workers who rely on the export of textiles and garments for employment. In the 2014 Ibrahim Index of African Governance, Swaziland ranked 46 out of 52 countries surveyed. In November, the UN Food and Agriculture Organization reported that 35.8 percent of Swaziland's 1.3 million population are undernourished, the seventh highest rate in the world.

According to UNAIDS, Swaziland continues to report the world's highest rate of HIV infection, with 27.4 percent of Swazis between the ages of 15 and 49 living with the disease.

**POLITICAL RIGHTS: 1 / 40****A. Electoral Process: 0 / 12**

King Mswati III of Swaziland is the last absolute monarch in Africa. Although the 2005 constitution removed the king's ability to rule by decree, the members of the bicameral parliament, all of whom serve five-year terms, cannot initiate legislation. Of the House of Assembly's 65 members, 55 are elected by popular vote within the *tinkhundla* system, in which local chiefs vet all candidates; the king appoints the other 10 members. The king also

appoints the prime minister from among the members of the House of Assembly, as well as 20 members of the 30-seat Senate, with the remainder selected by the House of Assembly. Traditional chiefs govern designated localities and typically report directly to the king.

Although the September 2013 parliamentary elections were peaceful and saw significant turnover among members (at least 46 of the 55 elected members were new), international observers judged the polls to be neither free nor fair.

#### **B. Political Pluralism and Participation:** 1 / 16

According to the constitution, election to public office is based on individual merit rather than political parties. This, in effect, makes political parties illegal. However, political associations have organized, the two largest being the banned People's United Democratic Movement (PUDEMO) and the Ngwane National Liberatory Congress (NNLC). Both PUDEMO and the NNLC boycotted the 2013 elections.

In May 2014, the president of PUDEMO, Mario Masuku, was arrested for calling for the overthrow of King Mswati III. He was detained along with the leader of the Swaziland Youth Congress (SWAYOCO) and charged with terrorism. A number of people wearing PUDEMO t-shirts were also arrested over the course of the year.

#### **C. Functioning of Government:** 0 / 12

Corruption is a major problem, and government corruption is widely blamed for contributing to Swaziland's financial crisis. Areas most affect include public contracting, government appointments, and school admissions. There is no oversight of the king's budget, and audits are only presented to the king and a Royal Board of Trustees chaired by the minister of finance. Despite ruling over one of the poorest countries in the world, King Mswati III continues to demand an enormous salary from state coffers, an amount that he increased by 10 percent, to \$61 million, in 2014.

#### **CIVIL LIBERTIES:** 17 / 60 (-2)

##### **D. Freedom of Expression and Belief:** 6 / 16 (-2)

Constitutional rights to free expression are severely restricted in practice and can be suspended by the king. Publishing criticism of the ruling family and any member of his government is banned. In September 2014, the *Swazi Observer*, a state-owned newspaper, was forced to make an unreserved apology for reporting on what a princess wore without permission from the royal household. Self-censorship is widespread, as authorities routinely threaten and attack journalists. The independent *Times of Swaziland* refused to publish a column about a politically sensitive trial in March and censored an article in June about the chief justice of the country. In July, human rights lawyer Thulani Maseko and Bheki Makhubu, editor of Swaziland's *The Nation* magazine, were charged with contempt of court and sentenced to two years in prison after they published articles criticizing the country's lack of judicial independence. The judge in the case called the sentencing a deterrent for other journalists who wanted to write "scurrilous" and "reprehensible" articles. The minister of information, communications and technology in September told the country that the broadcast media existed primarily to "serve the interests of the state." In December, the country's only privately owned news source, *The Swazi News*, came under threat after the Supreme Court awarded record libel damages to a government minister accused of lying about her birth name.

About a quarter of the population has access to the internet; the government reportedly monitors online communications. Approximately 86 percent of the country has access to mobile technology, and many young people in particular use social media to bypass traditional

media outlets. A group of anonymous activists continued to manage the Twitter feed Swazi Leaks, started in 2013 with the mission to expose the lavish lifestyle of the royal family.

Freedom of religion is not explicitly protected under the constitution but is mostly respected in practice, although security forces have been accused of intimidating church leaders deemed sympathetic to the prodemocracy movement.

Academic freedom is limited by prohibitions against criticizing the monarchy. In September 2014, students from Southern Africa Nazarene University went on strike for a week to protest the lack of learning materials and equipment. In response, the students were barred from returning to their studies until they named the strike leaders.

#### **E. Associational and Organizational Rights: 2 / 12**

The government restricts freedoms of assembly and association through the sweeping powers granted under the 2008 Suppression of Terrorism Act, which allows it to declare any organization a terrorist group. Police harassment and surveillance of civil society organizations continues, with numerous reports of illegal searches, arrests, and violent interrogations. The Public Order Act continues to serve as a means of regulating and barring protest and industrial action; demonstrators routinely face violence and arrests by police.

Swaziland has active labor unions, some of which have called for democratic reforms. Workers in most areas of the economy, with the exception of essential services such as police and health care, can join unions; however, government pressure and crackdowns on strikes have limited union operations. In August 2014, Prime Minister Barnabus Sibusiso Dlamini called for the strangulation of labor union leaders returning from the U.S. African Leaders Summit, a comment that he retracted after an international backlash. In October, Minister of Labor and Social Security Winnie Magagula caused confusion by announcing that although trade unions and business federations were not banned, they were illegal, at least until the Industrial Relations Act was amended by parliament. In December, in an attempt to qualify for the reinstatement of the U.S. African Growth and Opportunity Act, Swaziland passed amendments to the Industrial Relations Act to permit registration of trade unions.

#### **F. Rule of Law: 5 / 16**

The dual judicial system includes courts based on Roman-Dutch law and traditional courts using customary law. Although the judiciary is independent in most civil cases, the king holds ultimate judicial power. The law society of Swaziland has accused the king of appointing judges in contravention of the constitution. Chief Justice Michael Ramodibedi has been criticized for involving himself in operational and legislative matters of the state, an allegation that led to the arrest and conviction of Makhubu and Maseko.

Forced searches of homes and offices, as well as torture in interrogations, have become more frequent. Prisons are overcrowded, and inmates are subject to rape, beatings, and torture.

People with albinism are at risk of murder for ritual purposes. Discrimination against members of the LGBT (lesbian, gay, bisexual, and transgender) community is widespread, and many people hide their sexual orientation.

#### **G. Personal Autonomy and Individual Rights: 4 / 16**

Swazis are largely free to move throughout and exit the country. However, Swazi citizens from minority ethnic groups often face delays in obtaining passports and other citizenship documents, with political activists subject to additional barriers in procuring passports. Evictions in the name of the king have increased, with reports that residents of Nokwe lost their homes in September 2014 to make way for an office park. The royal family is accused

of attempting to increase its wealth through foreign investments, particularly through land. Video footage released in December 2014 alleges that Princess Mantfombi seized land from KaLuhleko villagers in Bhunya and appointed her son as chief; there were numerous reports of torture and arbitrary arrest by police of villagers who resisted.

The constitution grants women equal rights and legal status as adults, but these rights remain restricted in practice. While both the legal code and customary law provide some protection against gender-based violence, it is common and often tolerated with impunity. There are only four female members of the House of Assembly, down from nine in 2008. Swaziland continues to practice virginity testing, which many human rights organizations call a harmful cultural practice that should be abolished.

## Sweden

**Political Rights Rating:** 1

**Population:** 9,689,000

**Civil Liberties Rating:** 1

**Capital:** Stockholm

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

The Social Democratic Party (SDP) returned to power in 2014, forming a minority government with the Green Party. However, the Sweden Democrats were the only party to make noticeable gains in the election. In early December, the Sweden Democrats withheld their support for the government's annual budget, leading the new government—which had already pledged to limit the power of the Sweden Democrats—to call a snap election for 2015. The early election was averted, however, by a long-term budget deal between the Social Democrats and the opposition alliance.

Unknown assailants carried out three arson attacks on Swedish mosques in the last week of December in which five citizens were hospitalized. No arrests were made by year's end.

**POLITICAL RIGHTS:** 40 / 40

**A. Electoral Process:** 12 / 12

Sweden's unicameral parliament, the 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 one of the 29 electoral districts to win representation. The prime minister is appointed by the speaker of the Riksdag and confirmed by the body as a whole. King Carl XVI Gustaf, crowned in 1973, is the ceremonial head of state.

In the September 2014 parliamentary elections, the SDP won 113 seats and Stefan Löfven became prime minister in a minority government with the Green Party, which won 25 seats. The Moderates fell to 84 seats, the Center Party secured 22 seats, the Liberal People's Party won 19 seats, and the Christian Democrats won 16 seats, all suffering losses compared to 2010. The Left Party won 21 seats, a slight increase from 2010. However, the Sweden Democrats emerged as the only real winner, going from 20 seats to 49 seats and

becoming the third biggest party in the Riksdag. To avert snap elections, in late December the government reached a historic budget deal with the center-right Alliance, committing the opposition to vote for all government budget proposals until 2022.

**B. Political Pluralism and Participation:** 16 / 16

For the majority of the last century, the SDP ruled with the support of the Left Party and, in later decades, with the support of the Green Party. Eight political parties have representation in the Riksdag; the largest are the SDP, the Moderates, and now the Sweden Democrats. The political ascent of the Sweden Democrats has continued despite ostracism from the main political parties and controversies such as the discovery of party members posing on social media with Nazi paraphernalia.

The country's principal religious, ethnic, and immigrant groups are represented in the parliament. Since 1993, the indigenous Sami community has elected its own parliament, which has significant powers over community education and culture and serves as an advisory body to the government. A 2011 Supreme Court ruling granted Sami reindeer herders common-law rights to disputed lands.

**C. Functioning of Government:** 12 / 12

Corruption rates are low in Sweden, which was ranked 4 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. The country has one of the most robust freedom of information statutes in the world. However, a 2012 report from the Organisation for Economic Co-operation and Development (OECD) admonished Sweden for insufficient enforcement of its foreign bribery laws.

**CIVIL LIBERTIES:** 59 / 60

**D. Freedom of Expression and Belief:** 15 / 16 (-1)

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 immigrant languages. The ethnic minority press is entitled to the same subsidies as the Swedish-language press.

Freedom of speech is guaranteed by law. Hate-speech laws prohibit threats or expressions of contempt based on race, color, national or ethnic origin, religious belief, or sexual orientation. In July 2014, controversial artist Dan Park received a six-month prison sentence and a fine of \$10,000 on charges of defamation and incitement to hatred against an ethnic group. The incident—which marks Park's third conviction for racial hatred—centered on nine posters depicting Roma and Africans in a derogatory manner. The exhibition of Park's work was shut down minutes after its July opening, and Swedish authorities destroyed the posters. Park was released by a district court in October pending appeal; the case was ongoing at year's end.

Under the 2009 Intellectual Property Rights Enforcement Directive (IPRED), internet service providers must reveal information about users who are found to be engaged in illegal file-sharing. A 2012 ruling by the European Court of Justice upheld IPRED. In 2012, Sweden adopted a data retention law requiring telecommunications carriers to store data, including records on telephone calls and internet traffic, for three years. The law is in compliance with EU directives.

The 2008 Signals Intelligence Act gives the National Defense Radio Establishment the authority to monitor communications without a court order. Only the military and government can request surveillance, and those who have been monitored must be notified. The

National Defense Radio Establishment has exploited a loophole in the law to gather extensive personal telephone and internet records, the use of which remains unclear.

Religious freedom is constitutionally guaranteed. Although the population is 66 percent Lutheran, all churches, as well as synagogues and mosques, receive some state financial support. In December 2014, however, three arson attacks were carried out against mosques in Eskilstuna, Eslöv, and Uppsala. The Eskilstuna mosque was attacked during midday prayer hours and resulted in the hospitalization of five congregation members as well as widespread material damage; the attacks in Eslöv and Uppsala resulted in no injuries. All three mosques were defaced with anti-Muslim and anti-immigrant slurs. By year's end no arrests had been made. Demonstrations in support of the Muslim community and against right-wing extremism were held following the attacks.

A 2013 survey by the EU Agency for Fundamental Rights found that Swedish Jews were more than twice as likely as Jews in other European countries to hide their religious affiliation. National numbers for anti-Semitic hate crimes have held steady since registration started in 2009, but regional reports show an increase in southern Sweden.

Academic freedom is ensured for all.

#### **E. Associational and Organizational Rights:** 12 / 12

Freedoms of assembly and association are respected in law and practice. A string of anti-Nazi and pro-religious tolerance demonstrations took place in spring and summer 2014 in Stockholm and other major cities. Rallies by the Party of the Swedes, a tiny but extreme right-wing group, required heavy police presence, as did left-wing counterdemonstrations. During a demonstration against homophobia in Malmö in March, a group of people were attacked with a knife and one man was gravely injured. Three members of the Party of the Swedes were subsequently charged with attempted murder.

The rights to strike and organize in labor unions are guaranteed. Trade union federations, which represent approximately 80 percent of the workforce, are strong and well organized.

#### **F. Rule of Law:** 16 / 16 (+1)

The judiciary is independent. Swedish courts have jurisdiction to try suspects for genocide committed abroad. In 2011, Sweden sought the extradition of Julian Assange, founder of WikiLeaks, from the United Kingdom so that he could be questioned regarding rape and sexual assault allegations stemming from two incidents in Stockholm in 2010. In 2014, a Stockholm district judge ruled against a challenge to the warrant for Assange's arrest.

The Swedish state is highly responsive in ensuring 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. A permanent hate-crime police unit was established in 2009.

Following intense media scrutiny of the Skåne police's unlawful Roma registry in 2013, the politically appointed Commission on Security and Integrity Protection found significant problems with the transparency of the list's purpose and usage, but no proof that citizens were on the registry primarily because of their ethnicity. An internal investigation of the Skåne police department was dropped in late 2013 due to lack of evidence, but some 4,000 Roma included in the registry were awarded damages.

The government announced in October 2013 that it would grant permanent residency and family reunification to all Syrian refugees—making Sweden the only country in Europe to do so. Sweden received 74,000 asylum seekers in 2014, an increase of 20,000 from the previous year. While Sweden's liberal refugee policy continues to enjoy support, a geographically



unequal distribution of refugees, coupled with an ongoing shortage of housing and jobs in the affected municipalities, has caused both public and political frustration at the local level.

**G. Personal Autonomy and Individual Rights:** 16 / 16

Citizens enjoy freedom of movement and employment. Swedes also enjoy the right to own property and establish a private business.

Sweden is a global leader in gender equality. Approximately half of Riksdag members and the same proportion of government ministers are women. Nearly 72 percent of women work outside the home, earning the equivalent of 94 percent of men's wages, when differences in age, sector, and experience are taken into account.

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 ceremonies.

Sweden is a destination and transit point for women and children trafficked for the purpose of sexual exploitation, but the Swedish government has been proactive in combatting the problem. The 2004 Aliens Act helped to provide more assistance to trafficking victims, and a special ambassador has been appointed to aid in combating human trafficking.

## Switzerland

**Political Rights Rating:** 1

**Population:** 8,187,000

**Civil Liberties Rating:** 1

**Capital:** Bern

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

Swiss voters approved new restrictions on immigration in a referendum held in February 2014, with a narrow majority backing a proposal promoted by the right-wing Swiss People's Party (SVP). The proposal included the reintroduction of quotas for foreign workers and required the government to renegotiate a bilateral accord with the European Union (EU) on the movement of labor. Most business groups and parliamentary parties had opposed the initiative, noting the reliance of certain sectors of the economy on foreign workers. The initiative was introduced amid an environment of concern about immigration rates, which have increased the general population by about 77,000 annually in recent years.

**POLITICAL RIGHTS:** 39 / 40

**A. Electoral Process:** 12 / 12

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. All lawmakers serve four-year terms. The Federal Council (cabinet) is a seven-person executive council, with each member

elected by the Federal Assembly. The presidency is largely ceremonial and rotates annually among the Federal Council's members.

The 2011 federal elections saw a modest strengthening of the political center in Switzerland. The right-wing SVP, while still the leading party, lost seats in the National Council for the first time since 1975, retaining 54 seats—8 fewer than it had won in 2007. The Social Democratic Party (SPS) won 46 seats, the Free Democratic Party (FDP) took 30 seats, and the Christian Democratic People's Party (CVP) captured 28 seats. Seven smaller parties also gained representation. In a June 2013 referendum, voters rejected a proposal backed by the SVP to hold direct elections for Federal Council members.

**B. Political Pluralism and Participation:** 15 / 16

Political parties are free to form and operate. The political system is extremely stable—a coalition of the same four parties (or their precursors) has been governing since 1959. By common agreement, since 2008 the Federal Council has been comprised of two members each from the SVP, the SPS, and the FDP, and one member from CVP.

Restrictive citizenship laws and procedures tend to exclude many immigrants and their family members in successive generations from political participation.

**C. Functioning of Government:** 12 / 12

Swiss governance is characterized by decentralization. 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, or major changes to federal laws.

The government is free from pervasive corruption. Switzerland was ranked 5 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

In 2013, Switzerland signed an Organisation for Economic Co-operation and Development (OECD) convention against tax evasion, in which states pledge to share information for tax enforcement. As the world's largest offshore financial center, however, Switzerland has been criticized for failing to comply with recommended international norms on preventing tax evasion, money laundering, and the financing of terrorism. Credit Suisse, the second-largest Swiss bank, pleaded guilty in 2014 to conspiracy to assist tax evasion by U.S. citizens, a criminal charge brought by U.S. prosecutors. The bank agreed to pay more than \$2.5 billion in penalties, but it was not required to turn over the names of its clients.

**CIVIL LIBERTIES:** 57 / 60

**D. Freedom of Expression and Belief:** 15 / 16

Freedom of speech is guaranteed by the constitution. Switzerland has a free media environment, although the state-owned Swiss Broadcasting Corporation dominates the broadcast market. Consolidation of newspaper ownership in large media conglomerates has forced the closure of some small and local newspapers. The law penalizes public incitement to racial hatred or discrimination as well as denial of crimes against humanity. The government does not restrict access to the internet.

Freedom of religion is guaranteed by the constitution, and most cantons support one or more churches. The country is roughly split between Roman Catholics and Protestants, although some 400,000 Muslims form the largest non-Christian minority, at about 5 percent of the population. In a November 2009 referendum, voters approved a ban on the future construction of minarets on mosques. In 2013, the Italian-speaking southern canton of

Ticino became the first to approve a ban on face-covering veils in public spaces, after the parliament rejected a proposed ban in 2012.

In October 2014, the Federal Council announced a ban on membership in the Islamic State (IS) militant group, and barred activities including propaganda, fund-raising, and recruitment for IS. Violators of the ban can face up to three years in prison. Swiss citizens who travel abroad to fight with the group may be subject to prosecution upon return.

Most public schools provide religious education, depending on the predominant creed in the canton. Religion classes are mandatory in some schools, although waivers are regularly granted upon request. The government respects academic freedom.

#### **E. Associational and Organizational Rights: 12 / 12**

Freedoms of assembly and association are protected by the constitution. The right to collective bargaining is respected, and approximately 16 percent of the workforce is unionized. In a May 2014 referendum, 76 percent of voters rejected a proposal, backed by labor unions, to institute a minimum wage of 22 Swiss francs (\$25) an hour, which would have been the highest in the world.

#### **F. Rule of Law: 15 / 16**

The judiciary is independent, and the rule of law prevails in civil and criminal matters. Most judicial decisions are made at the cantonal level. The federal Supreme Court is empowered to review cantonal court decisions when they pertain to federal law. Some incidents of police discrimination and excessive use of force have been documented. Conditions in prisons and detention centers generally meet international standards, and the Swiss government permits visits by independent observers.

According to the government, 23,765 people applied for asylum in Switzerland in 2014, an increase of 11 percent from 2013. In a June 2013 referendum, about 80 percent of voters approved a proposal to tighten asylum laws. In August 2014, a group of asylum seekers began protesting the increasing use of underground nuclear fallout shelters as housing for asylum seekers in several Swiss cantons.

In the February 2014 referendum, 50.3 percent of voters supported a proposal to further increase restrictions on immigration. The result obliges the government to act within three years to impose new quotas on foreign workers and renegotiate labor market agreements with the EU. It also requires employers to give preference to Swiss citizens in hiring, and restricts immigrants' rights to welfare benefits. In a November referendum, voters rejected a proposal by an environmentalist group to cap the annual number of new immigrants at 0.2 percent of the population.

The rights of cultural, religious, and linguistic minorities are legally protected, but minority groups—especially those of African and Central European descent, as well as Roma—face increasing societal discrimination. A September 2014 report by the European Commission against Racism and Intolerance stated that Switzerland lacks effective legislation to deal with racism and homophobia.

#### **G. Personal Autonomy and Individual Rights: 15 / 16**

Women were only granted universal suffrage at the federal level in 1971, and the half-canton of Appenzell Innerrhoden denied women the right to vote until 1990. In the 2011 elections, 59 women were elected to the National Council, and 9 to the Council of States. The constitution guarantees men and women equal pay for equal work, but pay differentials remain. Switzerland was ranked 11 out of 142 countries surveyed in the World Economic Forum's 2014 Gender Gap Report, which analyzes equality in the division of resources and opportunities

between men and women. In a February 2014 referendum, Swiss voters rejected a proposal by Christian conservatives to remove coverage for abortions from public health insurance.

In a 2005 referendum, voters approved same-sex civil unions. Recognized since 2007, these unions grant many of the legal rights of marriage, with the exception of adoption. In December 2012, the National Council passed a bill allowing members of same-sex unions to adopt the children of their partners.

## ↓ Syria

**Political Rights Rating:** 7

**Population:** 21,987,000

**Civil Liberties Rating:** 7

**Capital:** Damascus

**Freedom Rating:** 7.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Trend Arrow:** Syria received a downward trend arrow due to worsening religious persecution, weakening of civil society groups and rule of law, and the large-scale starvation and torture of civilians and detainees.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,7,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF

### INTRODUCTION

The civil war that started in the wake of a peaceful 2011 uprising continued unabated in 2014. By April it had produced more than 190,000 fatalities and displaced more than 6.5 million people within Syria, according to the United Nations. As of September 2014, more than 3 million Syrians were registered as refugees.

While the Syrian regime appeared in danger of collapse in early 2013, it survived and even made some substantial territorial gains during 2014. Bashar al-Assad was reelected for a third presidential term in a vote that was widely seen as illegitimate by domestic and international opponents. Assad appeared to enjoy active or passive support among constituencies including Alawites, Christians, and Druze in the context of rising Sunni jihadist militancy, as well as steadfast assistance from Russia, Iran, the Lebanese Shiite militia Hezbollah, and Shiite militias from Iraq—with the latter two participating directly in combat.

Human rights violations by the regime escalated as it besieged major population centers held by opposition forces in what amounted to a “surrender or starve” strategy, causing malnutrition and civilian deaths. The government continued to obstruct international efforts to aid affected populations, in violation of a UN Security Council resolution passed in February. A Syrian defector revealed evidence implicating the regime in the torture and starvation of thousands of prisoners. In addition to a large-scale chemical weapons attack on opposition-held territory in August 2013 that killed hundreds, a fact-finding mission for the Organization for the Prohibition of Chemical Weapons determined that the regime had very likely used chemical weapons during 2014.

Insurgent groups also committed serious human rights violations, though the United Nations reported that these were dwarfed by the regime’s abuses. Rebel atrocities included detention, torture, and execution of perceived dissidents and rivals, and sectarian killings of civilians. The worst insurgent violators were jihadist militants, who further consolidated

their control of territory and population centers in 2014. The United States and allied countries began a bombing campaign against the Islamic State (IS) militant group in September.

**POLITICAL RIGHTS:** -3 / 40 (-1)

**A. Electoral Process:** 0 / 12

Bashar al-Assad assumed power after the death of his father, longtime president Hafez al-Assad, in 2000. Constitutional revisions adopted in 2012 provided for future presidential elections, replacing a presidential referendum system in which the sole candidate was nominated by the ruling Baath Party. However, among other restrictions, candidates needed support from at least 35 lawmakers to qualify.

Assad was reelected for a third term in June 2014 with what the government claimed was 88.7 percent of the vote amid 73.4 percent turnout. The voting was conducted only in government-controlled areas and in a climate of severe repression. Observers were invited from friendly authoritarian countries including North Korea, while major democratic states denounced the voting as illegitimate.

Members of the 250-seat, unicameral People's Council serve four-year terms but hold little independent legislative power. Almost all power rests in the executive branch. The last legislative elections were held in May 2012 amid open warfare and an opposition boycott. The Baath Party and allied factions took 168 seats, progovernment independents secured 77, and a nominal opposition group won 5. Regardless of the formal electoral laws and processes the regime monitors, intimidates, and represses political dissidents, making it all but impossible for a genuine opposition to contest elections.

Opposition-held Syria continued to lack an effective or unified governing structure in 2014. The National Coalition for Syrian Revolutionary and Opposition Forces, or Etilaf, was formed in 2012 to act as the international representative body of the revolution. Comprised of delegates from opposition groups in exile, it has been recognized as the legitimate representative of the Syrian people by the Arab League, the United States, and many European countries. Etilaf has undergone several changes of leadership through internal elections; in July 2014, delegates meeting in Istanbul chose Hadi al-Bahra, a businessman with ties to Saudi Arabia, as president. These elections are competitive to an extent, but heavily influenced by the coalition's foreign backers. Moreover, Etilaf's links to local leaders and fighters inside Syria remain tenuous, casting serious doubt on the degree to which it is genuinely representative of civilians or fighters in the country.

Provisional local councils in certain rebel-held areas have organized rudimentary elections, and some appear to have been fairly contested and even impartially monitored. However, such experiments in civilian self-government remain vulnerable to derailment by hostile insurgent groups, constant bombardment and occasional siege by regime forces, and chronic resource shortages.

**B. Political Pluralism and Participation:** 0 / 16

Formally, the state forbids parties based on religious, tribal, or regional affiliation. Until a 2011 decree allowed the formation of new parties, the only legal factions were the Baath Party and its several small coalition partners. Independent candidates are heavily vetted and closely allied with the regime. The 2012 constitutional reforms relaxed rules regarding the participation of non-Baathist parties, but the government maintains a powerful intelligence and security apparatus to monitor and punish opposition political activity in practice.

Within the progovernment camp, politics and decision making are completely dominated by Assad, his extended family, and a close circle of business and security allies. The president's relatives control key elements of the security forces. Although the government

is often described as an Alawite regime and a protector of religious minorities, it is not an authentic vehicle for these groups' political interests. Political access is a function not of sect, but of proximity and loyalty to Assad and his associates. The political elite is not exclusively Alawite and indeed includes members of the majority Sunni sect, which also makes up most of the rebel movement; meanwhile, Alawites, Christians, and Druze outside Assad's inner circle are just as politically disenfranchised as the broader Sunni population. Foreign actors including Iran, Hezbollah, and Iraqi Shiite militias also exert heavy influence over the regime due to their critical contribution to the war effort.

Political activity in rebel-held areas is more vigorous than in regime areas, but it is still seriously constrained, and in some places nonexistent. Civilians' political aspirations are often subordinated to whatever armed group controls a given area. Opposition territory is divided among a multitude of armed factions, including moderate, Islamist, radical jihadist, and autonomous Kurdish units, with varying implications for local political life. Local councils are often sponsored or appointed by prominent families and armed groups, and overwhelmed by addressing humanitarian needs and delivering basic services. They must also contend with the rising power of jihadist groups including Jabhat al-Nusra and IS, the latter of which tolerates no political activity. Nevertheless, even this limited level of local political participation is nearly unprecedented in Syria, made possible by the collapse of regime authority and the decentralized politics of many opposition-held areas.

### **C. Functioning of Government: 0 / 12**

Government institutions lacked public accountability and were plagued by corruption even before the armed conflict. Those who question state policies or actions face harassment, censorship, imprisonment, or death. Members of the ruling family and their inner circle are said to own and control much of the Syrian economy. The president's personal fortune has been estimated at between \$550 million and \$1.5 billion; his cousin Rami Makhoul is said to be worth \$5 billion. Makhoul was designated as profiting from public corruption by the U.S. Treasury Department in 2008. Syria was ranked 159 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

The government's lack of public accountability has been exacerbated during the civil war by the rise of militias that are nominally loyal to the regime but increasingly autonomous and free to exploit the population in regime-held areas. They have reportedly engaged in abuses including looting, extortion, and the erection of arbitrary checkpoints.

Corruption is also widespread in rebel-held areas. Some rebel commanders, including from brigades nominally aligned with democratic powers and their allies, have been accused of looting, extortion, and theft. In addition, 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. Islamist factions appear somewhat more disciplined and eager to enforce their decrees, though militant groups such as IS are not accountable to the public. IS runs an extensive extortion network and smuggling operations that extend into Iraq and Turkey.

### **Discretionary Political Rights Question B: -3 / 0 (-1)**

The armed conflict has grown increasingly sectarian, with Sunni civilians bearing the brunt of government and progovernment militia attacks, some Islamist factions persecuting minorities and secularists, and civilians of all confessions seeking safety among their respective groups. The result is significant, ongoing change in the country's demographics. The situation worsened in 2014, as IS militants seized and consolidated control over substantial territory in the provinces of Raqqa, Deir al-Zour, and Aleppo, implementing harsh,

discriminatory, and frequently violent policies against non-Sunni Muslims as well as Sunnis perceived as erring in their faith.

**CIVIL LIBERTIES:** 2 / 60 (-1)

**D. Freedom of Expression and Belief:** 2 / 16 (+1)

The constitution nominally guarantees freedom of speech and the press, but this is not implemented in practice. Freedom of expression is heavily restricted. Most domestic news outlets are controlled by either the regime or rebel factions, and the regime in particular substantially hinders access to information. All media are required to obtain permission to operate from the Interior Ministry. The state controls major newspapers, while private media in government areas are generally owned by figures closely associated with the regime. The state has stopped trying to block Facebook but instead uses it for surveillance, monitoring the pages of opponents and dissidents. Meanwhile, the progovernment Syrian Electronic Army has mounted a series of cyberattacks on opposition supporters, activists, and news outlets, including major foreign media.

At least 17 journalists were killed in Syria in 2014, the majority of whom were Syrian. IS executed two American freelance journalists who had been held in prolonged captivity. According to Reporters Without Borders, as of September at least 19 journalists had disappeared since the beginning of the uprising. Many others have been kidnapped or imprisoned but eventually released.

While the constitution mandates that the president be a Muslim, there is no state religion, and the regime has generally allowed freedom of worship as long as religious activities do not spill over into the political sphere. The government tightly monitors mosques and controls the appointment of Muslim religious leaders. In opposition areas, freedom of worship also generally prevails, except in territory controlled by jihadist groups. IS, for example, has destroyed several religious and cultural sites and artifacts. It has implemented harsh restrictions on any religious activity that does not conform to its version of Sunni Islam. The war has increased sectarian hostility and polarization in both government and rebel-held areas. The regime has carried out massacres of Sunni civilians, while Alawite civilians have been killed by radical Islamists.

Academic freedom is heavily restricted. University professors in government-held areas have been dismissed or imprisoned for expressing dissent, and some have been killed in response to their outspoken support for regime opponents. Education in general has been greatly disrupted by the civil war, with school facilities regularly attacked or commandeered by combatants on all sides. IS has reconstituted an educational system of sorts in some of its territory, though it is based on religious and political indoctrination. Schooling in regime areas continues to emphasize political indoctrination as well.

Private discussion is subject to heavy surveillance and punishment in areas controlled by the government and the more extreme insurgent groups, but the environment is somewhat more open than before the uprising in some rebel-held districts.

**E. Associational and Organizational Rights:** 0 / 12

Freedom of assembly is severely restricted. Opposition protests in government-held areas are usually met with gunfire, mass arrests, and torture of those detained. 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. Some rebel factions, especially IS, have also severely repressed civilian demonstrations. In September 2014, IS fighters reportedly shot at protesters, calling on them to leave their town in Deir al-Zour following deadly government airstrikes, and executed one civilian.

An umbrella group of grassroots activists known as the Local Coordination Committees (LCC) emerged in many parts of Syria at the time of the 2011 uprising, organizing and monitoring the activities of the peaceful protest movement and documenting human rights abuses. However, LCC figures and other activists have faced violence and intimidation by armed groups.

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, a nominally independent grouping that the government uses to control union activity. The economic and political pressures of the war have made functioning labor relations virtually impossible across the country.

#### **F. Rule of Law: 0 / 16**

The constitution forbids government interference in the civil judiciary, but all judges and prosecutors must belong to the Baath Party and are in practice beholden to the political leadership. Military officers can try civilians in both conventional military courts and field courts. 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.

Government forces are responsible for the arrest and torture of tens of thousands of people since the uprising began in 2011. In 2014, a newly revealed archive of some 55,000 images—compiled by a military police photographer who defected from the regime—documented the torture and starvation of prisoners on a massive scale. Human Rights Watch in 2012 identified 27 facilities where people have been subjected to more than 20 types of torture, including beatings, torture with electricity or battery acid, rape, and mock execution. Most victims are men between 18 and 35 years of age, but women, the elderly, and children are also detained and tortured. Rape is being used as an instrument of war, and while most reported victims are women, men and boys have also been raped. Human rights groups report that the overwhelming majority of documented sexual assaults in Syria are perpetrated by government forces and their allies.

Insurgent groups have been accused of committing summary executions, including of civilians, and torturing and mutilating captured combatants. Some Islamist rebels and jihadists have also set up religious courts in their areas, imposing harsh punishments for perceived religious offenses by civilians. More generally, the breakdown of state authority and the proliferation of both loyalist and rebel militias has led to warlordism, crime, and arbitrary exercise of authority.

The Kurdish minority has historically faced official discrimination and severe restrictions on work, travel, property ownership, and cultural and linguistic expression, though their situation somewhat improved after 2011 due to receding government authority in Kurdish areas. Syrian law also discriminates against LGBT (lesbian, gay, bisexual, and transgender) people; according to the 1949 penal code, “unnatural sexual intercourse” is punishable with up to three years in prison, and gay men are subjected to targeted forms of sexual abuse. They are also persecuted by extremist groups in insurgent areas.

#### **G. Personal Autonomy and Individual Rights: 0 / 16 (-2)**

The proliferation of military and rebel checkpoints, heavy combat, and general insecurity have severely restricted the free movement of people and vital supplies since 2011, affecting resident civilians, the internally displaced, and those attempting to flee the country. The regime has systematically blockaded regions controlled by rebels, with especially tight cordons surrounding districts under military siege or assault. Rebel and



jihadist forces have also intermittently blocked and confiscated shipments of aid and medicine for civilians.

Rampant corruption predated the Syrian uprising, affecting the daily lives of Syrians. Citizens are frequently required to bribe officials to complete procedures, and business investors and owners must often pay bribes to operate. Since the war broke out, Syrians who fear persecution have been wary of approaching official institutions to request critical documentation, and must resort to the black market. Rebel groups also extort businesses and confiscate private property.

Women are underrepresented in Syrian politics and government, and face serious legal discrimination. They hold just 12 percent of the seats in the legislature, though some have been appointed to senior positions, including one of the two vice presidential posts. Husbands may prevent their wives from leaving the country with their children, and women cannot pass citizenship on to their children. Women are not able to organize independently to advocate for gender equality. Male perpetrators of killings classified as “honor crimes” can receive reduced sentences under the penal code. Personal status law for Muslims is governed by Sharia (Islamic law) and is discriminatory in marriage, divorce, and inheritance matters. Church law governs personal status issues for Christians, in some cases barring divorce.

Syria was ranked 139 out of 142 countries in the World Economic Forum’s 2014 *Global Gender Gap Report*. In addition to sexual violence associated with the armed conflict, domestic abuse is endemic. Rates of early marriage are reportedly high, with displaced and refugee families in particular marrying off young daughters as a perceived safeguard against rape, a means of covering up such crimes, or a response to economic pressure. Forced prostitution and human trafficking are also serious problems among these populations.

## Taiwan

**Political Rights Rating:** 1

**Population:** 23,392,000

**Civil Liberties Rating:** 2

**Capital:** Taipei

**Freedom Rating:** 1.5

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	2,1,F	2,1,F	2,1,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F	1,2,F

### INTRODUCTION

During 2014, the administration of President Ma Ying-jeou continued to pursue closer ties with China. However, this policy encountered significant public opposition. Having signed the bilateral Economic Cooperation Framework Agreement (ECFA) trade pact in 2010, the two governments agreed to a follow-on deal in June 2013 that would open up their service sectors. When the Ma administration sought to expedite the passage of the accord through the parliament in March 2014, a group of students broke into the parliament building to protest the move. This triggered large-scale demonstrations—later dubbed the Sunflower Movement—against the agreement on trade in services. Students ultimately

occupied the legislature for 24 days, and briefly occupied executive branch offices before being forcibly removed by police. The trade agreement had yet to be approved at year's end.

Meanwhile, the ruling nationalist Kuomintang (KMT) party suffered a major defeat in municipal elections held in November, winning in only six of 22 cities and counties. Many observers attributed the results to widespread dissatisfaction with the Ma administration's focus on forging closer ties with China and lack of attention to widening income disparity and sluggish economic growth.

**POLITICAL RIGHTS:** 37 / 40 (+1)

**A. Electoral Process:** 12 / 12 (+1)

The president is directly elected for up to two four-year terms, appoints the prime minister, and can dissolve the national legislature (Legislative Yuan), which consists of 113 members serving four-year terms. The Executive Yuan, or cabinet, is made up of ministers appointed by the president on the recommendation of the prime minister. The three other branches of the government are the judiciary (Judicial Yuan), a watchdog body (Control Yuan), and a branch responsible for civil-service examinations (Examination Yuan). Direct elections for both the president, since 1996, and for the legislature, since 1991, have been considered generally free.

President Ma, the candidate of the ruling KMT party, won a second term in the 2012 presidential election. The KMT also retained its majority in concurrent legislative elections, taking 64 seats. The pro-independence Democratic Progressive Party (DPP) kept its status as the main opposition faction with 40 seats, and the remainder went to independents and smaller parties.

Elections in Taiwan are administered by the Central Election Commission. To maintain its impartiality, the law mandates that no political party may hold more than one-third of the seats on the commission. Since 2007, instances of vote buying and other electoral irregularities have gradually waned thanks to tighter enforcement of anticorruption laws.

**B. Political Pluralism and Participation:** 15 / 16

Taiwan's multiparty system features vigorous competition between the two major parties, the KMT and the DPP. Opposition parties are able to function without interference. The KMT has dominated both the executive and legislative branches since 2008. It holds a clear advantage in campaign funding from the business sector, which in general favors the Ma administration's China-friendly policy. Nevertheless, the opposition parties have been able to compete freely during elections, including the November 2014 municipal elections, which marked a significant defeat for the KMT. The voting also featured important victories for independent candidates, including in the Taipei mayoral race.

**C. Functioning of Government:** 10 / 12

Though significantly less pervasive than in the past, corruption remains a problem in Taiwan. Politics and big business are closely intertwined, leading to malfeasance in government procurement. In October, Taipei city council member Lai Su-ju was sentenced to 10 years in prison for soliciting a bribe from a company seeking a construction contract from the city. She had close ties to the president and had held high positions in the KMT.

Former president Chen Shui-bian of the DPP, serving a 20-year prison sentence for corruption, was seeking medical parole at the end of 2014. The authorities have been accused of denying him adequate care behind bars, leading to deterioration in his health, and he reportedly attempted suicide in June.

Taiwan was ranked 35 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 51 / 60 (-1)

**D. Freedom of Expression and Belief:** 14 / 16

Taiwan's media reflect a diversity of views and report aggressively on government policies and corruption allegations, though many outlets display strong party affiliation in their coverage. Beijing has exerted growing influence on Taiwanese media. A number of 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 the Chinese government. Pro-Beijing advertisements disguised as news are often placed in Taiwanese media. The government refrains from restricting the internet.

During the Sunflower Movement in 2014, there were various instances of police restricting journalists' ability to cover the protests. A number of journalists and photographers were reportedly assaulted or manhandled by police on March 23, before and during the operation to remove protesters from the Executive Yuan.

Taiwanese of all faiths can worship freely. Religious organizations that choose to register with the government receive tax-exempt status. Educators in Taiwan can generally write and lecture without interference.

**E. Associational and Organizational Rights:** 10 / 12 (-1)

Freedom of assembly is largely respected in Taiwan, although the authorities employed somewhat harsher methods in response to the large-scale demonstrations of 2014, which featured a spike in youth participation. Officials' handling of the Sunflower Movement protests in March drew particular criticism, as police were accused of using excessive force while expelling students from the Executive Yuan. Police reportedly used water cannons and tear gas, swung batons at unarmed protesters, and struck seated protesters with riot shields. More than 150 people were injured, and many were hospitalized.

Taiwan's Assembly and Parade Law enables police to prosecute protesters who fail to obtain a permit or follow orders to disperse. In 2014, there was an increased use of criminal charges against protesters in an attempt to discourage them from organizing or participating in further demonstrations. In the wake of the Sunflower Movement, the authorities made recommendations for indictment against at least 171 protesters, compared with a total of 70 recommendations in 2013. Police reportedly questioned more than 400 individuals following the protests. In April, the Ministry of Interior proposed using preemptive detention against protesters who have a record of violating the law during demonstrations. The announcement generated extensive criticism.

All civic organizations must register with the government, though registration is freely granted. Nongovernment organizations typically operate without harassment.

Trade unions are independent, and most workers enjoy freedom of association. However, military personnel and government employees (with the exception of teachers) are barred from joining unions and bargaining collectively.

**F. Rule of Law:** 14 / 16

Taiwan's judiciary is independent, and trials are generally fair. However, scandals at the Ministry of Justice and its Special Investigation Division (SID) have raised concerns about political interference and illegality among prosecutors. The SID is tasked with investigating high-profile cases. In March, Prosecutor General Huang Shih-ming, who leads the division, was sentenced to 14 months in prison for disclosing wiretapped

conversations involving the speaker of the Legislative Yuan to President Ma. The scandal prompted calls to abolish the SID.

Police largely respect the ban on arbitrary detention, and attorneys are allowed to monitor interrogations to prevent torture. Family members of inmates facing the death penalty are typically not informed about scheduled dates of executions. Despite international criticism, Taiwan put five inmates to death in April. The execution of the brothers Tu Ming-lang and Tu Ming-hsiung was especially controversial. They were accused of murdering five people at a chemical plant in Guangdong, China, in 2001. The Taiwanese court convicted them using evidence provided by Chinese authorities pursuant to a 2009 cross-strait agreement on legal assistance that has never been subjected to Taiwanese legislative review. The prosecutor's case relied mostly on confessions and witness accounts obtained by China's Public Security Bureau. Rights groups claimed that the testimonies were contradictory and tainted given the nature of China's justice system, which is rife with corruption and abuse.

The constitution provides for the equality of all citizens, though the island's indigenous people continue to face social and economic discrimination. Disputes over their reserve lands have continued, as efforts to pass the Indigenous Autonomy Act stalled in 2013. Taiwanese law prohibits discrimination in employment based on sexual orientation, and violence against LGBT (lesbian, gay, bisexual, and transgender) people is adequately addressed by police.

Taiwanese law does not allow for asylum or refugee status, and a 2010 bill that would address the problem was under legislative review at the end of 2014.

#### **G. Personal Autonomy and Individual Rights: 13 / 16**

Restrictions on travel between Taiwan and China have been gradually eased in recent years. A program launched in 2011 allows Chinese tourists to travel to Taiwan without supervision. The daily quota has increased from 500 in 2011 to 8,000 for the peak season in 2014.

In recent years, urban renewal projects and conversions of agricultural land for industrial or residential use have been criticized for unfairly displacing residents and leading hundreds of families to live in informal settlements. In 2013, the Constitutional Court found parts of the Urban Renewal Act to be unconstitutional; the act only requires agreement from 10 percent of the residents for a renewal project to be approved by the local government. However, revisions to the law remained stalled in the Legislative Yuan at the end of 2014.

The constitution guarantees women equal rights, though Taiwanese women continue to face discrimination in employment and compensation. After the 2012 elections, women held 30 percent of the seats in the legislature. Sex trafficking remains a problem, with women originating in China or Southeast Asia often among the victims.

While same-sex marriage is not permitted, a bill that would amend the civil code to legalize such unions was introduced in 2013. Supporters and opponents of the bill organized demonstrations during 2014, and it remained under consideration at year's end.

According to official statistics, there were approximately 503,000 foreign workers in Taiwan in 2014. Migrant workers are not covered under basic labor laws, such as the Fair Labor Standards Act and the Labor Safety and Health Act, rendering them vulnerable to abuse and exploitation. Household workers in particular are often subject to wages lower than the legal minimum, long hours with little weekly rest, and sexual harassment. Exploitation of foreign workers is also common in the fishing industry. In April, a court in Cambodia sentenced a Taiwanese national to 10 years in prison for running a recruitment firm that trafficked hundreds of Cambodian fishermen to work in abusive conditions on Taiwanese vessels.

## ↓ Tajikistan

**Political Rights Ratings:** 6

**Civil Liberties Ratings:** 6

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Population:** 8,266,000

**Capital:** Dushanbe

**Trend arrow:** Tajikistan received a downward trend arrow due to constant abuse of opposition parties at the local level in the run-up to parliamentary elections, the designation of the political reform and opposition movement Group 24 as an extremist entity in October, and the arrest and temporary detention of academic researcher Alexander Sodiqov on treason charges.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,6,NF	6,6,NF	6,6,NF

### INTRODUCTION

Throughout 2014, the government continued to arbitrarily limit free speech, access to information, and the right to civic organization. It led a campaign against the country's largest opposition group, the Islamic Revival Party of Tajikistan (IRPT), ahead of parliamentary elections planned for February 2015.

In May 2014, protests against police violence spiraled into clashes in Khorog, the capital of the autonomous Gorno-Badakhshan region, leading to the deaths of several protesters and at least one bystander. In June, state security services arrested Alexander Sodiqov, a Tajik citizen and PhD student at the University of Toronto who was conducting research about peacebuilding in Khorog. The government declared the Moscow-based Group 24, led by Tajik oppositionists in exile, an "extremist organization" in October for encouraging peaceful protests in Dushanbe, making participants in the group or its activities subject to prosecution under the same statutes covering terrorist organizations.

**POLITICAL RIGHTS:** 7 / 40 (-1)

**A. Electoral Process:** 2 / 12

Tajikistan's 1994 constitution provides for a strong, directly elected president who enjoys broad authority to appoint and dismiss officials. In the 63-seat Assembly of Representatives (lower chamber), members are elected by popular vote to serve five-year terms. In the 33-seat National Assembly (upper chamber), 25 members are chosen by local assemblies, and 8 are appointed by the president, all for five-year terms.

In 1992, Emomali Rahmon, a senior member of the Communist Party during Tajikistan's last years as part the Soviet Union, was installed as president in the midst of a civil war that lasted from 1992 to 1997. Rahmon was elected to office in 1994 and has been in power since. In 2013, Rahmon was reelected to a fourth term with 83.6 percent of the vote; Organization for Security and Co-operation in Europe (OSCE) observers noted that the election "lacked a real choice" and failed to meet international standards. The incumbent administration used its nearly absolute control over media coverage, an extremely high threshold for number of signatures required to run for office, and the exclusion of migrant workers—who comprise as much as 45 percent of the electorate—from the nomination process to cement its dominance over the electoral process.

Rahmon's People's Democratic Party (PDP) has consistently dominated legislative elections. The PDP won 55 of 63 lower house seats in 2010 parliamentary elections. OSCE monitors said those elections failed to meet basic democratic standards.

**B. Political Pluralism and Participation:** 3 / 16 (-1)

A 1999 referendum permitted the formation of religion-based political parties and paved the way for the legal operation of the Islamist opposition, including the IRPT. Opposition parties were promised 30 percent of senior government posts as part of the peace accords that ended the civil war in 1997, but this quota has not been met. The Islamic and secular opposition are frequently persecuted and increasingly alienated from the political process.

IRPT members were beaten, harassed, and imprisoned throughout 2014, with some reportedly tortured. In preparation for parliamentary elections in February 2015, the government used state-controlled media to malign the IRPT. In January 2014, state national television claimed a faith healer convicted of child rape in Isfara was an IRPT member, but records showed no such person belonging to the party; the member identification number shown in the broadcast belonged to someone else, and an "Islamic" beard had reportedly been digitally added to his picture. Beginning in March, videos purporting to show IRPT members engaged in sexual activities were broadcast on state-controlled television; party representatives denied affiliation with the individuals.

Local authorities increased harassment of IRPT district and regional offices throughout the year, raiding meetings, closing local offices, and using eminent domain claims to tear offices down. In some cases, authorities falsely informed members of the IRPT that the party had been outlawed at the national level. In April, unknown assailants attacked and beat Sayidumar Hasuayni, an IRPT parliamentarian and first deputy chief of the party, during a state visit to Khorog. In June, party leader Muhammad Kabiri was pelted with eggs and vegetables in Kulob district. In August, the IRPT's chair from Gorno-Badakhshan Autonomous Region, Saodatsho Adolatov, was sentenced to five years in prison for "inciting hatred" and accused of having "trained with the Taliban," though no evidence for this charge was presented.

In October, the Supreme Court declared exiled entrepreneur Umarli Quvvatov's Moscow-based opposition movement Group 24 to be an "extremist organization"—the same legal designation applied to terrorist groups—in response to its plans to hold peaceful protests in Dushanbe.

**C. Functioning of Government:** 2 / 12

Corruption is pervasive. Patronage networks and regional affiliations are central to political life. Officials from the president's native Kulob district are dominant in government. At least two of Rahmon's children hold senior government posts, and various family members reportedly maintain extensive business interests in the country, including the largest bank, the railroad, and the national television channel, among many others. Major irregularities at the National Bank of Tajikistan and the country's largest industrial company, TALCO Aluminum, have been documented and linked together. Tajikistan was ranked 152 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 15 / 60 (-1)

**D. Freedom of Expression and Belief:** 5 / 16

Despite constitutional guarantees of freedom of speech and the press, independent journalists face harassment and intimidation. Tajikistan decriminalized libel in 2012, but

the civil charge is often used to crippling effect against newspapers that criticize the government. The act of publicly insulting the president remains punishable by up to five years in jail. In February 2014, a Dushanbe court ruled that Olga Tutubalina, an editor of the independent online news outlet Asia-Plus, must pay damages of \$6,000 to three plaintiffs who claimed they were libeled in an article criticizing the country's intelligentsia, even though none of them was named.

The government controls most printing presses, newsprint supplies, and broadcasting facilities. Most television stations are state owned or only nominally independent. The government blocks some critical websites and online news outlets and imposes mass blackouts on websites, social media platforms, email services, and even mobile messaging programs in order to prevent protests or criticism. In October, in response to attempts by Russia-based Tajik opposition groups to mobilize protests in Dushanbe, authorities blocked hundreds of websites and communications platforms throughout the country, reportedly including a full blackout on internet services in some areas.

The government imposes a number of restrictions on religious freedom. Religious activities are restricted to state-approved houses of prayer. Authorities limit the number of mosques that can function in towns and have undertaken a campaign in recent years to shutter those that lack proper registration. Throughout 2014, Tajikistan continued to prosecute citizens for alleged membership in extremist religious organizations. In September, Tajikistan's highest Muslim cleric issued an edict against criticizing the government, which oppositionists saw as a sign of political pressure on the religious hierarchy. A 2011 law banned minors from attending regular religious services in mosques and prohibited private religious education, limiting even private discussion of religious topics in the home; many religious leaders criticized the law or quietly refused to obey it. Wearing the hijab (headscarf) in schools and universities has been banned since 2005.

In June 2014, authorities arrested Tajik citizen and University of Toronto PhD student Alexander Sodiqov, who was conducting research for a British academic project about peacebuilding in Khorog, and charged him with espionage and treason. The case sparked a global backlash from hundreds of universities and academic organizations that perceived it as an assault on academic freedom. After five weeks in custody, Sodiqov was released and returned to Canada, though charges against him were not dropped.

#### **E. Associational and Organizational Rights: 3 / 12 (-1)**

The government limits freedoms of assembly and association. Local government approval is required to hold public demonstrations, and officials reportedly refuse to grant permission in many cases and often interfere with the ability of journalists to report on demonstrations.

Nongovernmental organizations (NGOs) must register with the Ministry of Justice and are vulnerable to closure for minor technicalities. In November, the government discussed draft legislation that would require NGOs to register foreign and anonymous funding with the Ministry of Justice.

Citizens have the legal right to form and join trade unions and to bargain collectively, but unions are largely subservient to the authorities.

#### **F. Rule of Law: 3 / 16**

The judiciary lacks independence. Many judges are poorly trained and inexperienced, and bribery is reportedly widespread. Court proceedings rarely follow the rule of law, and nearly all defendants are found guilty. Police frequently make arbitrary arrests and beat

detainees to extract confessions. Overcrowding and disease contribute to often life-threatening conditions in prisons.

Discrimination against ethnic minorities is not a significant problem in Tajikistan. However, while same-sex sexual conduct is legal, there is no legal protection for LGBT (lesbian, gay, bisexual, and transgender) people against discrimination, and most hide their gender identity.

#### G. Personal Autonomy and Individual Rights: 4 / 16

Tajikistani citizens can travel freely but must apply for registration of their permanent residence with local authorities. The right to choose institutions of higher education is formally protected but has been plagued by widespread corruption, and students interested in studying Islamic theology are forbidden from attending schools outside the country without special permission from the state.

Scare employment has forced many to seek work abroad, and real choice in one's form of labor is inhibited by an anemic economy with little professional opportunity. Tajikistan ranks near the bottom in global surveys of economic freedom, reflecting a dysfunctional economic environment that impacts everything from peasant farms to large enterprises. By law, all land belongs to the state, which allocates use rights to citizens primarily for agricultural purposes in a process plagued by corruption and inefficiency. Tajikistan did streamline processes for starting a new business, paying taxes, and obtaining credit in 2014.

Sexual harassment, discrimination, and violence against women, including spousal abuse, are reportedly common, but cases are rarely investigated. Reports indicate that women sometimes face societal pressure to wear headscarves, though official policy discourages the practice. Despite some government efforts to address human trafficking, Tajikistan remains a source and transit country for persons trafficked for prostitution. Child labor, particularly on cotton farms, also remains a problem.

## Tanzania

**Political Rights:** 3

**Population:** 50,757,000

**Civil Liberties:** 3

**Capital:** Dar-es-Salaam

**Freedom Rating:** 3.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

#### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	4,3,PF	4,3,PF	4,3,PF	4,3,PF	4,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF

#### INTRODUCTION

Tanzania's constitutional reform process, ongoing since 2012, was delayed in April 2014 when the country's main political opposition parties boycotted the drafting process and rejected the Constituent Assembly's (CA) charter over complaints that the ruling Chama Cha Mapinduzi (CCM) party was controlling the process. Nevertheless, the CCM used its majority in the 640-member CA to pass a controversial draft constitution in October and announced that a nationwide referendum would take place as scheduled in



April 2015. Political opposition, dominated by the Chama cha Demokrasia na Maendeleo (CHADEMA) party, initiated legal action to block the referendum and announced a campaign against the draft.

Tanzania's economic outlook dimmed after several international donors froze \$500 million in aid to the country in October, following reports that several high-level government officials diverted central bank funds for personal gain. Tanzania's parliamentary public accounts committee, which is responsible for investigating the allegations, has called for the dismissal of several senior government officials, the first of whom were removed in December.

**POLITICAL RIGHTS:** 28 / 40 (-1)

**A. Electoral Process:** 9 / 12

The president is elected by direct popular vote for up to two five-year terms. Legislative authority lies with a unicameral, 357-seat National Assembly (the Bunge) whose members serve five-year terms. Of these members, 239 are directly elected in single-member constituencies, 102 seats are reserved for women elected by political parties, 10 are presidential appointees, 5 are members of the Zanzibar legislature, and the last seat is reserved for the attorney general. Zanzibar, the semiautonomous island region off the mainland, elects its own president and 50-seat House of Representatives by direct vote. It maintains largely independent jurisdiction over its internal affairs.

Despite some irregularities, the 2010 elections were judged to be the most competitive and legitimate in Tanzania's history, despite a disappointing 43 percent voter turnout. While the ruling CCM party retained its dominant position, winning 186 seats, the opposition gained its largest representation in parliament yet. The Civic United Front (CUF) took 24 seats, and CHADEMA won 23. President Jakaya Kikwete of the CCM party was reelected for a second term with 61 percent of the vote, compared with 26 percent for the presidential runner-up, CHADEMA's Willibrod Slaa.

December 2014 local elections were marred by procedural irregularities, missing and misprinted ballots, rioting, and confusion. Following the vote, the Tanzanian government removed six district-level officials responsible for overseeing the flawed elections and began investigations into an additional 11 to determine why preparations were not adequately managed.

The electoral framework is facilitated by the National Electoral Commission and the Zanzibar Electoral Commission, both of which are appointed by the president. In addition, the executive maintains the ability to appoint regional and district commissioners, who are influential during elections.

The current constitution was passed in 1977, when the country was under single-party rule. In March 2014, the presidentially appointed Constitutional Review Commission submitted its second draft of a new constitution to the CA, a body of 640 Tanzanian and Zanzibari legislators and presidential appointees. The new constitution proposes a three-tiered federal state, fewer cabinet members, independent candidature, limits on executive appointment, and an explicit bill of rights. The CA passed a controversial draft in October, with the CCM keeping the process on schedule for a nationwide referendum in April 2015. Political opposition parties led by CHADEMA sought a judicial block to the new constitution, suggesting it was passed without meeting a quorum, and initiated a nationwide campaign to garner public support for their position.

**B. Political Pluralism and Participation:** 12 / 16

Tanzanians have the right to organize into political parties, and there is growing support for opposition parties. The constitution permits political parties to form "shadow

governments” while in opposition. In October 2014, four opposition parties—the CUF, CHADEMA, National Convention for Construction and Reform–Mageuzi, and the National League for Democracy—signed a memorandum of understanding agreeing to support a single presidential candidate in the 2015 elections to oppose the CCM.

Although political diversity has grown in recent years, minority parties report regular harassment and intimidation by the ruling party and various state institutions, including the police. People’s choices are influenced by threats from military forces and the use of material incentives by the ruling party.

Cultural, ethnic, religious, and other minority groups have full political rights, but parties formed on explicitly religious, ethnic, or religious bases are prohibited.

### **C. Functioning of Government:** 7 / 12 (-1)

Corruption persists within the government despite the presence of the Prevention and Combating Corruption Bureau. Corruption is pervasive in all aspects of political and commercial life, but especially in the lucrative energy and natural resources sectors. Tanzania was ranked 119 out of 175 countries and territories surveyed in Transparency International’s 2014 Corruption Perceptions Index.

In 2014, several senior government and business officials were implicated in authorizations of payments for nonexistent energy contracts; the suspects are alleged to have funneled more than \$180 million to private offshore accounts. Attorney General Frederick Werema and Housing Minister Anna Tibaijuka were removed from their posts in December for alleged participation, and the parliament also called for the removal of Energy Minister Sospeter Muhongo and Prime Minister Mizengo Pinda. Twelve international donors subsequently withheld close to \$500 million in budgetary support for the government.

The government remains sporadically responsive to citizen input between elections, and citizens have access to public information. The parliament of Tanzania publishes legislation, committee reports, budgets, and Q&A sessions. To demonstrate its commitment to citizen input, the Tanzanian Constitutional Review Commission scheduled more than 1700 meetings with more than one million citizens and civil society representatives in 2012. Despite these efforts, the Tanzania Constitutional Forum’s efforts to pressure President Kikwete to veto the Constitution Review Act was ultimately unsuccessful.

### **CIVIL LIBERTIES:** 35 / 40

#### **D. Freedom of Expression and Belief:** 10 / 16

Although the constitution provides for freedom of speech, it does not specifically guarantee freedom of the press. Independent media on mainland Tanzania have come under increasing pressure as the 2015 elections approach. Current laws give authorities broad discretion to restrict media on the basis of national security or public interest, and difficult registration processes hinder print and electronic media. A February 2014 publication by the Committee to Protect Journalists highlighted the CCM’s tactic, exercised prior to the 2010 elections, of buying full-page advertisements to limit space for coverage of the opposition. In April 2014, authorities demanded that the weekly newspaper *Mawio* print corrections to an article about the union between Zanzibar and mainland Tanzania, alluding to legal action or closure as possible repercussions; the article had disputed the authenticity of a government document related to the union.

Press freedom in Zanzibar is more constrained. The Zanzibari government owns the only daily newspaper, and private media other than radio are nearly nonexistent. Internet access, while limited to urban areas, is growing, but authorities monitor websites that are critical of the government.

Freedom of religion is generally respected. Relations between the various faiths are largely peaceful, though there have been periodic instances of violence. Tensions between Muslims and Christians led to a fatal attack in Bukoba in October 2014—Muslim assailants wielding machetes attacked a Bible study group, leaving one man dead and another seriously injured.

Tensions between Muslims and Christians on Zanzibar also continued in 2014. The Zanzibar government appoints a *mufti*, a professional jurist who interprets Sharia (Islamic law), to oversee Muslim organizations. Some Muslims have argued that this practice represents excessive government interference. In September, attackers assaulted Pastor Prince Simon and his wife in their home, declaring that they did not want Christians in Zanzibar and calling upon them to return to the mainland.

There are few government restrictions on academic freedom. People actively engage in private discussions, but the CCM uses a system of party-affiliated cells in urban and rural areas for public monitoring. Each cell is reportedly responsible for 10 households.

#### **E. Associational and Organizational Rights: 7 / 12**

The constitution guarantees freedom of assembly, but the government can limit this right since all assemblies require police approval and critical political demonstrations are at times actively discouraged. A joint opposition rally led by CHADEMA was banned in September 2014. Protests nevertheless continued to be held that month, and police arrested several pro-opposition demonstrators.

There is freedom for nongovernmental organizations (NGOs), and more than 4,000 are registered. While current laws give the government the right to deregister NGOs, there is little interference in NGO activity. Many NGOs, such as Research and Education for Democracy in Tanzania and the Legal and Human Rights Centre, publish reports that are critical of the government.

Trade unions are ostensibly 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. Essential public service 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, but in July 2014, more than 3,000 Tanzania-Zambia Railway Authority (TAZARA) workers went on strike over unpaid salaries. In August, TANZARA responded by firing more than 1,000 employees for "unlawful" strike actions, even while admitting it owed employees back pay.

#### **F. Rule of Law: 9 / 16**

Tanzania's judiciary suffers from underfunding and corruption. Judges are political appointees, and the judiciary does not have an independent budget, making it vulnerable to political pressure and influencing what cases the judiciary considers.

Rule of law does not always prevail in civil and criminal matters. Despite recent improvements, policies and rules regarding arrest and pretrial detention are often ignored. Prisoners suffer from harsh conditions, including overcrowding and poor medical care. Security forces reportedly abuse, threaten, and mistreat civilians routinely and with limited accountability. Vigilante justice and mob violence are common, and security forces are often unable or unwilling to enforce the rule of law.

Tanzania's albino population faced continuing discrimination and violence in 2014. Two "witch doctors" were arrested in May after hacking an albino to death. Consensual same-sex sexual relations are illegal and punishable by lengthy prison terms, and members of the LGBT (lesbian, gay, bisexual, and transgender) community face discrimination and police abuse. Most hide their gender identity.

More than 250,000 refugees from conflicts in neighboring countries reside in Tanzania. Human rights advocates have criticized the 2002 Prevention of Terrorism Act for giving police and immigration officials sweeping powers to arrest suspected illegal immigrants. In October 2014, the government announced a plan to provide citizenship to 200,000 refugees, some of whom have been in exile in Tanzania since the 1970s; among the 200,000 are 162,000 Burundians. This followed a major crackdown on illegal immigration and the deportation of nearly 4,000 people in 2013.

#### G. Personal Autonomy and Individual Rights: 9 / 16

Citizens generally enjoy basic freedoms, including in travel, residence, employment, and education. However, the prevalence of petty corruption can inhibit these freedoms.

Tanzanians have the right to establish private businesses but are often required to pay petty bribes to set up and operate them. The state remains the owner of all land and leases to individuals and private entities. Land rights issues garnered attention in 2013 through the plight of nearly 70,000 Maasai living in the Loliondo region, who were threatened with eviction after the government licensed a new hunting ground to the United Arab Emirates-owned OBC Corporation. After strong public reaction, the plan was tabled. However, threats of eviction resurfaced in November 2014, and the government reportedly offered \$500,000 to relocated communities.

Women's rights are constitutionally guaranteed but not uniformly protected. Rape, female genital mutilation, and domestic violence are reportedly common but rarely prosecuted. Although the minimum female age for marriage is 15, an October 2014 Human Rights Watch report cited the occurrence of marriages among girls as young as seven. Trafficking of women and children from rural areas is a growing concern.

Equality of economic opportunity is limited, and there is continued economic exploitation. Poverty, especially in rural areas, affects approximately 33 percent of the population. A 2013 Human Rights Watch report exposed the use of children as young as eight working shifts as long as 24 hours in hazardous gold mines in Tanzania. The government formed a committee in 2013 to investigate Human Rights Watch's allegations. The committee submitted a report to the government in April 2014 on how to combat child labor; its recommendations have not been made public.

## Thailand

**Political Rights Rating:** 6 ↓

**Civil Liberties Rating:** 5 ↓

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Status Change:** Thailand's political rights rating declined from 4 to 6, its civil liberties rating declined from 4 to 5, and its status declined from Partly Free to Not Free due to the May military coup, whose leaders abolished the 2007 constitution and imposed severe restrictions on speech and assembly.

**Population:** 66,443,000

**Capital:** Bangkok

#### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	7,4,NF	6,4,PF	5,4,PF	5,4,PF	5,4,PF	4,4,PF	4,4,PF	4,4,PF	6,5,NF

**INTRODUCTION**

Thailand's political environment deteriorated in early 2014 due to continued public demonstrations and sometimes violent disruptions organized primarily by the pressure group People's Democratic Reform Committee (PDRC), led by Suthep Thaugsuban, a former head of the opposition Democrat Party (DP). Counterprotests were mounted by the so-called "red shirts," supporters of the administration of Prime Minister Yingluck Shinawatra. At least 28 people were killed and 827 injured in the street actions. As part of its protest campaign, the PDRC's supporters occupied government ministries and major intersections in Bangkok, and cut off power to the homes of some members of parliament from the governing Puea Thai Party (PTP). After a series of small bombings in late January, the government imposed a state of emergency in the capital, which remained in place until March.

As street protests continued unabated, on May 20 the army declared martial law and detained senior figures from the opposition and the government; it announced a coup d'état on May 22. The resulting National Council for Peace and Order (NCPO), led by General Prayuth Chan-ocha, suspended the 2007 constitution, forcibly dispersed all rallies, and imposed severe restrictions on freedoms of speech, association, and the press.

In June the NCPO announced a vague and open-ended "road map" to resolve Thailand's political crisis, which focused on national reconciliation, reforms, and eventual elections. In July the NCPO unveiled an interim constitution, drafted without public consultation and approved by King Bhumibol Adulyadej, providing unchecked powers and no human rights safeguards. An appointed, unicameral National Legislative Assembly (NLA) sat for the first time in August and elected Prayuth prime minister; he also continued to head the NCPO but formally stepped down from the military.

**POLITICAL RIGHTS:** 8 / 40 (-14)

**A. Electoral Process:** 1 / 12 (-7)

Under the 2007 constitution—drafted after the 2006 military coup that ousted Yingluck's brother, former prime minister Thaksin Shinawatra—Thailand was governed through a bicameral parliamentary system. Parliamentary elections were held on February 2, 2014, in an effort to break persistent deadlock between the PTP and the opposition (the DP and the PDRC). While voting was relatively peaceful in most constituencies, the process was disrupted in 69 of 375 constituencies, primarily in Bangkok and the south. Antigovernment protesters blockaded polling stations and prevented the delivery of ballot boxes. Moreover, antigovernment protesters blocked the candidate registration process in 28 constituencies. The DP challenged the validity of the elections on these grounds, but the Constitutional Court denied its petition, and in early March, voting was held in the first five of the disrupted provinces, with the remaining elections expected to take place in April. The court then changed course, ruling on March 21 that the entire election was invalid because voting was not held across the nation on a single day. In April, Yingluck, DP leaders, and the Election Commission agreed to hold new, national elections in July.

On May 7, responding to an opposition lawsuit, the Constitutional Court found Yingluck and nine cabinet members guilty of abuse of power for 2011 personnel changes that allowed Thaksin's former brother-in-law to become national police chief. The court ordered Yingluck to step down as caretaker prime minister. The new prime minister proposed elections for August.

The military coup in May canceled all electoral plans. As convened by the NCPO in August, the 200-seat NLA consisted of 105 active or retired military officers, 10 police officers, and a number of academics, technocrats, and businesspeople. Those who had been active in

a political party in the past three years were not eligible for appointment to the body, which in effect favored anti-PTP forces.

In October, the membership of the advisory, 250-seat National Reform Council (NRC) was announced. The NRC was intended to provide the leadership with recommendations for reform of all aspects of governance and the political process. A Constitutional Drafting Committee was selected in November, tasked with producing a draft charter by early 2015. Its 36 members were nominated by the NCPO, the NLA, and the cabinet. It soon began consultations with major political parties and movements, but no precise timetable for a return to elections was in place by year's end, and the military-dominated interim institutions were expected to govern for at least a year.

Concerns about the status of the monarchy remained intertwined with the political crisis. The country's long-standing rift pitted the Shinawatra family and its largely rural voter base, predominantly in the north and northeast, against an establishment consisting of hardline royalists, the military, the senior bureaucracy, and mainly urban voters in regions closer to the capital. Many observers suggested that the military intervened in 2014 not just because the 2006 coup had failed to sufficiently curb the political strength and popularity of the Shinawatra camp, but also because the generals—in light of the king's deteriorating health—sought to manage the country during an eventual succession. The succession issue and the possible political leanings of the crown prince came to the fore again in November and December, when his wife was stripped of her royal titles at the prince's request and the couple divorced. Several of her family members were arrested on charges including bribery and *lèse-majesté* as part of a larger shake-up of the national police, which many considered to be loyal to Thaksin.

#### **B. Political Pluralism and Participation: 4 / 16 (-5)**

Since Thaksin and his Thai Rak Thai (TRT) party came to power in 2001, there have been two main political factions in Thailand's system: the DP, which is today associated with traditional elites, and the TRT and its successors (the People's Power Party and the PTP). The latter have won every election since 2001. While the actions of the NCPO have favored the interests of the DP's core supporters, leaders of both the DP and the PTP have been kept on the sidelines of the political process since the 2014 coup.

Under NCPO order no. 57, issued in June, political parties continued to be regulated under a 2007 law, but new political parties cannot be formed, and existing parties are prohibited from meeting or conducting political activities. The prohibition includes any political party deliberations on the constitutional drafting process. While the Constitutional Drafting Committee arranged individual meetings with leaders of some parties, the parties could not meet in advance to formulate a common position. State funding for political parties was also suspended under the June order.

In the months preceding the 2014 coup, the National Anti-Corruption Commission (NACC) pursued a series of cases against senior PTP members. Even after the coup, in November, the NACC recommended that 38 former lawmakers be impeached for abuse of authority, although they were no longer in office. At year's end the cases were pending before the NLA, which had voted in September to grant itself impeachment powers. Formal impeachment would include a ban from politics for five years.

In August, a criminal court dismissed murder and abuse of power charges against former DP prime minister Abhisit Vejjajiva and Suthep, who had been his deputy, citing a jurisdictional technicality. The court nevertheless acknowledged that their decision to authorize the use of live ammunition against red-shirt protesters in 2010 contributed to the deaths of at least 90 people.

Thailand has had approximately 19 military coups since 1932, and the military and other unelected institutions continue to play a major role in political affairs.

**C. Functioning of Government:** 3 / 12 (-2)

Although an elected government was in place during the months before the May 2014 coup, in practice Yingluck was prevented from making and implementing meaningful policy decisions. This was primarily a result of multiple court cases against her and her administration, and the paralyzing and sometimes deadly protests in Bangkok. The courts appeared to side with the protesters, with a Bangkok court ruling in February that the government could not search or disperse their encampments, and that the demonstrators had the right to block roads. The military then cited the government's failure to deal with the protests as part of its justification for imposing martial law in May. After the coup, the military dominated the unelected government. Government agencies continued to function, but reported directly to members of the NCPO.

Corruption is widespread at all levels of Thai society. Both the DP and PTP include numerous former lawmakers who have faced persistent corruption allegations. While the interim constitution adopted in July maintains the NACC under the authority of the NCPO, the former has been accused of partisanship and of favoring establishment factions. In May, the NACC charged Yingluck with negligence and other offenses related to the allegedly corrupt implementation of a rice subsidy scheme that reportedly incurred \$16 billion in losses to the state; it recommended that impeachment proceedings begin against her. The case was pending at the NLA at year's end.

The NCPO-led government itself faced two corruption scandals: one involving the procurement of overpriced audiovisual equipment in government offices, and the other regarding the personal wealth of cabinet members, who had to make asset declarations under the interim constitution. Critics questioned how 25 of the 33 cabinet members had become dollar millionaires when many had long served as public servants with modest salaries.

**CIVIL LIBERTIES:** 25 / 60 (-7)

**D. Freedom of Expression and Belief:** 6 / 16 (-4)

The government and military control licensing and transmission for Thailand's six main television stations and all 525 radio frequencies. Community radio stations are generally unlicensed. Print publications are for the most part privately owned and are subject to fewer restrictions than the broadcast media, but most take a clearly partisan political position. Under martial law in 2014, the NCPO ordered the cessation of broadcasts by all radio stations, including community radio, and 14 satellite and digital television stations; some stations were later allowed to resume programming but forbidden to include any political topics. Two NCPO orders bar the media from disseminating information that could cause disorder or that is critical of the coup regime. In November, the Thai Public Broadcasting Service removed program host Nattaya Wawweerakup as a result of pressure from the NCPO, after a show featured villagers and activists criticizing the coup.

Defamation is a criminal offense, and charges are often used by politicians to silence opponents, critics, and activists. In May, the army launched a defamation suit against two human rights activists with the Cross Cultural Foundation after they issued an open letter calling for an investigation into an alleged case of torture. Also in May, two journalists—one Australian—from the news site Phuketwan faced initial criminal hearings for carrying coverage in 2013 of alleged links between the Thai navy and the trafficking of ethnic Rohingya refugees from Myanmar. The case remained pending at year's end. In October, a Bangkok court, citing a technicality, dismissed one of at least three defamation cases against British

activist Andy Hall that had been initiated by Thailand's Natural Fruit Company for a report and related media appearances alleging labor violations.

The 2007 Computer Crimes Act assigns significant prison terms for the publication of false information deemed to endanger the public or national security, and permits the government to review the individual data of web users for the preceding 90 days. Since the May coup, a number of cases against journalists and other perceived NCPO opponents have included alleged offenses under the Computer Crimes Act. For example, in June, anticoup activist Sombat Boonngamanong was arrested for alleged computer crimes and refusing an NCPO summons; in August, former education minister Chaturon Chaisang appeared in a military court to face similar charges. The cases were pending at year's end.

The government in 2014 continued to monitor internet activity and block websites for allegedly insulting the monarchy, and these practices increased under the NCPO administration. The coup leaders requested "cooperation" from social-media networks and operators to prevent the dissemination of messages provoking resistance to the NCPO, and threatened legal action for noncompliance. A reported 219 websites were blocked in May alone.

Aggressive enforcement of Thailand's *lèse-majesté* laws since the 2006 coup has created widespread anxiety and stifled freedom of expression online, in print and broadcast media, and at public events. The charges have been used to target activists, scholars, students, journalists, foreign authors, and politicians; they are also used by individuals against fellow citizens. Defendants can face decades in prison for multiple counts, and journalists or others who discuss details of the cases risk prosecution. The accused usually spend the length of their trial in detention without bail. Due to the secrecy surrounding most *lèse-majesté* cases, it is unclear how many went to trial in 2014, though the annual figure is believed to be in the hundreds. Those receiving lengthy prison sentences during 2014 included a musician who made comments on Facebook, a man who was accused by someone with whom he had a business dispute, a taxi driver whose comments were recorded by a passenger, and a scholar accused of insulting a king who died in 1605. Since the May coup, new *lèse-majesté* cases have been brought before military courts with no right to formal appeal. In November, the military courts tried their first such case, sentencing a web radio host to five years in prison. Several people reportedly left the country to avoid trial.

The 2007 constitution explicitly prohibits discrimination based on religious belief. While there is no official state religion, the constitution requires the monarch to be a Buddhist, and 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. Nevertheless, religious freedom in the majority of the country is generally respected, religious organizations operate freely, and there is no systemic or institutional discrimination based on religion.

Academic freedom was generally respected before the coup, though scholars and students were subject to the strict *lèse-majesté* laws. After taking power, the NCPO banned political discussion in universities, including political seminars; prohibited criticism of the junta in Thai schools; ordered increased instruction on patriotic themes, as well as revised textbooks; and required universities to monitor and discourage any anticoup activism by students. A number of academics were detained or summoned by the NCPO, and many fled the country. In August, Thammasat University was urged to cancel a discussion on the interim constitution, though the seminar did take place. Three professors and four students at the same university were temporarily detained in September for organizing a subsequent seminar on the decline of dictatorships in foreign countries, and police broke up the event.



**E. Associational and Organizational Rights: 4 / 12 (-2)**

Under both the January–March 2014 state of emergency and the martial law regime declared in May, any gathering of more than five people could be banned. In practice, demonstrations continued unabated until the military takeover. While multiple small and a few larger protests against the coup were held initially, they soon dissipated after the military significantly increased its presence on the streets of major cities and began making arrests. In July, protester Weerayuth Kongkanathan became the first person to be sentenced for participating in anticoup protests, receiving a suspended one-month jail sentence and a fine after pleading guilty. The NCPO has also cracked down on subtler forms of protest, detaining individuals for acts that had become symbolic such as eating or distributing sandwiches in public, wearing black on the king's birthday, reading George Orwell's *1984* in public, or flashing a three-fingered salute inspired by a popular science-fiction film. According to a September Amnesty International report, at least 89 people had been arrested for participating in demonstrations or political gatherings since the coup.

In October, in a rare exemption from the ban on public gatherings, the government allowed a public funeral for prominent red-shirt leader and former PTP lawmaker Apiwan Wiriyachai, who left Thailand after being summoned by the junta in May and accused of *lèse-majesté* for a speech in 2011.

Thailand has a vibrant civil society sector, with groups representing farmers, laborers, women, students, environmentalists, and human rights interests. However, attacks on civil society leaders have been reported, and even in cases where perpetrators are prosecuted, there is a perception of impunity for the ultimate sponsors of the violence. A variety of civil society activities were restricted following the coup. For example in September, authorities ordered the cancellation of a panel discussion on human rights in Thailand by lawyers and activists. In November, the NCPO prohibited a planned public forum on land reform, ostensibly due to concerns that it could produce proposals that diverged from those of the NRC. The organizers attempted to hold a press conference to explain the cancellation, but were prevented by the authorities, and five were temporarily detained for protesting and distributing open letters to journalists.

Thai trade unions are independent, and more than 50 percent of state-enterprise workers belong to unions, though 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. After the coup, strikes or other demonstrations in support of labor and trade union rights were forbidden under general restrictions on public gatherings.

**F. Rule of Law: 5 / 16 (-1)**

The Thai courts have long played a decisive role in determining the outcome of political disputes, generating complaints of judicial activism and political bias, and this continued in the postcoup period. Under the interim constitution and orders issued by the NCPO, the courts were placed under its authority, and the junta extended the jurisdiction of military tribunals to cover civilian offenses involving *lèse-majesté*, national security, sedition, or the violation of any NCPO order. Cases tried in military courts have no right to appeal, and they are mostly adjudicated behind closed doors.

In efforts to quell anticoup sentiment and end the Bangkok protests, hundreds of people were detained, often in undisclosed locations, immediately following the coup. Some received summons via telephone or in person, while others saw their names broadcast on national television during programming interruptions. Amnesty International reported in September that at least 665 individuals had been arbitrarily detained or ordered to report to the NCPO on vague grounds. Of these, 395 were affiliated with the PTP or the red-shirt

United Front for Democracy against Dictatorship (UDD), and 141 were activists, academics, or journalists. Most of those detained were held for up to seven days without charge as allowed under martial law, and some were isolated in military facilities. People who refused summons were subject to criminal punishment, and authorities put pressure on the families and associates of those they were seeking. Amnesty International also reported that some detainees were tortured with beatings, death threats, and mock executions, and forced to sign forms declaring that they had not been mistreated.

A combination of martial law and emergency rule has been in effect for roughly a decade in the four southernmost provinces, where Malay Muslims form a majority and a separatist insurgency has been ongoing—with varying intensity and multiple rebel groups—since the 1940s. In 2013 the government signed an agreement to begin the first formal peace negotiations with a southern militant group, the dominant National Revolutionary Front (BRN), but negotiations broke down and were suspended. Civilians are regularly targeted in shootings, bombings, and arson attacks, and insurgents have often focused on schools and teachers as symbols of the Thai state. The NCPO agreed to allow Malaysia to continue assisting with the BRN negotiation initiative, but it also pursued military solutions, announcing in November that it would arm civilian volunteers with 2,700 rifles to help combat the insurgents. 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 security forces and insurgents. To date no successful criminal prosecutions of security personnel for such transgressions have taken place.

In Thailand's north, so-called hill tribes are not fully integrated into society. Many continue to struggle without formal citizenship, which renders them ineligible to vote, own land, attend state schools, or receive protection under labor laws. A 2008 amendment to the Nationality Act was supposed to facilitate citizenship registration, but in practice a lack of documentation made this difficult.

Thailand is known for its tolerance of the LGBT (lesbian, gay, bisexual, and transgender) community, though same-sex couples do not have the same rights as opposite-sex couples, and social tolerance is higher for tourists and expatriates than for nationals.

Thailand has not ratified UN conventions on refugees, and the authorities have forcibly repatriated some refugees from Myanmar and Laos.

#### **G. Personal Autonomy and Individual Rights: 10 / 16**

Except in areas affected by civil conflict, citizens have freedom of travel and choice of residence. Citizens also enjoy freedom of employment and higher education. 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 in certain areas.

While women have the same legal rights as men, they remain subject to economic discrimination in practice, and are vulnerable to domestic abuse, rape, and sex trafficking. Sex tourism has been a key part of the economy in some urban and resort areas. Spousal rape is a criminal offense.

Exploitation and trafficking of migrant workers from Myanmar, Cambodia, and Laos are serious and ongoing problems, as are child and sweatshop labor. Labor shortages in the fishing industry have led to the trafficking of migrants, especially from Myanmar. An Environmental Justice Foundation report blamed restrictive labor laws, expensive immigration processes, and government indifference for the expansion of migrant smuggling networks. Thai military and immigration officers were accused in 2013 of trafficking

Rohingya refugees from western Myanmar and delivering them from detention centers to smugglers. Many undocumented migrants become trafficking victims during the smuggling process. In its 2014 *Trafficking in Persons Report*, the U.S. State Department downgraded Thailand to Tier 3, the lowest possible ranking.

## Togo

**Political Rights Rating:** 4

**Population:** 6,993,000

**Civil Liberties Rating:** 4

**Capital:** Lomé

**Freedom Rating:** 4.0

**Freedom Status:** Partly Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	5,5,NF	5,5,NF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	4,4,PF	4,4,PF

### INTRODUCTION

Togo experienced a political impasse in 2014 over a number of proposed reforms in the lead-up to the 2015 presidential election. Negotiations over changes to the constitution and to the electoral framework failed; disagreement between opposition parties and President Faure Gnassingbé's Union for the Republic (UNIR) party led to inaction on contested points, including the lack of presidential term limits.

Opposition groups, including the Rainbow Coalition and the Save Togo Collective (CST), had decreased sway with the public due to their poor performance in the 2013 legislative elections. In contrast, recent economic improvements contributed to the expansion of President Gnassingbé's popularity beyond his traditional base of support in the North. In October 2014, Gnassingbé formally announced his candidacy for the 2015 presidential election.

**POLITICAL RIGHTS:** 18 / 40

**A. Electoral Process:** 5 / 12

The president is elected to a five-year term and appoints the prime minister. In 2010, Gnassingbé won reelection with more than 60 percent of the vote amid numerous irregularities, including vote buying and partisanship within the electoral commission. The problems were not considered serious enough to have influenced the outcome of the vote, however. The 91 members of the unicameral National Assembly are elected to five-year terms. In 2013, after much delay, legislative elections were held and considered to be credible and transparent by international observers, though the opposition disputed the results. UNIR won 62 National Assembly seats and 23 of the country's 28 electoral zones, including some opposition strongholds. The opposition CST won 19 seats, the Rainbow Coalition won 6 seats, the Union of Forces for Change (UFC) won 3, and an independent candidate won a seat.

A number of proposed electoral reforms—including changing politically tailored electoral district allocations, instituting a presidential term limit, and increasing the independence of the Constitutional Court—were the focus of negotiations between political parties in the first half of 2014. In June, the National Assembly rejected a bill containing these

reforms. Despite opposition protests, Gnassingbé in October announced his intention to run for reelection in 2015.

**B. Political Pluralism and Participation:** 8 / 16

Although opposition parties are free to operate, the structure of the electoral system, including districting and the single round of elections, help Gnassingbé and his party remain in power. Internal divisions, as well as district allocations dramatically favoring UNIR, are sources of weakness for the opposition. Gnassingbé's family has ruled the country for nearly 50 years, and the government is dominated by his Kabyé ethnic group, who also comprise the vast majority of the security services. The Éwé, Togo's largest ethnic group, are persistently excluded from positions of influence; they are prominent within the opposition.

**C. Functioning of Government:** 5 / 12

The National Assembly was freely elected in 2013 and has influence over policy, but corruption remains a serious problem. Reforms under President Gnassingbé empowered the National Assembly to appoint the members of the Anticorruption Commission (CAC), but the body has been slow to make progress and appears to be aligned with the president and UNIR. In November 2014, the government released a draft bill for a new body, the High Authority to Prevent and Fight Corruption and Related Offenses, to be created under the auspices of the CAC. The government has described its role as preventive, rather than punitive, and voiced intentions to use the body to promote a culture of transparency; it had not been formed at year's end. Togo was ranked 126 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 29 / 60

**D. Freedom of Expression and Belief:** 9 / 16

Freedom of the press is guaranteed by law but often disregarded in practice. Impunity for crimes against journalists and frequent defamation suits encourage self-censorship, though the availability of diverse and critical voices in the media has increased in recent years. The only report of violence against the media in 2014 occurred in May, when the editor of the weekly *L'Oeil d'Afrique* was attacked at his home. The attackers had not been apprehended by year's end. Private print and broadcast outlets have low capacity and are often politicized, and journalists are often corruptible due to low pay.

The High Authority of Broadcasting and Communications (HAAC) is widely believed to be a close ally of the Gnassingbé administration and has been known to penalize critical journalism. The HAAC can impose severe penalties—including the suspension of publications or broadcasts and the confiscation of press cards—if journalists are found to have made “serious errors” or are “endangering national security.” There were few reports of the body intimidating journalists in 2014. In September, the HAAC attempted to prevent a prominent journalist from launching a news portal, *afrikaexpress.info*, ostensibly for non-compliance with requirements for establishing the website, despite the absence of any laws governing online news outlets in Togo. The HAAC ceased its attempts after pushback from the founder, allowing the website to launch. Access to the internet is otherwise generally unrestricted, though penetration is low.

Religious freedom is constitutionally protected and generally respected. Islam and Christianity are recognized as official religions; other religious groups must register as associations.

Government security forces are believed to maintain a presence on university campuses and have cracked down on student protests in the past. In January 2014, nine students were

expelled in connection with their participation in demonstrations in 2013, and their school's administrators requested the presence of security forces on campus to discourage unrest. While political discussion is prohibited on religious radio and television stations, citizens are increasingly able to speak openly.

**E. Associational and Organizational Rights: 6 / 12**

Freedom of assembly is sometimes restricted. A 2011 law requires that demonstrations receive prior authorization and only be held during certain times of the day. The opposition held rallies throughout 2014, largely focusing on electoral reform, though these gatherings received less public support than those in previous years. In November, police used tear gas to disperse protesters who defied a government order not to approach the National Assembly building.

Freedom of association is largely respected, and human rights organizations generally operate without government interference. Togo's constitution guarantees the right to form and join labor unions. In December, the labor union representing health, education, and administrative workers went on strike demanding better pay. The government did not interfere with the strikers.

**F. Rule of Law: 7 / 16**

The judicial system lacks resources and is heavily influenced by the presidency. In September 2014, Gnassingbé reappointed the president of the Constitutional Court, who is a frequent target of opposition criticism because of his alleged ties to the president. Lengthy pretrial detention is a serious problem. Prisons suffer from overcrowding and inadequate food and medical care. Prison conditions began to receive national public attention after the 2013 death of Etienne Kodjo Yakanou, an opposition activist arrested in connection with market fires that took place that year. The official statement was that he died of malaria, but the opposition has accused prison authorities of withholding medical care.

In June 2014, the government published a response to the 2012 recommendations of the Truth, Justice, and Reconciliation Commission, which investigated political violence and human rights violations that occurred in Togo between 1958 and 2005. The government detailed its plan to implement the recommendations, which include compensation for victims, the abolition of the death penalty, measures for the prevention of torture, and various judicial reforms. Working with the Ministry of Human Rights, a civil society group subsequently held events to help government employees understand the implementation process.

The north and south of the country have historically been divided along political and ethnic lines. Discrimination among the country's 40 ethnic groups occurs but was not widely reported in 2014. Same-sex sexual activity is punishable by fines and up to three years in prison.

**G. Personal Autonomy and Individual Rights: 7 / 16**

Travel within Togo can be constrained by checkpoints, where security personnel are reported to cause arbitrary delays and demand bribes. While the majority of Togo's economy is focused on agriculture, employing more than 60 percent of the population, the country is increasingly seen as a Western-friendly investment environment and has moved to privatize a number of industries, including the telecommunications and banking sectors. Demand for the use of the port in the capital, Lomé, has notably increased in recent years.

A 2013 amendment to the Electoral Code requires that women have equal representation on party lists. The Law on Political Party and Electoral Campaign Funding, passed after the 2013 legislative elections, requires that a portion of a party's public financing

be determined in proportion to the number of women from that party elected in the most recent national and local elections. Of the 91 seats in the National Assembly, 16 are currently held by women. Despite constitutional guarantees of equality, women's opportunities for education and employment are limited. Customary law discriminates against women in divorce and inheritance, and children can only inherit citizenship from their father. Spousal abuse is widespread, and spousal rape is not a crime. Child trafficking for the purpose of slavery remains a serious problem, and prosecutions under a 2005 child-trafficking law are rare.

## Tonga

**Political Rights Rating:** 2

**Population:** 103,000

**Civil Liberties Rating:** 2

**Capital:** Nuku'alofa

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Ratings change:**

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	5,3,PF	5,3,PF	5,3,PF	5,3,PF	5,3,PF	3,3,PF	3,3,PF	3,2,F	2,2,F	2,2,F

### INTRODUCTION

General elections in November 2014 were conducted peacefully and declared to be free and fair by observers, with more than 40,000 citizens participating. The Democratic Party of the Friendly Islands won nine seats in the legislature, with independents taking the remainder.

A severe cyclone in January destroyed 800 homes and displaced half the population in several outer islands. Providing relief placed additional pressure on a national budget strained by a slow economic growth and a growing national debt. Tonga hopes to send more seasonal workers to Australia and New Zealand, which brings in \$10 million in remittances annually. Tonga is also dependent on China for loans, investment, and aid. China's Export-Import Bank now owns 60 percent of Tonga's overseas liabilities, and Chinese migrants own more than half of all businesses.

**POLITICAL RIGHTS:** 31 / 40

**A. Electoral Process:** 11 / 12

Tonga is an electoral democracy. The unicameral Legislative Assembly has 26 members, including 17 popularly elected "people's representatives" and 9 nobles elected by their peers. All members serve four-year terms. The Legislative Assembly elects the prime minister, who is the chief executive.

King Tupou VI, who took office in 2012, controls the armed forces and appoints the chief justice, judges of the court of appeal, and the attorney general.

Of the 17 elected seats in the Legislative Assembly in November 2014, the Democratic Party of the Friendly Islands took nine, while independents took the other 17. 'Akilisi Pohiva, leader of the Democratic Party and a long-time democracy advocate, was elected prime minister in December. Lord Tu'ivakano, the outgoing prime minister, was chosen as House Speaker.

**B. Political Pluralism and Participation:** 14 / 16

Political parties are legal. Tonga's 33 titleholders select nine from among themselves to fill the nobles' seats in the Legislative Assembly. Commoners can compete as independents or under a party banner. There are no reserved seats for minorities. Registration and voting is compulsory for all Tongan nationals 21 years and older. While popularly elected representatives hold 17 of 26 seats in parliament, nobles have great influence in Tongan politics and the economy.

**C. Functioning of Government:** 6 / 12

Official abuse and corruption are serious problems. In March 2014, a former senior immigration officer was convicted of the attempted forgery of diplomatic passports for two Chinese nationals. Royals, nobles, and their top associates are also alleged to use state assets for personal benefit. The government response has been limited. The Anti-Corruption Commission has lacked power, resources, and a commissioner since its establishment in 2007. Similarly, the government has never convened the oversight body required to launch a proposed ombudsman's office to investigate complaints against the government.

**CIVIL LIBERTIES:** 44 / 60**D. Freedom of Expression and Belief:** 13 / 16

The constitution guarantees freedom of the press. Criticisms of the government appear regularly in newspapers, including those wholly or partly owned by the state, but the government and individual leaders have a history of suppressing the media. In 2013, the local newspaper *Kele'a*, its editor, publisher, and the author of a letter to the editor the paper printed were collectively fined \$138,000 in a civil defamation case brought by the prime minister and six cabinet ministers. The letter had alleged that courts allow impunity for certain individuals, and criticized government spending.

Freedom of religion is generally respected, but the government requires all religious references on broadcast media to conform to mainstream Christian beliefs.

There are no government restrictions on academic freedom. Tongan became the sole language of instruction at early levels in 2012; English is introduced at higher levels of education. Children who are non-native Tongan speakers are exempt.

**E. Associational and Organizational Rights:** 8 / 12

Freedoms of assembly and association are upheld. Nongovernmental organizations appear to enjoy freedom from government intervention. Workers have the right to join unions, but regulations for union formation were never established. There are many professional associations, including for teachers, public servants, and seafarers, but they cannot bargain collectively. In April 2014, bus company owners launched a two-day strike after the government rejected their request for exemption from taxes on diesel fuel and components for buses.

**F. Rule of Law:** 11 / 16

The judiciary is generally independent, though a shortage of judges has led to significant case backlogs. Nobles increasingly faced scrutiny in society and the courts. To increase judicial independence, the parliament created the Judicial Services Commission to advise the king on appointments of judicial and legal officers. The justice minister, with consent of the cabinet, appoints members of the commission. The attorney general will become the principal legal advisor to the cabinet and the government.

Traditional village elders frequently adjudicate local disputes. Prisons meet minimum international standards. In June 2014, a police constable was convicted of assault of a New

Zealand national in police custody in 2012; two other officers were convicted of manslaughter in the same case. Police reform is ongoing. By the end of the year, about 10 percent of the force was dismissed; several officers are under investigation for misconduct and criminal activity.

Colonial-era antisodomy laws remain on the books, but there is little evidence of persecution or discrimination based on gender or sexual preference.

#### **G. Personal Autonomy and Individual Rights:** 12 / 16

Women enjoy equal access to education. Several hold senior government positions, but none sit in the parliament. To encourage more women to compete in the November 2014 general elections, 30 women (9 nobles, 17 commoners, and 2 more picked by then Prime Minister Tuʻivakano) were selected for a mock parliamentary session in April in order to learn about legislative protocol, campaigning, and media strategies.

Women cannot own land. Domestic violence is common. The Family Protection Act of 2013 authorizes the police to grant on-the-spot protection orders for up to seven days, and provides counselors to assist victims of domestic violence in court cases. A Women and Children's Crisis Center opened in 2013 to provide counseling, medical care, and police assistance to victims of violence.

Tonga is in Tier 2 in the U.S. State Department's 2014 *Trafficking in Persons Report* for its effort to prevent and prosecute trafficking and to assist victims. Tonga is not a party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons.

A dominant Chinese presence in the economy fuels resentment from local businesses and workers; there are a number of migrant laborers from China in Tonga for Chinese-funded projects.

## Trinidad and Tobago

**Political Rights Ratings:** 2

**Civil Liberties Rating:** 2

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

**Population:** 1,343,000

**Capital:** Port-of-Spain

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

#### **INTRODUCTION**

According to the International Monetary Fund (IMF), Trinidad and Tobago is experiencing more robust growth (at about 2.5 percent) than in previous years, which were characterized by "sub-par performance."

**POLITICAL RIGHTS:** 33 / 40

**A. Electoral Process:** 11 / 12

The president is elected to a five-year term by a majority of the combined houses of Parliament, though executive authority rests with the prime minister. Parliament consists of the 41-member House of Representatives and the 31-member Senate; members of both houses are elected to five-year terms. The president appoints 16 senators on the advice of the prime minister, 6 on the advice of the opposition, and 9 at his or her own discretion.



Faced with a no-confidence vote, Prime Minister Patrick Manning of the People's National Movement (PNM) called for the dissolution of Parliament in April 2010 and elections in May. Kamla Persad-Bissessar's People's Partnership (PP) coalition—comprising the United National Congress (UNC), the Congress of the People, and the Tobago Organization of the People—won 29 of 41 seats, while the PNM took only 12. Persad-Bissessar became prime minister.

Tobago is a ward of Trinidad and is governed locally.

**B. Political Pluralism and Participation:** 13 / 16

The 2010 PP victory ended nearly 40 years of PNM rule. Political parties are technically multiethnic, though the PNM is favored by Afro-Trinidadians, while the UNC is affiliated with Indo-Trinidadians. The PP coalition was multiethnic.

The Indo-Trinidadian community continues to edge toward numerical, and thus political, advantage.

**C. Functioning of Government:** 9 / 12

Trinidad and Tobago suffers high-level corruption. Trinidad's Integrity Commission, established in 2000, has the power to investigate public officials' financial and ethical performance. Following the resignations of several commission members in 2009 due to suspicions of their ineligibility to serve, including because of allegations of malfeasance, a new Integrity Commission was appointed in 2010. In 2013, Minister of National Security Jack Warner resigned in response to a report that he was involved in financial misbehavior while he served on the regional football association CONCACAF.

Drug-related corruption extends to the business community, and a significant amount of money is believed to be laundered through front companies. The 2000 Proceeds of Crime Act imposes severe penalties for money laundering and requires that major financial transactions be strictly monitored. Trinidad and Tobago was ranked 85 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 48 / 60

**D. Freedom of Expression and Belief:** 15 / 16

Freedom of speech is constitutionally guaranteed. Press outlets are privately owned and vigorously pluralistic. There are three daily newspapers and several weeklies, as well as private and public broadcast media outlets. Internet access is unrestricted. In February 2014 the Media Association of Trinidad and Tobago (MATT) expressed its disappointment that the Defamation and Libel Act 2013, which included controversial language on libel and defamation (Section 8), has the potential to limit freedom of the press.

In May 2014, journalist Mark Bassant had to flee Trinidad and Tobago after receiving death threats from criminals about whom he had reported negatively. The Inter American Press Association (IAPA) urged local authorities to ensure Bassant's protection, but some observers claim the police were colluding with those threatening him.

The constitution guarantees freedom of religion, and the government honors this provision in practice. Academic freedom is generally observed.

**E. Associational and Organizational Rights:** 11 / 12

Freedoms of association and assembly are respected. Civil society is relatively robust, with a range of interest groups engaged in the political process. Labor unions are well organized and politically active, though union membership has declined in recent years. Strikes are legal and occur frequently.

**F. Rule of Law: 9 / 16**

The judicial branch is independent, though subject to some political pressure and corruption. Rising crime rates have produced a severe backlog in the court system. Corruption in the police force, which is often drug-related, is endemic, and inefficiencies result in the dismissal of some criminal cases. Trinidad and Tobago has a mandatory death sentence for murder on the books, though no one has been executed since 1999. Most prisons are severely overcrowded.

Most abuses by the authorities go unpunished. A 2014 Amnesty International report continued to criticize the use of excessive force by police and the failure to investigate it. In December 2014, a video was released showing two police officers abusing a man in a wheelchair.

The government has struggled in recent years to address violent crime. Many Trinidadians of East Indian descent, who are disproportionately targeted for abduction, blame the increase in violence and kidnapping on government and police corruption. In 2014, 403 murders and 94 kidnappings occurred. In May 2014, a former senator, Dana Seetahal, was assassinated after shots were fired at her vehicle. In June, fifteen-year-old Jamal Brathwaite and his nine-year-old brother Jadel Holder were shot in the back of the head execution style. Murders in Trinidad have become more brutal (e.g., beheadings), which the Council on Hemispheric Affairs attributes to an uptick in gang activity. In January 2014, prime minister called the increase in violent crime in Trinidad and Tobago “completely intolerable.” To address crime, Prime Minister Persad-Bissessar announced in December 2014 that the government will try to reintroduce the so-called hanging bill—an amendment to reintroduce executions—in 2015.

Racial disparities persist, with Indo-Trinidadians comprising a disproportionate percentage of the country’s upper class. Same-sex sexual relations are illegal, though the law is not generally enforced. Human rights groups have criticized the government’s unwillingness to address the discrimination and violence against LGBT (lesbian, gay, bisexual, and transgender) persons in Trinidad and Tobago. A proposed change to legislation that would have extended death benefits of civil servants to include same-sex domestic partners was rejected in 2013.

**G. Personal Autonomy and Individual Rights: 13 / 16**

Women hold 12 seats in the House of Representatives and 6 seats in the Senate. Domestic violence remains a significant concern. A draft National Gender and Development Policy was submitted to the Cabinet in 2012 but never approved.

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## Tunisia

**Political Rights Rating:** 1 ↑**Population:** 10,998,000**Civil Liberties Rating:** 3**Capital:** Tunis**Freedom Rating:** 2.0**Freedom Status:** Free**Electoral Democracy:** Yes

**Status Change:** Tunisia’s political rights rating improved from 3 to 1 and its status improved from Partly Free to Free due to the adoption of a progressive constitution, governance improvements under a consensus-based caretaker administration, and the holding of free and fair parliamentary and presidential elections, all with a high degree of transparency.

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,5,NF	6,5,NF	7,5,NF	7,5,NF	7,5,NF	7,5,NF	3,4,PF	3,4,PF	3,3,PF	1,3,F

**INTRODUCTION**

The fourth year of Tunisia's democratic transition featured the passage of a historic constitution by 93 percent of the National Constituent Assembly (NCA), as well as free and fair presidential and parliamentary elections.

A successful national dialogue involving most of the political class culminated in January 2014 with the passage of the constitution, the establishment of a new election commission, and the formation of a politically neutral caretaker government under Prime Minister Mehdi Jomaa. In March, President Moncef Marzouki lifted the state of emergency imposed during the 2011 revolution when the government was pursuing a reinvigorated crackdown on terrorist groups. In May, the passage of a new electoral law set the stage for legislative elections in October and a two-round presidential election in November and December. Notably, lawmakers rejected an exclusion provision designed to prevent officials who served under former president Zine el-Abidine Ben Ali from running for office. This paved the way for a greater role for former regime officials in Tunisian politics and advanced national reconciliation.

In the fall, the Nidaa Tounes party—a coalition of secularists, leftists, liberals, and officials of the Ben Ali era—won both the parliamentary and presidential elections. Former prime minister Beji Caid Essebsi was elected president, defeating incumbent Marzouki in the runoff vote. This marked Tunisia's first electoral transfer of power since the 2011 Jasmine Revolution and gave the country its first democratically elected parliament and president. A new prime minister and cabinet had yet to be named at year's end.

**POLITICAL RIGHTS:** 36 / 40 (+9)

**A. Electoral Process:** 12 / 12 (+3)

The 217-seat NCA, which remained in place through December 2014, was elected in 2011 after longtime authoritarian president Ben Ali fled the country amid a wave of antigovernment protests. Parties from across the ideological spectrum participated in its election, and international monitoring groups declared the voting free and fair. The NCA was tasked with drafting a new constitution and served as an interim legislature, installing a government and a largely ceremonial president.

After a political standoff in 2013 that pitted the governing coalition, headed by the moderate Islamist party Ennahda, against secularist opposition parties, a national dialogue process led to Prime Minister Ali Larayedh's resignation in early January 2014. This compromise allowed the politically neutral caretaker government to take office following the adoption of the new constitution in late January.

Another result of the national dialogue process was the naming of a neutral, nine-member election commission, the Independent High Authority for Elections, in January 2014. In passing its consensus electoral law in May, the NCA rejected a horizontal gender parity proposal, which would have required alternating male- and female-headed lists across Tunisia's regions, opting instead for vertical gender parity, in which males and females alternate only within each list. The constitution and electoral law called for a two-round presidential election system and a semipresidential system of government. Both the president and the 217-seat unicameral parliament serve five-year terms, with members elected on party lists in 33 multimember constituencies.

In the October parliamentary elections, turnout was high at 67 percent of registered voters. Nidaa Tounes won a plurality of the vote and 86 seats. Ennahda placed second with 69 seats, 20 fewer than in 2011. Three other parties won enough seats to play significant roles in government formation: the populist-centrist Free Patriotic Union with 16 seats, the leftist Popular Front with 15, and the center-right Afek Tounes with 8. Ten other parties won between one and four seats each, and three seats went to independents.

In the presidential first round in November, with 64 percent voter turnout, Caid Essebsi of Nidaa Tounes won 40 percent, followed by Marzouki with 33 percent. A range of 20 other candidates ran as well, though Ennahda did not put forward a candidate. Caid Essebsi, who won more votes in the country's north, had previously served as interim prime minister between Ben Ali's departure and the 2011 elections. The more conservative and less economically advantaged south gave more support to Marzouki. Because no candidate won a majority, a runoff was held in December. Caid Essebsi won with 55 percent of the vote against Marzouki's 44 percent. Turnout in the second round dropped to 61 percent.

Complaints regarding campaign finance violations and vote buying marred perceptions of the elections, but no evidence was presented to indicate systematic violations or a significant impact on electoral results. International and local observers concluded that the 2014 elections were free and fair. International nongovernmental organizations (NGOs) reported significant improvements compared with the 2011 elections, including better communication with the general public and domestic observers, and quick and proactive responses to international criticism and advice.

**B. Political Pluralism and Participation:** 16 / 16 (+4)

More than 100 legal political parties exist, including two ultraconservative Salafi Muslim parties. In May 2014, the NCA narrowly defeated the proposed Article 167 of the election law, which would have continued to disqualify members of the old ruling party who served in the government under Ben Ali from participating in politics.

The Tunisian military, historically marginalized by the political leadership, remained politically neutral in 2014. It performed nonmilitary security functions to protect the population throughout the transition, providing security at polling stations during the parliamentary and presidential elections.

The government and both domestic and international NGOs have worked to increase the political participation of marginalized groups, including disabled Tunisians, and ensure their inclusion in elections. Low youth voter turnout continued to concern nearly all observers in 2014, although tens of thousands of young people made up the majority of election monitors, polling station workers, campaign staff, and election volunteers.

**C. Functioning of Government:** 8 / 12 (+2)

The removal of Ben Ali and his close relatives and associates, who had used their positions to create private monopolies in several sectors, represented an important first step in combating corruption and eliminating conflicts of interest. An anticorruption authority was established in late 2012 and ratified in the 2014 constitution as a Good Governance and Anti-Corruption Commission. More than 540 cases have been investigated, and more than 100 have been sent to the judiciary, but few prosecutions have occurred, with the exception of in absentia trials for members of the Ben Ali and Trabelsi clans—the two former ruling families. The recovery of assets stolen by the families has been a major priority of the government, though it has had limited success. A strong legal framework and systematic practices aimed at curbing corruption have yet to take shape. A majority of citizens say that corruption has increased in the last three years, with politicians and police perceived as the most corrupt groups, and tax and permit services the most vulnerable to bribery. Tunisia was ranked 79 out of 175 countries and territories assessed in Transparency International's 2014 Corruption Perceptions Index.

Since the revolution, Tunisia has excelled in fiscal transparency. A 2011 information law requires internal documents of public institutions to be made available to the public. In 2013, an online tool called Marsoum 41 was created to enable citizens to directly request

public documents, and the 2014 constitution enshrined the right of access to information, along with an independent commission to monitor compliance. Tunisia also joined the Open Government Partnership in 2014. Fiscal information is live-tweeted from parliamentary debates and amalgamated by independent watchdog organizations such as Marsad Budget.

Continuing negotiations and compromises among the political parties and leaders are often hailed as a positive sign of democratic accountability and responsiveness to public pressure. When the caretaker government in 2014 replaced a number of local and regional officials appointed by the previous government, the only request from former leaders was that officials be vetted and reviewed on an individual basis and by performance, rather than by party affiliation.

**CIVIL LIBERTIES:** 43 / 60 (+7)

**D. Freedom of Expression and Belief:** 13 / 16 (+2)

The transitional government proclaimed freedom of information and expression as a foundational principle for the country, and vast new press freedoms emerged from the revolution. The new constitution also guarantees freedoms of opinion, thought, expression, information, and publication. However, the media continued to face specific obstacles in 2014. Fewer journalists were arrested or convicted on defamation and other charges than in 2013, but the government did use the legal system to punish independent reporting on security grounds, targeting journalists with Islamist leanings in particular. Criminal cases, some resulting in imprisonment, were brought against internet users for content they posted online. Most notably, blogger Yassine Ayari was tried for “defaming the army” on Facebook after he criticized Defense Minister Ghazi Jeribi and other military leaders. Sentenced in absentia to a three-year prison term by a military court, he was arrested in December upon his return from France, quickly retried, and given a one-year prison term instead. Similarly, a military court gave police union representative Sahbi Jouini a two-year sentence in absentia for criticizing the government’s handling of antiterrorism operations.

The High Independent Authority of Audiovisual Communication (HAICA) continued to be the subject of debate due to concerns about its politicization and its aggressive policy of fining television and radio stations, especially during the elections. Separately, following a militant attack that killed 15 soldiers in July 2014, the government closed religious television station Al-Insen and radio station Nour FM for allegedly inciting violence.

The 2014 constitution introduced freedom of religion to an extent largely unprecedented in the Arab world. It guarantees freedom of belief and of conscience for all religions, as well as for the nonreligious, and bans campaigns against apostasy and incitement to hatred and violence on religious grounds. The political neutrality of places of worship is protected. While the constitution identifies Islam as the state religion and requires the president to be a Muslim, no constitutional provision identifies Sharia (Islamic law) as a source of legislation.

Attacks by conservative Muslims on their political and ideological opponents following the 2011 revolution—such as assaults against purveyors of alcohol or allegedly blasphemous art, and public threats by Salafis against state institutions—led the government in 2014 to step up enforcement of laws against such violence and intimidation, including through raids on mosques and hundreds of arrests. While human rights organizations pointed out certain arbitrary or unsatisfactory aspects of the crackdown, the government argued that its primary goal was to protect the freedom of expression and safety of other groups.

Academic freedom continues to improve in practice. Article 33 of the new constitution explicitly protects academic freedom and guarantees state support of scientific research.

**E. Associational and Organizational Rights:** 10 / 12 (+1)

The new constitution guarantees the right to assembly and peaceful demonstration. Demonstrations on political, social, and economic issues took place throughout 2014, and advocacy groups mounted protests on a range of topics, particularly in relation to economic demands. Some protests featured violent clashes with police, who were criticized in certain circumstances for using excessive force. Curfews were imposed in some cases.

Article 35 of the constitution guarantees the freedom to establish political parties, unions, and associations as long as they abide by the constitution, follow the law, provide financial transparency, and reject violence. Tens of thousands of new civil society organizations began operating after the revolution, and NGO conferences were held throughout the country during 2014. No formal registration process has been instated for these organizations, nor is their existence protected by an articulated legal framework. According to Human Rights Watch, after the militant attack in July, the authorities suspended 157 organizations for alleged hate speech and alleged links to terrorism. Antiterrorism and security justifications were used to circumvent legal procedures for closing civil society organizations.

Article 36 of the constitution guarantees the right to form labor unions and to strike. The newer Tunisian Labor Union and the General Confederation of Tunisian Workers, along with the oldest labor union in Tunisia, the General Union of Tunisian Workers (UGTT), pursued their demands for substantial governmental labor reform, better wages, and improved workplace conditions in 2014. The NCA gave these issues little attention, leading the UGTT to continue to call for strikes and support protests against the authorities.

**F. Rule of Law:** 9 / 16 (+3)

In the constitution, 22 articles establish and guarantee a robust and independent judiciary, and the caretaker government of 2014 was seen as more impartial and constructive in its administration of the Justice Ministry, oversight of the police, and interactions with the judiciary than its predecessors. However, the degree of judicial strength and independence will depend on legal and political actions taken by the new elected government and its successors. Judicial reform stalled in the run-up to the 2014 elections, with both the organic laws governing reform and the personnel who would implement them to be determined by the new legislature. In one survey, 56 percent of Tunisians said that they thought the judiciary was corrupt.

In June 2014 Tunisia established a Truth and Dignity Commission, which began looking into political, economic, and social crimes committed since 1956. In December, the commission started accepting depositions from Tunisian victims. The late 2013 transitional justice law was designed to pursue not only truth telling and fact finding, but also prosecutions. This has led elements of the old regime associated with Nidaa Tounes to strike a reconciliatory tone with their former political enemies. It also marked the beginning of an important dialogue over the independence and functioning of “specialized chambers” that would hear cases of serious human rights abuses.

Security issues, particularly threats from radical Salafi Muslim groups, are a major concern for the government, and security forces have stepped up patrols of the western and southern border regions to guard against militant activity. The July 2014 attack that killed 15 soldiers occurred in the remote Mount Chaambi area near the Algerian border.

The constitution refers to state protections for persons with special needs, prohibiting all forms of discrimination and providing aid to integrate them into society. It also guarantees the right to culture for all citizens, and calls for the state to create a culture of diversity. However, LGBT (lesbian, gay, bisexual, and transgender) people continue to face

discrimination in law and society. Article 230 of the penal code prescribes up to three years in prison for “sodomy.”

Tunisia is a signatory to the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government reportedly remains committed to developing an asylum law and a comprehensive national protection system. According to the Ministry of Interior, Tunisia hosted well over one million refugees from Libya’s ongoing civil war in 2014, with several hundred thousand new arrivals during the summer. However, by year’s end, only 1,157 foreigners had formal refugee status.

#### **G. Personal Autonomy and Individual Rights: 11 / 16 (+1)**

Freedom of movement has improved substantially since 2011. The constitution guarantees freedom of movement within Tunisia, as well as freedom to leave the country. Unlike in some other Arab countries, women do not require the permission of a male relative to travel. The southern border has been closed from time to time due to fighting and spillover from the Libyan civil war, and police checkpoints have increased in that region. Borders do not remain closed for long given the devastating economic effects this has on local communities.

The protection of property rights continued to be an area of concern, closely linked to high levels of corruption as well as a large backlog of property cases before the judiciary. The 2014 constitution introduced new protections for property, including intellectual property, but their implementation has yet to be seen.

Tunisia has long been praised for relatively progressive social policies, especially in the areas of family law and women’s rights. The 2014 constitution guarantees equality before the law for men and women, and the 1956 personal status code giving women equality with men has remained in force. It grants women equal rights in divorce, and children born to Tunisian mothers and foreign fathers are automatically granted citizenship. The country legalized medical abortion in 1973. Currently, 68 women serve in the parliament, the largest proportion of female representatives in the Arab world. Areas of ongoing concern for women’s rights include social discrimination and unequal inheritance laws.

## ↓ Turkey

**Political Rights Rating:** 3

**Population:** 77,193,000

**Civil Liberties Rating:** 4

**Capital:** Ankara

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Trend Arrow:** Turkey received a downward trend arrow due to more pronounced political interference in anticorruption mechanisms and judicial processes, and greater tensions between majority Sunni Muslims and minority Alevis.

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,3,PF	3,4,PF	3,4,PF	3,4,PF

#### **INTRODUCTION**

The ruling Justice and Development Party (AKP) secured two electoral victories in 2014. In March, it prevailed in local elections with more than 40 percent of the vote, and in

August the party's leader, Prime Minister Recep Tayyip Erdoğan, was elected president in the first direct elections for that post in Turkey's history.

The AKP won despite a corruption scandal implicating government ministers as well as Erdoğan and his family, which emerged in December 2013 and cast a shadow over Turkish politics throughout 2014. Erdoğan dismissed the evidence of corruption, including audio recordings, as fabrications by elements of a "parallel state" composed of followers of Fethullah Gülen, an Islamic scholar who had backed the AKP but was now accused of plotting to bring down the government. More than 45,000 police officers and 2,500 judges and prosecutors were reassigned to new jobs, a move the government said was necessary to punish and weaken rogue officials; critics claimed it was designed to stop anticorruption investigations and undermine judicial independence.

Erdoğan and AKP officials spoke out against other so-called traitors, including critical journalists and business leaders as well as members of the Alevi religious minority. Media outlets bearing unfavorable coverage of the government have been closed or placed under investigation. In December, more than 30 people linked to Gülen, including newspaper editors and television scriptwriters, were arrested on charges of establishing a terrorist group; this sparked widespread protests. The government also issued an arrest warrant for Gülen and a request to extradite him from the United States, accusing him of running an armed terrorist group. The latter two events signaled an escalation of the government's campaign against Gülen.

The March 2013 cease-fire between the Turkish government and the militant Kurdistan Workers' Party (PKK) held for most of 2014. However, in March 2014 the PKK started kidnapping Turkish officials, soldiers, and civilians, a practice that continued through the remainder of the year. The situation in Kurdish-populated regions of southeastern Turkey is complicated by spillover from the war in Syria. Turkey hosts over one million Syrian refugees, and in September, approximately 130,000 Syrian Kurds entered Turkey. Authorities closed most border crossings to prevent Turkish Kurds from entering Syria to join local Kurdish militias' fight against the Islamic State militant group. In October, the PKK, which has been allied with Syrian Kurdish groups, attacked Turkish soldiers along the border, eliciting a counterattack by Turkish forces. Related riots and clashes across southeastern Turkey left at least 33 people dead.

**POLITICAL RIGHTS:** 26 / 40 (-2)

**A. Electoral Process:** 10 / 12 (-1)

The prime minister is head of government and currently holds most executive authority, while the president is head of state and has powers including a legislative veto and authority to appoint judges and prosecutors. In August 2014, Turkey held direct presidential elections for the first time; presidents were previously elected by the parliament. Three candidates were on the ballot, and Erdoğan prevailed with 51.8 percent of the vote, winning a once-renewable five-year term. Foreign Minister Ahmet Davutoğlu assumed Erdoğan's posts of prime minister and head of the AKP. Some domestic and international observers, such as the Organization for Security and Co-operation in Europe, pointed to irregularities in the campaign, including media bias and self-censorship, misuse of state resources to support Erdoğan's election bid, lack of transparency in campaign finances, and voter fraud. Opposition figures and supporters noted similar problems in the March local elections, in which the AKP kept or gained control of most major Turkish cities. Erdoğan has pushed for constitutional changes to create a stronger presidency.

The unicameral parliament, the Grand National Assembly, is elected for a four-year term. The most recent elections, in 2011, were judged to be generally free and fair. The



AKP won a majority (326) of the 550 seats, with the remainder divided among the Republican People's Party (CHP, 135 seats), the Nationalist Action Party (MHP, 53 seats), and the largely Kurdish People's Democracy Party (HDP, 36 seats).

A party must win at least 10 percent of the nationwide vote to secure parliamentary representation, the highest electoral threshold in Europe. In 2011, some Kurdish candidates ran as independents to circumvent the requirement. In May 2014 the AKP announced that it would no longer try to advance a 2013 proposal to change the system.

**B. Political Pluralism and Participation:** 10 / 16

Turkey has a competitive multiparty system, but parties can still be disbanded for endorsing policies that are not in agreement with constitutional parameters. This rule has been applied in the past to Islamist and Kurdish-oriented parties. Since 2009 no such bans have been enforced, and Kurdish-oriented parties have competed in various elections, but some members of these parties have been arrested in a law enforcement campaign against the Union of Communities of Kurdistan (KCK), which the government describes as a terrorist organization and the PKK's urban arm. In May 2014, a mayor from a district in Diyarbakır in the southeast was sentenced to prison for ties to the PKK. In the 2014 presidential campaign, Erdoğan made critical remarks about the Kurdish heritage of the HDP's candidate as well as the Alevi faith of the CHP leader.

The military has historically been a dominant power in politics, forcing out an elected government most recently in 1997. Under the AKP, various reforms have increased civilian control over the military. Hundreds of military officers were convicted in 2012 and 2013 for alleged involvement in coup plots. Some maintain that these trials were politically motivated.

**C. Functioning of Government:** 6 / 12 (-1)

Corruption remains a major problem in Turkey. In December 2013, three cabinet members resigned in a scandal involving money laundering and government contracts. In February 2014, an audio recording was posted on YouTube in which Erdoğan and his son appear to discuss hiding millions of dollars in cash. While Erdoğan claimed the recording was a montage and that he had been subject to illegal wiretapping by elements of a "parallel state," opposition parties said the recording was genuine. In March further recordings suggested, among other things, that Erdoğan had interfered in judicial cases, ordered media to run progovernment stories or silence the opposition, and approved the leak of a sex video featuring the former leader of the CHP. In addition to denying the authenticity of the tapes, the government passed a series of laws to more tightly control information, particularly on the internet. More than 2,000 police officers, judges, and prosecutors who had been investigating government corruption were dismissed from their jobs or transferred to different jurisdictions and assignments. While the government portrays such moves as a crackdown on corruption and necessary for security, others believe they are politically motivated. In November, a Turkish court banned reporting on the work of a parliamentary commission examining corruption allegations against four former ministers.

**CIVIL LIBERTIES:** 29 / 60 (-3)

**D. Freedom of Expression and Belief:** 8 / 16 (-1)

Freedom of expression is constitutionally guaranteed, and some media outlets are critical of the government. However, in recent years dozens of intellectuals and journalists have been jailed, in many cases for alleged ties to the KCK or involvement in coup plots. Government harassment of journalists is also common, leading to self-censorship and dismissals. Nearly all media organizations are owned by large holding companies with ties to

political parties or business interests in other industries, contributing to self-censorship. An October 2014 report suggested that hundreds of journalists, many of whom had been working on corruption investigations, had quit under pressure or been fired from their posts. For example, in January, a dozen state television officials were dismissed as part of a purge of those who had been investigating a corruption case involving businessmen with close ties to high-ranking officials. Other journalists have been sued for insulting government officials. In September, writer Erol Özkoray was sentenced to nearly a year in prison for insulting Erdoğan in a book on the 2013 Gezi Park protests.

In August, the Turkish Journalists' Association issued a report condemning government manipulation of and attacks on the media, including economic pressure and legal charges against critical outlets, and financial rewards for those deemed more friendly to the government. In December, the editor of Turkey's largest daily, *Zaman*—which is sympathetic to Gülen and critical of the government—and more than 20 other media workers were arrested for allegedly establishing a terrorist group to attack another Islamic-oriented organization. Thanks in part to a new law limiting pretrial detention, however, the number of jailed journalists has declined, from 40 at the end of 2013 to 19 by October 2014, with approximately 150 awaiting trial.

In March, following the release of recordings implicating Erdoğan and other officials in corruption cases, the government blocked access to YouTube and Twitter. In April and May, respectively, the Constitutional Court ruled the bans unconstitutional. However, the government has since used special courts to pressure Twitter to close the accounts of critical writers and journalists. In September, the government passed a new law giving the Telecommunications Directorate more authority to block websites and collect individuals' browsing histories.

In April the government passed a law giving the National Intelligence Organization more surveillance powers. The law also prescribed greater punishments for those who leak sensitive information. Critics said the measure reduced free expression and the right to privacy, weakened state accountability, and failed to include safeguards against abuse.

The constitution protects freedom of religion. In the past, the state's official secularism led to restrictions on expressions of religious belief, but these have gradually been reduced over the past few years. In September 2013, the government passed measures to allow women to wear headscarves in most public buildings and institutions. However, critics charge that the AKP has a religious agenda favoring Sunni Muslims, citing the expansion and alleged use of the Directorate of Religious Affairs for political patronage and to deliver government-friendly sermons in mosques. Three non-Muslim religious groups—Jews, Orthodox Christians, and Armenian Christians—are officially recognized. Disputes over property and prohibitions on training of clergy remain concerns for these groups. An independent media monitoring report released in August 2014 highlighted increased hate speech in the media against non-Muslim minorities.

The Alevi, non-Sunni Muslims who make up as much as 25 percent of the population, lack protected status. Historically, they were targets of violence and discrimination, and their houses of worship do not receive state support, as Sunni mosques do. In 2014, Erdoğan made repeated disparaging remarks about Alevi. In May, violence between Sunni and Alevi groups in Istanbul claimed two lives, and thousands of Alevi subsequently demonstrated to demand full rights. In September the European Court of Human Rights ruled that compulsory religious classes in Turkish public schools, taught with the Sunni understanding of Islam, discriminated against religious minorities including the Alevi. Separately, Gülen's faith-based Hizmet movement has been a prominent target of government action, including profiling of its members and closure of some of its schools.

Academic freedom is limited by self-censorship and legal or political pressure regarding sensitive topics, such as the Kurds and the definition of World War I-era massacres of Armenians as genocide. In the past, academics who have spoken out against the government have been fired from their posts. In January 2014, the Higher Education Council passed a measure restricting academics from speaking to the media on subjects outside their immediate field.

**E. Associational and Organizational Rights:** 5 / 12 (-1)

Freedoms of association and assembly are protected in the constitution, and Turkey has many politically active nongovernmental organizations (NGOs). However, authorities have monitored and harassed some NGOs—most notably those affiliated with the Hizmet movement. The police have forcibly broken up public gatherings on the grounds that they need to maintain order and due to alleged radical elements among the protesters. While in 2014 Turkey did not experience anything as dramatic as the massive 2013 antigovernment protests originating in Istanbul's Gezi Park, large demonstrations to mark May Day and the anniversary of Gezi led to clashes between police and protesters. These included the use of tear gas and water cannons by police, as well as hundreds of arrests.

Protests in Istanbul in February over proposed controls on the internet, and those in May in Soma over a mine disaster that killed more than 300 miners, also turned violent. In the latter case, both Erdoğan and one of his advisers were caught on video assaulting people during a visit to the town, spurring additional protests.

Throughout the spring and summer in southeastern Turkey, protesters blocked roads in response to plans for new military bases in the region; violence between security forces and protesters claimed two lives. In June, two dozen leaders of the Gezi protests were put on trial for violating public order and organizing illegal demonstrations. Amnesty International reported that 5,500 people across Turkey had been prosecuted as of June for involvement in the Gezi Park protests. Despite hundreds of registered complaints against police abuse, only nine police officers faced legal repercussions at the time. In September, 35 members of the Çarşı soccer fan club were indicted for allegedly trying to overthrow the government during the Gezi protests, a charge that carried a maximum sentence of life imprisonment.

Turkey has four national trade union confederations. Trade unions have been active in organizing antigovernment protests. However, union activity, including the right to strike, remains limited in practice, and unions are increasingly weak and face some harassment. Because of various threshold requirements, only half of union members in Turkey enjoy collective bargaining rights.

**F. Rule of Law:** 7 / 16 (-1)

The constitution provides for an independent judiciary, but in the past the government has influenced judges through appointments, promotions, and financing. Nevertheless, the ongoing corruption investigation of businessmen with close ties to the government, including the sons of three cabinet ministers, signaled that police and prosecutors enjoyed some independence. In response, the parliament passed a new law in February 2014 to give the justice minister greater authority over members of the Higher Council of Judges and Prosecutors (HSYK), the body responsible for senior judicial appointments. The government claimed that the change promoted accountability and averted a “judicial coup,” but critics said it was designed to purge the judiciary of Gülen supporters and other perceived enemies of the government. Parts of the new law were annulled by a Constitutional Court ruling in April, at which point the government had already removed or reassigned most of the HSYK

and replaced more than 100 judges with AKP loyalists. In October, judges and prosecutors elected new members of the HSYK, most of whom were backed by the AKP, through a highly politicized process. In addition to the aforementioned reassignment of thousands of police officers, judges, and prosecutors, in July more than 100 police officers were arrested for alleged illegal wiretapping of state officials, renewing complaints that the government was quashing corruption investigations.

Critics of the government have long argued that the so-called Ergenekon and Sledgehammer trials in 2011–13, in which hundreds of military officers, state bureaucrats, and journalists were convicted of plotting to overthrow the government, were politically motivated. In a reversal, Erdoğan suggested in January 2014 that the cases could be reopened due to possible prosecutorial misconduct. In March, the special courts established under antiterrorism laws to try suspects in coup plots were abolished, and more than 50 defendants in pending coup-related cases were released. Many others who had been convicted were released in June and granted new trials. A trial that began against 103 defendants in September 2013 was ongoing in 2014; the suspects, mostly from the military, were charged with illegal actions linked to the 1997 “soft coup” that removed an elected Islamist government.

Lengthy pretrial detention has been a chronic problem, and in March the government passed a new law to limit pretrial detention to five years. As a consequence, many detainees have been released, including dozens in various cases concerning the KCK. This move has not been accompanied by broader changes to antiterrorism laws.

In recent years the state has enhanced the rights of Kurds through numerous reforms, including a 2013 law allowing private education in Kurdish that led to three private Kurdish-language schools opening in southeastern Turkey in 2014. The March 2013 cease-fire with the PKK has largely held. However, there was little progress in 2014 toward a final political settlement to resolve the conflict with the PKK, and Kurdish officials complained that state officials had shut down informal Kurdish-language schools.

In March 2014 the PKK started kidnapping Turkish officials and soldiers. After the kidnapping of 25 teenagers in May, reports surfaced claiming that the group had also kidnapped over 300 children in the preceding six months, with the goal of training them as PKK fighters. Tensions escalated when PKK sympathizers began blocking roads in southeastern Turkey, prompting deadly clashes with Turkish security forces. Meanwhile, in September more than 130,000 Syrian Kurds crossed into Turkey to flee Islamic State militants. The Turkish government closed the border to prevent Turkish Kurds from joining the fight against the Islamic State in Syria. This prompted deadly antigovernment protests and renewed violence between the government and the PKK, which has supported the Syrian Kurds.

Homosexual activity is legal, and an annual gay pride parade has taken place in Istanbul since 2003, but LGBT (lesbian, gay, bisexual, and transgender) people are subject to widespread discrimination, police harassment, and occasional violence. Some online gay dating platforms have been banned, and no legislation protects people from hate crimes based on their sexuality.

#### **G. Personal Autonomy and Individual Rights: 9 / 16**

Freedom of travel and choice of residence and employment are respected. Property rights are generally upheld. However, non-Muslim religious communities that lack a corporate legal identity have had trouble acquiring property. Since the Gezi protests in 2013, businesses perceived to be opponents of the government—including Koç Holding, the country’s largest conglomerate—have come under pressure, undergoing intrusive tax and

regulatory inspections and being denied government contracts. Bank Asya, founded by Gülen supporters, faced extreme instability in 2014 due to government interference, including a coordinated withdrawal of deposits by state-owned companies, multiple suspensions of stocks, and verbal attacks by government officials in the media. In June, the chairman of the Turkish Industry and Business Association, Muharrem Yılmaz, resigned. His own companies had come under increasing government scrutiny, and Erdoğan labeled Yılmaz a traitor after he warned that foreign companies would not invest in Turkey if certain laws limiting freedom and rule of law were passed.

The constitution grants women full equality before the law, but the World Economic Forum ranked Turkey 125 out of 142 countries surveyed in its 2014 Global Gender Gap Index. Only about a third of working-age women participate in the labor force. The government has declared that combating domestic violence is a priority, and in June it toughened punishments for sexual assault. However, cases of domestic violence continue to increase, and critics argue that the government is more focused on family integrity than women's rights. Many question the government's commitment given its sexist rhetoric in the past, including suggestions by Erdoğan that men and women are not equal and that women should have at least three children. In December, Erdoğan accused those promoting birth control of committing treason by seeking to dry up the Turkish bloodline.

## Turkmenistan

**Political Rights Rating:** 7

**Civil Liberties Rating:** 7

**Freedom Rating:** 7.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Population:** 5,307,000

**Capital:** Ashgabat

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF

### INTRODUCTION

Despite international criticism, the government of President Gurbanguly Berdimukhammedov continued its repressive policies and practices, including the persecution of religious minorities and political dissenters. In September, a coalition of several global civil society organizations released a report revealing the severity of physical and psychological abuse at the country's infamous Ovadan Depe prison.

Despite the recent creation of new political parties and the government's praise of the 2013 elections, several international reports have refuted claims to genuine progress. Not only are the new parties tied to the government, but the elections were marred by the persistence of irregularities, as in the past. Corruption continues to be widespread, and bribery is a common requirement for even basic public services.

**POLITICAL RIGHTS:** 1 / 40

**A. Electoral Process:** 0 / 12

Turkmenistan is not an electoral democracy. Since its independence in 1991, none of the country's elections have been free or fair. The election commission has no meaningful indepen-

dence from the executive branch. President Berdymukhammedov has maintained all the means and patterns of repression established by his predecessor, Saparmurat Niyazov, whose authoritarian rule lasted from 1985 to 2006. Berdymukhammedov was formally elected to his first five-year presidential term in 2007. Since then, he has gradually removed high-ranking Niyazov loyalists and taken steps to replace Niyazov as the subject of the state's cult of personality.

Under the 2008 constitution, the Mejlis became the sole legislative body, and its number of seats expanded from 50 to 125, with members elected to five-year terms from individual districts. The new charter gave citizens the right to form political parties; a new law outlining the requirements for party formation was approved by the Mejlis in 2012. A single deputy from the new state-sponsored Party of Industrialists and Entrepreneurs was seated in the Mejlis following a June 2013 by-election, marking the first time a member of a party other than the ruling Democratic Party of Turkmenistan (DPT) had been elected to the legislature. In the December 2013 parliamentary elections, the DPT took 47 seats, followed by the Federation of Trade Unions with 33, the Women's Union with 16, the Party of Industrialists and Entrepreneurs with 14, and a youth organization and other "citizen groups" with 8 and 7, respectively. In a March 2014 report, the OSCE charged that the elections did not embody the fundamental principles of democracy. The Mejlis remains tightly under executive control despite the appearance of pluralism.

Turkmenistan's last presidential election was held in 2012. While Berdymukhammedov had promised that the polls would include opposition candidates and adhere to international norms, all seven of his challengers were minor figures associated with the DPT. Berdymukhammedov was reelected to a second five-year term with 97 percent of the vote and 96 percent turnout, according to the country's election commission.

#### **B. Political Pluralism and Participation: 1 / 16**

The DPT, formerly the Soviet-era Communist Party of Turkmenistan, was the only party permitted to operate legally and field candidates for elections until 2013. The 2012 law on political parties specified the legal basis for any citizen to form an independent party, and barred parties formed on professional, regional, or religious lines, among other restrictions. Berdymukhammedov subsequently announced plans to form two new political parties—the Agrarian Party and the Party of Entrepreneurs and Industrialists—despite sections of the new law that forbid profession-based parties and bar government officials from creating parties. Both parties were openly organized by sitting members of the DPT; only the latter ultimately registered and participated in the 2013 elections. Aside from the DPT and the Party of Entrepreneurs and Industrialists, the entities that won seats were unions and civic groups affiliated with the state. A new committee for the creation of the Agrarian Party met in September 2014 and prepared a formal application for party registration, which was approved by the authorities.

#### **C. Functioning of Government: 0 / 12**

Corruption in Turkmenistan is widespread. Many public officials are widely understood to have bribed their way into their positions. The government's lack of transparency affects nearly all spheres of the economy and public services, particularly in health care, an area many had hoped Berdymukhammedov would reform. The money that is invested in building state-of-the-art medical facilities has created a façade that hides the critical problems in the health system facing Turkmen citizens. According to *Chronicles of Turkmenistan*, an online portal run by the exile-based Turkmen Initiative for Human Rights, bribes are commonly used for gaining admission to top medical universities and even for buying grades; as a result, many medical personnel do not possess thorough training.

Decisions to award large-scale contracts to foreign companies are ultimately made by the president without any effective legal control or oversight, with bribes playing a key part in the process. Allocation of state profits from hydrocarbon exports remains opaque. A 2011 amendment to the 2008 Law on Hydrocarbon Resources expanded the president's near-total control over the hydrocarbon sector and the revenue it produces; additional amendments in 2012 allowed the state agency for hydrocarbon resources to establish companies, buy a direct stake in foreign companies, and open branches abroad. According to a 2011 report by Crude Accountability, an environmental group that works in the Caspian Sea region, only 20 percent of revenues from the sale of state-owned hydrocarbons are transferred to the state budget; the rest is controlled by the hydrocarbon agency, which is directly subordinate to the president.

Turkmenistan was ranked 169 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 5 / 60 (-1)

**D. Freedom of Expression and Belief:** 2 / 16

Freedom of the press is severely constrained by the government, which controls nearly all broadcast and print media. Although internet penetration is low, Turkmenistan's main internet service provider is run by the government and restricts access, including by blocking undesirable websites and monitoring user activity. The authorities remained hostile to news reporting in 2014, and sought to suppress any independent sources of information. Although the 2013 media law banned press monopolies and censorship, the government continues to severely restrict independent media. The few independent reporters that still operate in Turkmenistan risk detention by the authorities; rights groups suspect that imprisoned journalists are subject to torture.

The government restricts freedom of religion. Religious groups are required to register with state authorities, and practicing an unregistered religion remains illegal, with violators subject to fines. Many minority religious groups have been refused registration, and some face harassment from authorities. Jehovah's Witnesses, who are conscientious objectors to compulsory military service, continued to report arbitrary detention, harassment, and violence by state authorities in 2014. Changes to the administrative code in 2013 introduced fines for the dissemination of religious literature, among other measures.

The government places significant restrictions on academic freedom. Since 2009, students bound for university study abroad have routinely been denied exit visas.

**E. Associational and Organizational Rights:** 0 / 12

The constitution guarantees freedoms of peaceful assembly and association, but in practice, these rights are severely restricted. Sporadic protests, usually focused on social issues, have taken place in recent years. In August and November 2014, dozens of Ashgabat residents participated in protests to block cranes sent by the government to forcibly remove air conditioners from apartment windows; the residents had defied a municipal order to remove the devices. The removal operations reportedly ceased on both occasions.

A new Law on Public Associations entered into force in May 2014. The new law includes slight improvements for nongovernmental organizations (NGOs), among them the ability of foreign individuals and entities to found and join organizations. However, restrictive provisions remain. NGOs face onerous registration requirements, and authorities have wide latitude to monitor NGO activities and funding. Turkmenistan is still home to a few dedicated activists, but there is virtually no organized civil society sector.

The government-controlled Association of Trade Unions of Turkmenistan is the only central trade union permitted. Workers are barred by law from bargaining collectively or staging strikes.

**F. Rule of Law: 0 / 16 (-1)**

The judicial system is subservient to the president, who appoints and removes judges without legislative review. The authorities frequently deny rights of due process, including public trials and access to defense attorneys. Prison conditions are unsanitary and overcrowded, and recent revelations have highlighted the extent of mistreatment facing inmates. According to international watchdogs, security forces use various forms of torture and violence—including rape, asphyxiation, starvation, and forcible administration of drugs—against suspects and inmates.

The government has released a number of political prisoners since Niyazov's death in 2006, but many others remain behind bars. Many long-term political prisoners have been subject to enforced disappearance, and nothing is known about the condition of jailed former foreign ministers Boris Shikhmuradov and Batyr Berdyev, and some 28 others. Amnesty International has received reports that harassment, arbitrary imprisonment, and torture of political opponents is widespread. A September 2014 report by the Prove They Are Alive! campaign, initiated by a collective of civil society organizations called the Turkmenistan Civic Solidarity Group, extensively documented the torture practices employed by prison workers in Ovadon Depe, where most political prisoners are reportedly held. The report, compiled using satellite imagery and eyewitness accounts, confirmed long-standing beliefs about the severity and systematized nature of abuse in the prison.

Employment and educational opportunities for ethnic minorities are limited by the government's promotion of Turkmen national identity. The law does not protect LGBT (lesbian, gay, bisexual, and transgender) people from discrimination, and traditional social taboos make even discussion of LGBT issues difficult. Sexual activity between men is illegal in Turkmenistan and punishable with up to two years in prison and an additional term of up to five years in a labor camp.

**G. Personal Autonomy and Individual Rights: 3 / 16**

Freedom of movement is restricted, with a reported blacklist preventing some individuals from leaving the country. A few activists who hold dual citizenship and continue to reside in Turkmenistan are able to travel abroad using their Russian passports. In 2013, the government approved the issuance of Turkmen travel documents to tens of thousands of Turkmen-Russian dual citizens who had spent years with no clear legal status after the Turkmen parliament approved a measure revoking a dual-citizenship pact with Russia in 2003.

A Soviet-style command economy and widespread corruption diminish the equality of opportunity. The constitution establishes the right to property ownership, but the deeply flawed judiciary provides little protection to businesses and individuals. Arbitrary evictions and confiscation of property are common. In February 2014, landlords evicted several small businesses in Ashgabat without official reason or documentation, effectively driving them out of business.

Traditional social and religious norms, inadequate education, and poor economic conditions limit professional opportunities for women, and NGO reports suggest that domestic violence is common.



## Tuvalu

**Political Rights Rating:** 1

**Population:** 11,323

**Civil Liberties Rating:** 1

**Capital:** Funafuti

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

In March 2014, Sir Kamuta Latasi, the parliamentary speaker, was ousted and replaced by former speaker Otinielu Tauteleimalae Tausi.

Tuvalu remains threatened by global climate change and rising sea levels, as well as a sharp reduction in its fresh water supply as a result of low levels of rainfall in recent years.

**POLITICAL RIGHTS:** 37 / 40

**A. Electoral Process:** 12 / 12

A governor general represents the British monarch as head of state. The prime minister, chosen by Parliament, leads the government. The unicameral, 15-member Parliament is elected to four-year terms. A six-person council administers each of Tuvalu's nine atolls. Council members are chosen by universal suffrage for four-year terms. Twenty-six candidates competed in the September 2010 general elections, and Maatia Toafa was elected prime minister. Toafa was ousted in a no-confidence vote in December 2010, after which Willy Telavi replaced him as prime minister. Telavi himself was ousted by a vote of no-confidence in 2013, and Parliament subsequently chose Enele Sopoaga to serve as prime minister.

With a two-thirds majority vote in March 2014, legislators removed Sir Kamuta Latasi from the position of parliamentary speaker. Latasi and Sopoaga had clashed in 2013 after Latasi adjourned Parliament before the opposition, at the time led by Sopoaga, could debate the no-confidence motion against Telavi. Former speaker Otinielu Tauteleimalae Tausi replaced Latasi.

**B. Political Pluralism and Participation:** 15 / 16

There are no formal political parties, though no law bars their formation. Candidates typically run as independents and align themselves based on geography, tribal loyalties, family ties, and personalities. Intense personal and political rivalries frequently prompt new alliances, and no-confidence motions are often used as a tool to oust opponents.

**C. Functioning of Government:** 10 / 12

Tuvalu is one of the few states in the Pacific Islands where corruption is not severe, though international donors have called for improved governance. A tenth of the country's annual budget comes from an overseas investment fund set up by Britain, Australia, and South Korea in 1987 to provide development assistance. Sales of fishing licenses, lease of its internet suffix (.tv), and the economic boost provided by remittances from overseas workers also supplement the state budget.

**CIVIL LIBERTIES: 57 / 60****D. Freedom of Expression and Belief: 16 / 16**

The constitution provides for freedoms of speech and the press, and the government generally respects these rights in practice. The semi-public Tuvalu Media Corporation (TMC) operates the country's sole radio and television stations, as well as the biweekly newspaper *Tuvalu Echoes* and the government newsletter *Sikuelo o Tuvalu*. Human rights groups have criticized TMC for its limited coverage of politics and human rights issues, but there are no allegations of censorship or political agendas in reporting. Many residents use satellite dishes to access foreign programming. Internet access is largely limited to the capital because of high cost and connectivity challenges. A five-year contract between Ka-cific Broadband Satellites and Tuvalu Telecom, announced in June 2014, aims to increase internet bandwidth and expand access.

Religious freedom is upheld in this overwhelmingly Christian country, where religion plays a major role in society. Academic freedom is generally respected.

**E. Associational and Organizational Rights: 12 / 12**

The constitution provides for freedoms of association and assembly, and the government upholds these rights in practice. Nongovernmental organizations provide a variety of health, education, and other services.

Workers have the right to strike, organize unions, and choose their own representatives for collective bargaining. With two-thirds of the population engaged in subsistence farming and fishing, there is only one registered trade union (for merchant marine workers). Professional associations for public sector employees are also active.

**F. Rule of Law: 15 / 16**

The judiciary is independent and provides fair trials. In a two-tier system, higher courts include the Court of Appeal, and the High Court, and the Privy Council in London, while lower courts consist of senior and resident magistrates as well as island and land courts. The chief justice of Tonga performs the same duties in Tuvalu, visiting twice a year to preside over the High Court. A civilian-controlled constabulary force maintains internal order. There are no reports of abuse in the prison system. Jails meet minimum standards, but limited capacity can mean long waits in the legal system and restricted access to proper counsel.

An ombudsman—the first in Tuvalu—was appointed in August 2014 to enforce the Leadership Code, which governs the conduct of public officials. His five-year term began in October 2014.

Same-sex sexual relations between men are illegal and punishable by up to 15 years in prison, though the relevant legislation is not enforced.

**G. Personal Autonomy and Individual Rights: 14 / 16**

Although women enjoy equal access to education, traditional customs and social norms condone gender-based discrimination and limit women's role in society. Women cannot inherit the traditional title of *matai*, or chief, from their fathers, and few women hold prominent roles in business or government. Violence and abuse against women does not appear to be widespread. There are also no laws against sexual harassment, and spousal rape is not explicitly illegal.

# Uganda

**Political Rights Rating:** 6

**Population:** 38,845,000

**Civil Liberties Rating:** 5 ↓

**Capital:** Kampala

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Status change:** Uganda's civil liberties rating declined from 4 to 5, and its status declined from Partly Free to Not Free, due to increased violations of individual rights and the freedoms of expression, assembly, and association, particularly for opposition supporters, civil society groups, women, and the LGBT community.

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	5,4,PF	6,4,PF	6,5,NF

## INTRODUCTION

In 2014, the implementation of the Public Order Management Act (POMA), the Anti-Homosexuality Act (AHA), and the Anti-Pornography Act (APA) led to increased discrimination, harassment, and abuses against the opposition, civil society, the LGBT (lesbian, gay, bisexual, and transgender) community, and women due to harsh and discriminatory provisions in the vaguely worded laws. Although the Constitutional Court struck down the AHA on a technicality in August 2014, a climate of fear and intimidation persists for LGBT individuals, and supporters of the legislation are planning to reintroduce it. Meanwhile, the government continued to crack down on civil society groups that focus on a wide range of sensitive issues.

The year 2014 was also marked by increased infighting in the long-ruling National Resistance Movement (NRM) party in advance of a 2016 presidential election, culminating in the September firing of Prime Minister Amama Mbabazi by President Yoweri Museveni. The 70-year-old Museveni, a former rebel leader who took power in 1986, is widely expected to run for another term, and Mbabazi, an NRM veteran, had been seen as a potential challenger.

**POLITICAL RIGHTS:** 11 / 40

**A. Electoral Process:** 3 / 12

Uganda's single-chamber National Assembly and the powerful president are elected for five-year terms. Of the legislature's 386 members, 238 are directly elected and 137 are indirectly elected from special interest groups including women, the military, youth, the disabled, and trade unions. Eleven ex-officio seats are held by cabinet ministers, who are not elected and do not have voting rights. In 2005, constitutional amendments lifted a ban on political parties but also ended presidential term limits.

Museveni, the NRM's candidate, won the February 2011 presidential election with 68 percent of the vote. Opposition Forum for Democratic Change (FDC) candidate Kizza Besigye placed second with 26 percent. In concurrent parliamentary elections, the NRM took 263 of 375 elected seats, followed by the FDC with 34. According to observers from the European Union and the Commonwealth, the elections were undermined by flawed administration, extensive state media bias, and government spending on behalf of the ruling party.

Members of the Electoral Commission are appointed by the president and the chairperson is approved by a parliamentary committee, which undermines its independence. Museveni renewed the panel and its chairman for a second seven-year term in 2009.

**B. Political Pluralism and Participation: 5 / 16**

The NRM is the dominant party, and the FDC is the main opposition party. The ability of the opposition to compete with the ruling NRM is hindered by harassment of its leaders, restrictive party registration requirements and voter and candidate eligibility rules, the use of government resources to support NRM candidates, a lack of access to state media coverage, and paramilitary groups that intimidate voters and government opponents. The October 2013 signing of the POMA, which severely restricts freedom of assembly, further infringed on the opposition's ability to hold rallies and meet with constituents. However, the FDC is also hampered by infighting.

In 2014, as in previous years, Besigye—the former FDC leader and presidential candidate who now leads the banned For God and My Country (4GC) political pressure group—as well as suspended Kampala mayor Erias Lukwago and other top opposition figures, was subject to arrest and legal and physical harassment. In November, Besigye and other opposition leaders registered a legal victory when a court dismissed charges of “convening meetings, holding rallies and making speeches under the unlawful organization of 4GC.” However, Besigye, Lukwago, and other opposition figures continued to face other charges.

In November 2013, Lukwago was impeached on the grounds of incompetence and abuse of office in the wake of a report by a government-appointed tribunal into his conduct as mayor. However, a High Court judge almost immediately issued a stay on the implementation of the report, and a court was still debating the legality of Lukwago's impeachment at the end of 2014.

Meanwhile, Museveni and his supporters worked to consolidate support for the president and sideline dissidents within the NRM. At an annual party retreat for elected members of parliament in February, 190 NRM legislators passed a resolution calling for Museveni to be the party's 2016 presidential candidate. Although the motion had no official standing, it served as a demonstration of Museveni's support within the party and was seen as a warning to potential challengers. Later in February, the Constitutional Court ordered “rebel” legislators, who in 2013 had been expelled from the NRM for challenging party policies and criticizing Museveni, to vacate their seats. In October, Mbabazi—soon after being ousted as prime minister—was forced to take a leave of absence from his post as NRM secretary general.

The military, which is closely aligned with Museveni and has 10 seats in parliament, exerts a powerful role behind the scenes to support him and its personal interests.

**C. Functioning of Government: 3 / 12**

Although Uganda has a variety of laws and institutions tasked with combating corruption, enforcement is weak in practice. The Constitutional Court suspended the Anti-Corruption Court in 2013, but it reopened in January 2014 after a subsequent ruling that the Anti-Corruption Court members were indeed legally appointed. Despite recent high-profile scandals and investigations, as well as laws and institutions to combat corruption, no top government official has been imprisoned for the offense. Uganda was ranked 142 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

In 2006, large oil reserves were discovered in Uganda; by 2020, output is expected to reach 220,000 barrels per day. The 2012 Petroleum Law gave the energy minister wide-ranging powers over the sector; the opposition and international monitoring groups criticized the law for lack of parliamentary or independent oversight of the minister's decisions. In September 2014, Global Witness released a report that found that some important protections for human rights and the environment were lacking in two 2012 oil contracts, and transparency was impeded because payments from the contracts could not be tracked in the national budget.

**CIVIL LIBERTIES:** 25 / 40 (-1)**D. Freedom of Expression and Belief:** 9 / 16 (-1)

The constitution provides for freedom of expression and of the press; however, these rights are often undermined by provisions in the penal code, including laws on criminal libel and treason, as well as by extralegal actions by the government. In October 2014, Central Broadcasting Services (CBS) radio journalist Ronald Ssemuusi was convicted of criminal defamation over a 2011 story implying a connection between a former Kalangala district chairman and the theft of solar panels that the African Development Bank had donated. Ssemuusi was sentenced to pay a fine of 1 million shillings (\$375) within a month, or serve one year in prison.

Uganda has a vibrant media sector, with nearly 200 private radio stations and dozens of television stations and print outlets. Broadcast media regulations issued in March 2014 required all outlets to provide one free hour of prime air time per week to government officials so they could promote government policies and programs; however, the regulations have not been enforced. Independent journalists and media outlets are often critical of the government, but in recent years they have faced substantial, escalating government restrictions and intimidation, encouraging self-censorship. Journalists often face harassment or physical attacks by police or ordinary citizens while covering the news.

There are no reported restrictions on internet access, and online media generally operate in a freer environment than the traditional press. However, the government has reportedly sought to increase surveillance of internet and mobile-phone communications in the context of antiterrorism campaigns, as permitted under the 2002 Antiterrorism Act and the 2010 Regulation of Interception of Communications Act. Under the latter, all mobile-phone users were required to register their SIM cards with the government by August 2013, after which unregistered cards were deactivated. In addition, the AHA and APA contain provisions prohibiting the use of the internet or other electronic methods to “promote” homosexuality or to disseminate vaguely defined pornographic material, respectively. The laws provide for steep fines or jail time for those found in violation, including, in the case of the APA, internet service providers (ISPs) that simply host objectionable content. The APA also provides for the establishment of a Pornography Control Committee, which would require ISPs to install monitoring software for the detection and suppression of pornography.

There is no state religion, and freedom of worship is constitutionally protected and generally respected in practice. The government at times restricts religious groups whose members allegedly pose security risks. Academic freedom has been undermined by alleged surveillance of university lectures by security officials and the need for professors to obtain permission to hold public meetings at universities.

The passage of the AHA and the heightened climate of intimidation made free and open private discussion more difficult for members of the LGBT community, who feared being “outed”; this reportedly continued after the AHA was overturned. In 2014, tabloid newspapers continued a practice of publicly identifying LGBT individuals, including publishing personal details and photos. After the passage of the AHA, ordinary citizens reportedly identified suspected LGBT individuals to the police. However, this decreased somewhat after the law was overturned.

**E. Associational and Organizational Rights:** 4 / 12

Freedom of assembly is officially recognized but is restricted in practice. Since leading a “walk to work” campaign of marches against corruption and the rising cost of living in 2011, Besigye has been arrested numerous times, as have other opposition leaders, and their freedoms of movement and expression have been severely curtailed. The POMA restricts

freedom of assembly; among the most repressive provisions of the bill is one that requires groups to register with the local police in writing three days before any gathering, public or private, to discuss political issues. The police have broad 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.

Freedom of association is guaranteed in the constitution but is often restricted; nevertheless, civil society in Uganda remains vibrant. Several nongovernmental organizations (NGOs) address politically sensitive issues, though their existence and activities are vulnerable to legal restrictions, including the manipulation of burdensome registration requirements under the 2006 NGO Registration Amendment Act. In May 2014, the cabinet approved a bill that, if enacted, could prohibit political engagement by NGOs and would increase the government’s NGO-monitoring powers. It had yet to be forwarded to parliament at year’s end.

Civil society groups that advocate for sensitive issues, such as combating corruption, transparency in the oil sector, and LGBT human rights, continued to experience harassment. In May 2014, the offices of Human Rights Network–Uganda (HURINET-U) were broken into and vandalized; according to a report by Human Rights Network for Journalists–Uganda, the incident was just the latest of several such break-ins at Ugandan NGO offices, many of which have not been adequately investigated by police. In October, charges under Uganda’s existing laws prohibiting “unnatural offenses” were dismissed against prominent LGBT activist Samuel Ganafa. NGOs that focus on less controversial issues such as service delivery are largely allowed to operate freely.

Workers’ rights to organize, bargain collectively, and strike are recognized by law, except for those providing essential government services, but legal protections often go unenforced. Many private firms refuse to recognize unions, and strikers are sometimes arrested.

#### **F. Rule of Law: 5 / 16**

Executive influence undermines judicial independence; additionally, a December 2014 report by Al-Jazeera uncovered corruption at all levels of the judiciary. In August 2014 the Constitutional Court annulled the reappointment as chief justice of the Supreme Court of 70-year-old Benjamin Odoki, who was past the age of mandatory retirement; the position has since remained vacant. The country has faced criticism over the military’s repeated interference with court processes.

Prolonged pretrial detention, inadequate resources, and poor judicial administration impede access to justice. The prison system is operating at more than two times its intended capacity, with pretrial detainees constituting more than half of the prison population. Rape, vigilante justice, and torture and abuse of suspects and detainees by security forces remain problems.

The police and security forces—including the Joint Anti-Terrorism Task Force, established under the 2002 Anti-Terrorism Act—continued to commit rights abuses in 2014. Especially since a series of bombings in Kampala in 2010 by the Somali Islamist group Al-Shabaab, the security forces have illegally detained and abused terrorism suspects and expanded the scope of the law to crack down on political opponents. In July 2014, security was stepped up across Uganda due to alleged terrorist threats, and in September, the authorities announced that they had discovered a terrorist cell with links to Al-Shabaab that had been planning an imminent attack in Kampala.

In early July, violence flared between militias from the Bakonzo ethnic group, Ugandan security forces, and members of rival ethnic groups near Uganda’s border with the Democratic

Republic of Congo over land rights in the oil-rich Lake Albertine Rift basin, where international development of oil fields contributes to ongoing land disputes. Human Rights Watch, in a November report, condemned the government response to the violence.

Northern Uganda continues to struggle to recover economically from 20 years of attacks by the rebel group the Lord's Resistance Army (LRA), with residents of the region voicing allegations of neglect by the central government and corruption related to donor funds earmarked for the North. The LRA has not staged attacks in Uganda itself since 2005, but Uganda has a leading role in an African Union mission to track down Kony and eliminate the group from neighboring countries.

Uganda's society and government are overtly prejudiced against LGBT individuals, creating a climate of fear and insecurity for members of the LGBT community. The 2013 AHA, which Museveni signed in February 2014, toughened penalties for same-sex relations in a number of areas, including mandating a 14-year prison sentence for a first conviction of consensual same-sex sexual conduct and a lifetime sentence for repeat offenders or those convicted of "aggravated homosexuality." According to an October report by Amnesty International, in the wake of the AHA's passage, LGBT individuals were subjected to an increase in numerous forms of harassment, including denial of health care, loss of employment, evictions, arbitrary arrest, and abuse while in police custody. Due to a vague clause in the law outlawing the "promotion" of homosexuality, health-care professionals and institutions offering services to the LGBT community, including work on HIV prevention and treatment, could be seen as running afoul of the law. In April, police raided the Walter Reed Project, a U.S.-funded HIV research and treatment center located at Kampala's Makerere University that provides the LGBT community with medical information and services, alleging that it was "recruiting" people for homosexuality.

The Constitutional Court ruled in August that the AHA was invalid because the National Assembly did not have a quorum when it was passed. While this was seen as a positive move, the judgment did not address fundamental questions on the constitutionality of the law's substance. In November, supporters of the bill in parliament announced that they had drafted a revised version.

#### **G. Personal Autonomy and Individual Rights: 7 / 16**

Travel is largely unrestricted; however, the government has occasionally enforced travel restrictions for security purposes, particularly in the North. Bribery is common practice in many facets of life, such as interacting with traffic police and in gaining admittance to some institutions of higher education. Licenses are required for starting a business, construction permits, and to register property, and the multistage processes involve numerous public officials who sometimes seek bribes. Customary tenure is widespread in the North, and led to an increase in disputes over land in 2014.

Although the constitution prohibits discrimination on the basis of gender and acknowledges the equal rights of women, gender discrimination remains pronounced, particularly in rural areas. Women won nearly 35 percent of the National Assembly seats in the 2011 elections, and one-third of local council seats are reserved for women. The law gives women the right to inherit land, but discriminatory customs often trump legal provisions in practice. Rape and domestic violence are widespread and underreported, and offenders are rarely prosecuted. Cultural practices such as female genital mutilation persist, despite the enactment of the 2010 Prohibition of Female Genital Mutilation Act.

In February 2014, Museveni signed the APA. Although previous iterations had contained a provision that appeared to ban short skirts and other clothing deemed sexually explicit, the final bill did not contain this clause. Nevertheless, according to an October

report by Amnesty International, many women wearing revealing clothing were attacked and stripped by mobs due to public misconceptions about the law. The legislation defines pornography in broad terms and gives a Pornography Control Committee wide-ranging powers to determine what amounts to pornographic material.

Sexual abuse of minors is a significant problem. Ritual sacrifice of abducted children has reportedly increased in recent years, with wealthier individuals paying for the killings to secure good fortune. Uganda continues to be a source and destination country for men, women, and children trafficked for the purposes of forced labor and prostitution.

## Ukraine

**Political Rights Rating:** 3 ↑

**Population:** 42,900,000

**Civil Liberties Rating:** 3

**Capital:** Kyiv

**Freedom Rating:** 3.0

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Ratings Change:** Ukraine's political rights rating rose from 4 to 3 due to improvements in political pluralism, parliamentary elections, and government transparency following the departure of President Viktor Yanukovich.

*Note:* The numerical ratings and status listed above do not reflect conditions in Crimea, which is examined in a separate report.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	3,2,F	3,2,F	3,2,F	3,2,F	3,2,F	3,3,PF	4,3,PF	4,3,PF	4,3,PF	3,3,PF

### INTRODUCTION

In January 2014, after weeks of protests triggered by President Viktor Yanukovich's decision not to sign an Association Agreement with the European Union (EU), the parliament adopted a package of harsh laws that aimed to criminalize the demonstrations. The situation culminated in a pitched battle between police and protesters for control of Kyiv's main square, Maidan Nezalezhnosti (Independence Square), resulting in the death of more than 100 demonstrators. Despite their losses to police gunfire, the "Euromaidan" protesters held their ground, and the government began to lose control over parts of the country that were sympathetic to the opposition.

On February 21, Yanukovich signed a political accord calling for early elections later that year and a restoration of the 2004 constitution, which would shift many of his powers back to the parliament. However, protesters insisted on his immediate departure, his security forces withdrew from the city center, and he soon fled the capital, ultimately going into self-imposed exile in Russia. Many of the president's closest allies, including members of parliament, also absconded. The remaining deputies voted to remove him from office and set a presidential election for May. The move was not strictly in conformity with the constitution, partly because the charter required 338 votes in the 450-seat parliament for impeachment; the motion received only 328.

Immediately after Yanukovich left, Russia—which strongly opposed the protests and closer ties between Ukraine and Europe—invaded the country. Using a combination of Russian troops from its naval base in Sevastopol, special forces, Cossacks, and some local



supporters, the Kremlin quickly captured the Crimean Peninsula and annexed it to the Russian Federation in mid-March.

As in Crimea, many residents of the eastern Donetsk and Luhansk regions did not support the overthrow of the Yanukovich government, but the areas showed few signs of armed insurrection until Russian operatives began working with local allies to set up separatist entities called the Donetsk People's Republic and the Luhansk People's Republic. These armed groups attempted to expand their control over a much wider swath of eastern and southern Ukraine that Russian president Vladimir Putin called "Novorossiya" (New Russia). Although the Ukrainian military was quickly overwhelmed in Crimea, it eventually began to push back the combination of Russian and separatist fighters in Donetsk and Luhansk, aided by battalions of volunteers.

In late August, facing the imminent defeat of the separatist forces, Putin dispatched regular Russian troops into eastern Ukraine while publicly denying their presence. Ukrainian forces were driven back some distance after taking heavy casualties, and a September 5 cease-fire adopted by negotiators in Minsk left the separatists in control of portions of Donetsk and Luhansk, their capital cities, and part of the border region. Despite the agreement, fighting continued along the cease-fire line. At year's end, the country remained divided into three parts: a Kyiv-controlled mainland, Crimea under de facto Russian jurisdiction, and parts of Donetsk and Luhansk ruled by the Russian-backed separatists.

In a concession to the separatists, the government in Kyiv approved legislation in October that gave the eastern regions a special status for three years, providing a greater degree of local self-government and setting local elections for December. Rather than comply with the Ukrainian law, the separatists held their own elections on November 2. The voting was widely criticized for extensive irregularities and did not win international recognition. The national government subsequently moved to rescind the special status law.

Meanwhile, the authorities in Kyiv had held early presidential and parliamentary elections in May and October. The voting was widely regarded as free and fair despite the de facto exclusion of the occupied territories. Wealthy businessman and former cabinet minister Petro Poroshenko won the presidency, and his electoral bloc led the parliamentary voting. After weeks of negotiations, a new coalition cabinet was formed in December, with Arseniy Yatsenyuk—in office since late February—retaining the premiership. The group included a number of young, Western-educated figures, including three who held U.S., Lithuanian, and Georgian citizenship prior to their appointments.

In keeping with the goals of the Euromaidan protests and in response to the Russian invasion, the new authorities in Kyiv worked to build closer ties with Europe and the United States. In March Ukraine signed the political components of the Association Agreement with the EU, then concluded the economic portion in June, though the latter was not set to take effect until the end of 2015 as a concession to Russia. At the end of December, Poroshenko signed a law dropping the country's nonaligned status, raising the possibility of joining the North Atlantic Treaty Organization (NATO) in the future.

Russia cut off natural gas supplies to Ukraine in June amid a pricing dispute, but the flow resumed at the end of the year following an agreement in which Ukraine agreed to pay debts claimed by Russia. Moscow also blocked many of Ukraine's exports during 2014. The conflict as a whole seriously strained Ukraine's already weak economy and state budget.

**POLITICAL RIGHTS:** 25 / 40 (+5)

**A. Electoral Process:** 9 / 12 (+1)

The president is elected to a maximum of two five-year terms. Although the next scheduled election was set for 2015, the Ukrainian parliament called a snap election for May 25

after Yanukovich fled the country. In voting that was largely considered free and fair by international observers, Poroshenko won a decisive 54.7 percent of the overall vote and majorities in regions across the country. Voting did not take place in Crimea and some districts in the east due to the Russian occupation and ongoing separatist fighting. Former prime minister Yuliya Tymoshenko, freed from politically motivated imprisonment in February, placed a distant second with 12.8 percent.

Yanukovich in 2010 had overseen the restoration of the 1996 constitution, which featured a dominant presidency, but a 386–0 vote by the parliament on February 21, 2014, reversed that move, reviving the 2004 charter. The latter, the product of a compromise during the Orange Revolution, had shifted power to the prime minister and cabinet and made them responsible to the parliament, though the president retained control over the foreign and defense ministers and the head of the security service.

Citizens elect delegates to the Verkhovna Rada (Supreme Council), the 450-seat unicameral parliament, for five-year terms, according to a system in which half of the members are chosen by proportional representation and half in single-member districts. In the early parliamentary elections held on October 26, there appeared to be few campaign violations, beyond reported attempts to bribe voters in some of the districts. The Organization for Security and Cooperation in Europe (OSCE) provided a generally positive review of the electoral process, though it noted “significant problems” in the vote tabulation in some areas. Ultimately, citizens elected a parliament with a reformist majority. Petro Poroshenko’s Bloc won 133 seats, Yatsenyuk’s People’s Front took 81, Self-Reliance 33, the Opposition Bloc 29, the Radical Party 22, and Fatherland 19. Several smaller parties and 96 independents divided the remainder. The five largest parties, minus the Opposition Bloc, formed a governing coalition. Yanukovich’s Party of Regions, which had dominated the previous parliament, did not compete, though some of its members joined the Opposition Bloc. The Communist Party did not win any seats for the first time since Ukraine’s independence. Moreover, the two right-wing Ukrainian nationalist parties, Svoboda (Freedom) and Right Sector, won just 6 and 1 seats, respectively.

Parliamentary voting could not be held in Crimea or separatist-held parts of Donetsk and Luhansk regions, where only 17 of 32 electoral districts were able to function. These regions included many voters who would likely have opposed Poroshenko and the winning parties. As a result of the occupation, the elections filled only 423 of the parliament’s 450 seats.

#### **B. Political Pluralism and Participation:** 10 / 16 (+2)

The collapse of the Yanukovich regime and release of Tymoshenko from jail opened the door to a flourishing of political party activity. Of the 22 parties that competed in the 2012 parliamentary elections, nine did not participate in 2014, while six new parties have appeared and five have rebranded themselves and registered under new names. Nevertheless, the country’s parties are typically little more than vehicles for their leaders and financial backers, and they generally lack coherent ideologies or policy platforms.

Russia maintained a powerful influence over the course of Ukrainian political life through its annexation of Crimea, involvement in the fighting in the east, imposition of economic sanctions on the rest of the country, and manipulation of the price Ukraine pays for natural gas.

According to the OSCE, Russian speakers and smaller ethnic minority groups reported no obstacles to their participation in the 2014 elections, although a number of these communities were effectively excluded by the occupation and violence in Crimea and the east, and many Roma in Ukraine lack the necessary identity documents.

**C. Functioning of Government:** 6 / 12 (+2)

Over the course of the year, Ukraine made some progress in its fight against corruption, but considerable problems persisted. The removal of Yanukovych meant the end of extensive graft by the president himself, members of his family, and his closest associates. However, business magnates continue to benefit financially from their close association with top politicians. Dmytro Firtash, a key figure in the gas industry who was awaiting extradition to the United States from Austria at year's end, reportedly has influence in the Poroshenko bloc and finances other parties.

In mid-October, the parliament adopted an anticorruption strategy for the next three years, and the president set up a new National Council on Anticorruption Policy, replacing a similar body that Yanukovych had established in 2010. A package of related legislation made it easier to identify the actual owners of companies, established measures to track the assets of public officials, and created protections for whistle-blowers. The parliament also created a new anticorruption bureau, but the head of Transparency International Ukraine warned that the provisions of the final bill would leave it "disabled and ineffective, not strong and independent."

In March, journalist and opposition activist Tetyana Chornovol was appointed as head of an existing National Anticorruption Committee, but she resigned in August, claiming that there was no political will to fight corruption. Economy Minister Pavlo Sheremeta resigned the same month, saying his efforts to push through economic reform had been frustrated. Both had come to office through their association with the Euromaidan protests, but they proved incapable of working effectively inside the administration against entrenched interests.

A lustration law that came into force in October was designed to remove public officials who supported the corruption of the former administration and could use their positions to obstruct reform. More than one million people could be vetted under the law's provisions. However, critics later warned that the measure, which was initially approved without a publicly available text, was being applied in an arbitrary manner, meaning some individuals could be targeted unfairly while more culpable figures avoid scrutiny because they have political connections or other influence. Others pointed out that there was no independent body to monitor the lustration process. By year's end, the law was being challenged in the courts.

**CIVIL LIBERTIES:** 37 / 60 (+2)**D. Freedom of Expression and Belief:** 11 / 16 (+2)

The constitution guarantees freedoms of speech and expression, and libel is not a criminal offense. The end of the Yanukovych administration brought considerable change to the Ukrainian media landscape, and the government no longer seeks to systematically control television and the press. However, business magnates with varying political interests own and influence many outlets, and the state exercises politicized control over a nationwide television network and various television stations at the regional level. Poroshenko owns his own television network, Fifth Channel, and has rebuffed press freedom groups' calls for him to sell it. Among other key media owners are Dmytro Firtash (Inter), Ihor Kolomoysky (1+1), Rinat Akhmetov (Ukraine), and Viktor Pinchuk (Novy Kanal, STV, ICTV).

Despite the change in government, problems like self-censorship remain, and some elements of the independent media shifted into the political camp of the new administration. New and independent internet news sites that broadcast the Euromaidan protests, such as Hromadske TV, now support Poroshenko. Moreover, leading investigative journalists who were critical of Yanukovych, like Mustafa Nayyem and Sergey Leshchenko of *Ukrainska Pravda*, successfully ran for parliament on Poroshenko's party list.

In August, Ukraine's Interior Ministry banned the broadcast of 14 Russian channels, arguing that the country's information space had to be protected from Russia's "propaganda of war and violence." The authorities have also detained some pro-Russia journalists, raided the offices of the pro-Russian newspaper *Vesti*, and barred many Russian journalists from entering the country. The new government established an Information Ministry that critics fear will ultimately attempt to impose censorship.

Journalists faced dangerous conditions in the eastern war zone, with at least five dying during the fighting. The separatist rebels often target journalists for their coverage of the conflict, and most independent reporters have fled separatist-controlled territory. The separatists briefly detained a correspondent for U.S.-based Vice News in April and a Hromadske TV reporter and cameraman in July. They also threatened and detained journalists trying to cover the destruction of a Malaysian airliner over the area in July. The separatists have blocked Ukrainian broadcasts on their territory, replacing them with Russian channels.

The constitution and a 1991 law define religious rights in Ukraine, and these are generally well respected. In June the country adopted a law that dramatically reduces the government's control over education and allows universities much greater freedom in designing their own programs. The universities also gained an expanded ability to manage their own finances, and faculty members were permitted to devote more of their time to research activities.

#### **E. Associational and Organizational Rights:** 9 / 12 (+1)

The constitution guarantees the right to peaceful assembly but requires organizers to give the authorities advance notice of any demonstrations. While Yanukovich employed deadly force in an attempt to disperse the Euromaidan protests, the new government has been more tolerant of demonstrations. However, some crowds have turned into vigilante mobs and physically attacked politicians and officials they accuse of corruption.

Beyond the Euromaidan movement, a variety of civic groups with different social, political, cultural, and economic agendas have remained active in Ukraine. Trade unions function in the country, but strikes and worker protests are infrequent. Factory owners are still able to pressure their workers to vote according to the owners' preferences.

#### **F. Rule of Law:** 6 / 16 (-1)

Ukraine has long suffered from politicized courts, and judges were subject to intense political pressure under the Yanukovich administration. In April 2014, the parliament adopted a judicial reform law that sought to weaken the top-down power of court chairmen, who assign cases to specific judges and often make decisions about their salaries and other work conditions. The chairmen, in turn, reputedly take orders from powerful politicians. However, while the new law removed all the chairmen from office and allowed the judges to elect new ones, the former incumbents often managed to return to their jobs, reportedly using bribery and other illicit methods. In many cases, no one dared to run against the former chairmen, apparently fearing the repercussions of a failed attempt to unseat them. Separately, many of the prosecutors appointed under Yanukovich remain in office.

Many of the security personnel responsible for violence against the Euromaidan protesters have fled the territory controlled by the Kyiv government. Ukraine is slowly reforming its armed forces, which had fallen into a state of decay, to combat the separatists and Russian invaders. However, many independent volunteer groups have also taken up arms to fight alongside the government troops, raising questions about accountability for any abuses.

Given the ongoing fighting in eastern Ukraine, substantial parts of the population face extensive violence—including inaccurate shelling by both sides—and the prospect of being forced into labor squads at the discretion of separatist fighters. By the end of 2014, at least 4,700 people had been killed and more than 10,000 injured in the conflict in eastern Ukraine, according to the United Nations. The fighting also displaced more than 610,000 people inside Ukraine and drove another 594,000 to neighboring countries, with most going to Russia.

Although the national government has generally protected the legal rights of minority groups, the country's Romany population continues to suffer from discrimination. The LGBT (lesbian, gay, bisexual, and transgender) community also faces bias and hostility in Ukraine. In October 2014 Kyiv's Zhovten cinema was struck by suspected arson while it was screening an LGBT-themed film, and an equality march set for July was called off after Kyiv authorities said they could not ensure security.

#### **G. Personal Autonomy and Individual Rights:** 11 / 16

The separatist-controlled territories in the east are largely lawless, with armed groups controlling public buildings and looting local businesses for supplies. Numerous reports indicate that separatist commanders force local residents to perform menial tasks. The infrastructure in the combat zone has suffered extensive damage, and economic output has dropped dramatically.

In the rest of Ukraine, small and medium-sized businesses continue to suffer at the hands of corrupt bureaucrats, tax collectors, and corporate raiders.

Gender discrimination is prohibited under the constitution, but government officials demonstrate little interest or understanding of the problem. Nearly 12 percent of the new parliament's seats are held by women, the largest share in Ukraine's post-Soviet history. Human rights groups have complained that employers openly discriminate on the basis of gender, physical appearance, and age. The trafficking of women abroad for the purpose of prostitution remains a major problem.

## United Arab Emirates

**Political Rights Rating:** 6

**Population:** 9,446,000

**Civil Liberties Rating:** 6

**Capital:** Abu Dhabi

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,6,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF

#### **INTRODUCTION**

The government of the United Arab Emirates (UAE) continued to suppress dissent in 2014, restricting the use of social media and passing an expansive antiterrorism law that criminalizes criticism of the regime. The UAE also helped to challenge the regional spread of Islamist militancy by providing financial and military support to the Egyptian government and launching military strikes against Islamist militias in Libya.

**POLITICAL RIGHTS:** 8 / 40**A. Electoral Process:** 1 / 12

All decisions about political leadership rest with the dynastic rulers of the seven emirates, who form the Federal Supreme Council, the highest executive and legislative body in the country. These leaders select a president and vice president, and the president appoints a prime minister and cabinet. The emirate of Abu Dhabi, the major oil producer in the UAE, has controlled the federation's presidency since its inception.

In 2006, Sheikh Mohammed bin Rashid al-Maktoum succeeded his late brother as ruler of the emirate of Dubai and prime minister of the UAE. The 40-seat Federal National Council (FNC) serves as an advisory body, reviewing proposed laws and questioning federal government ministers. Half of its members are elected by an electoral college chosen by the seven rulers, while the government directly appoints the other 20 for two-year terms. The first elections to the FNC took place in 2006 with a 6,689-member electoral college. In the 2011 elections, only about 36,000 voters participated despite an expansion that allowed the participation of more than 129,000 members. The next FNC elections are scheduled for 2015.

**B. Political Pluralism and Participation:** 2 / 16

Political parties are banned in the UAE. The allocation of positions in the government is determined largely by tribal loyalties and economic power. Since 2011, the UAE has aggressively cracked down on suspected members of the Association for Reform and Guidance, or *Al-Islah*—a group formed in 1974 to peacefully advocate for democratic reform—accusing them of being foreign agents of the Muslim Brotherhood intent on overthrowing the government. In a mass trial widely criticized for violating international standards, 94 defendants—including human rights activists, academics, and students—faced such an accusation in 2013. The so-called UAE 94 trial resulted in the convictions of 69 defendants, who received prison terms ranging from 7 to 15 years; the remaining 25 were acquitted.

Citizens are believed to constitute less than 20 percent of the population. Noncitizens—including many expatriate minority groups—have limited opportunities for participation and representation in politics.

**C. Functioning of Government:** 2 / 12

The UAE is considered one of the least corrupt countries in the Middle East, and the government has taken steps in recent years to increase efficiency and streamline bureaucracy. In February 2014, authorities began to operate a website inviting citizens to provide feedback on government operations and propose new initiatives. The UAE was ranked 25 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**Discretionary Political Rights Question A:** 3 / 0

Citizens have some limited opportunities to express their interests through traditional consultative sessions.

**CIVIL LIBERTIES:** 13 / 60**D. Freedom of Expression and Belief:** 4 / 16

Although the UAE's constitution provides for some freedom of expression, the government restricts this right in practice. The 1980 Publications and Publishing Law, considered one of the most restrictive press laws in the Arab world, regulates all aspects of the media. It prohibits criticism of the government, its allies, and religion and also bans pornography.

Journalists commonly practice self-censorship, and outlets frequently publish government statements without criticism or comment. Media operate with relatively more freedom in the free media zones of Dubai, Abu Dhabi, and Ras al-Khaimah—areas in which foreign outlets produce material for foreign audiences—but the zones remain subject to UAE media laws and have additional regulatory codes and authorities. In May 2014, the government blocked the printing of an edition of the *New York Times* featuring an article about abusive labor practices in the construction of New York University's Abu Dhabi campus.

Social media platforms have become a popular source of news and means of communication but are heavily monitored by the government. A 2012 cyber law allows for the imprisonment of anyone who publishes online content that insults the state, organizes anti-government protests, or is deemed a threat to national security. Offenders can also be fined up to \$272,000. Shezanne Cassim, an American arrested under the law in Dubai in 2013 for posting a satirical video that mocked UAE youth, was released from prison in January 2014 after serving nine months. Iyad el-Baghdadi, a democracy activist known for satirizing Arab dictators on Twitter, was forced to leave the country in April after authorities issued an ultimatum of voluntary deportation or prosecution on unknown charges.

The constitution provides for freedom of religion. Islam is the official religion, and the majority of citizens are Sunni Muslims. The minority Shiite Muslim sect and non-Muslims are free to worship without interference. The government controls content in nearly all Sunni mosques.

The Ministry of Education censors textbooks and curriculums in both public and private schools. Several Western universities have opened satellite campuses in the UAE, although faculties are cautious to not criticize the government out of fear of losing funding. In February, eight Kuwaiti students were expelled from the University of Sharjah and the University of Ajman and threatened with deportation after attempting to form student unions. Kuwaiti media alleged that UAE authorities suspected links between the unions and the Muslim Brotherhood.

#### **E. Associational and Organizational Rights: 2 / 12**

The government places restrictions on freedoms of assembly and association. Public meetings require government permits. Nongovernmental organizations (NGOs) must register with the Ministry of Social Affairs and can receive subsidies from the government, though they are subject to many burdensome restrictions. In January 2014, the government prevented Human Rights Watch (HRW) from holding a press conference in Dubai about its annual human rights report, which included information about violations in the UAE. HRW's Middle East director was barred from entering Dubai.

In late 2012 and early 2013, authorities arrested 20 Egyptians and 10 Emiratis on the charge of establishing an illegal branch of the Muslim Brotherhood. In January 2014, the Egyptian defendants received prison sentences ranging from four to five years. Nine of the Emirati defendants received sentences of just over a year. The final Emirati defendant, a sheikh, received a prison sentence of more than four years. In May, British lawyer and human rights advocate Victoria Meads was banned for life from entering the UAE. She had previously investigated allegations stemming from a 2012 EU resolution condemning abuse of civil society activists, human rights defenders, and political detainees in the UAE.

Workers—most of whom are foreign—do not have the right to organize, bargain collectively, or strike. Expatriate workers can be banned from working in the UAE if they try to leave their employer before at least two years of service. Workers occasionally protest against unpaid wages and poor working and living conditions, but such demonstrations are frequently dispersed.

**F. Rule of Law: 3 / 16**

The judiciary is not independent, with court rulings subject to review by the political leadership. The legal system is divided into Sharia (Islamic law) courts, which address family and criminal matters, and secular courts, which cover civil law. Sharia courts sometimes impose flogging sentences for drug use, prostitution, and adultery. A 2013 report by the International Commission of Jurists noted grave irregularities in the UAE 94 trial, including lack of adequate access to legal counsel during interrogations, lengthy detention in unofficial facilities, and failure to adequately investigate allegations of torture.

While the federal Interior Ministry oversees police forces, each emirate's force enjoys considerable autonomy. Arbitrary arrests and detention have been reported, particularly of foreign residents. Prisons in the larger emirates are overcrowded. An antiterrorism law passed in July 2014 allows the cabinet to determine whether groups are terrorist organizations and introduces fines of up to \$27 million, imprisonment of up to life, and death sentences for terrorist offences. The law is broad and ambiguous, defining a terrorist offence as any action or inaction carried out for a "terrorist result," which includes "opposing the country, or influencing the public authorities of the country or another country or international organization while discharging its duties, or receiving a privilege from the country or another country or an international organization."

Discrimination against noncitizens and foreign workers, who comprise more than 80 percent of the UAE's population, is common. While the Interior Ministry has established methods for stateless persons, known as *bidoon*, to apply for citizenship, the government uses unclear criteria in approving or rejecting such requests. Same-sex relations are illegal, and LGBT (lesbian, gay, bisexual, and transgender) people are subject to widespread social stigma and discrimination.

**G. Personal Autonomy and Individual Rights: 4 / 16**

Emiratis face no apparent restrictions on freedom of movement within the UAE or on their type or place of employment. Stateless residents are unable to secure regular employment and, along with foreign workers, face systemic discrimination. Under UAE's *kafala* system, a migrant worker's legal status is tied to an employer's sponsorship; 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.

The UAE has made reforms in recent years to ease procedures for establishing and operating businesses. However, the government exercises considerable influence over the economy and is involved in many of the country's major economic and commercial initiatives.

The constitution does not address gender equality. Muslim women are forbidden to marry non-Muslims and receive smaller inheritances than men. No laws protect against marital rape, and men are permitted to physically discipline their wives. Women are politically underrepresented, though they have in recent years received appointments to various levels of government, including the cabinet. Seven women gained seats in the FNC as a result of the 2011 elections.

Despite a 2006 antitrafficking law and the opening of new shelters for female victims, the government has failed to adequately address human trafficking.



# United Kingdom

**Political Rights:** 1

**Population:** 64,500,000

**Civil Liberties:** 1

**Capital:** London

**Freedom Rating:** 1.0

**Status:** Free

**Electoral Democracy:** Yes

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

## INTRODUCTION

The topic of immigration was a central theme in the United Kingdom (UK) throughout the year, with the Conservative Party, led by Prime Minister David Cameron, promising to adopt more stringent regulations. The Euroskeptic, populist United Kingdom Independence Party (UKIP), campaigning on an anti-immigration platform, won the European Parliament elections in May and gained its first seat in the House of Commons through an October by-election. Movements in support of Britain's exit from the European Union (EU) and withdrawal from the European Court of Human Rights (ECHR) continued to create friction between the UK and other EU member states.

Revelations of widespread privacy violations by the Government Communications Headquarters (GCHQ) continued in 2014 after the leaking of files detailing the interception of millions of Yahoo! webcam images and the development of tools to manipulate online polls and track social network users.

In a referendum in September 2014, the Scottish people voted to remain part of the UK.

**POLITICAL RIGHTS:** 40 / 40

### A. Electoral Process: 12 / 12

Each of the members of the House of Commons, the dominant, lower chamber of the bicameral Parliament, is elected in a single-member district. Parliamentary elections must be held at least every five years. Executive power rests with the prime minister and cabinet, who must have the support of the Commons.

The House of Lords, Parliament's upper chamber, can delay legislation initiated in the Commons. The Commons must reconsider any measure defeated by the Lords, but it can ultimately overrule the upper chamber. The Lords' approximately 800 members consist mostly of "life peers" nominated by successive governments. There are also 92 hereditary peers (nobles) and 26 bishops and archbishops of the Church of England. The monarch, currently Queen Elizabeth II, plays a largely ceremonial role as head of state.

In the 2010 parliamentary elections, the Conservatives led with 306 seats. Labour placed second with 258, the Liberal Democrats took 57, and smaller parties divided the remainder. Prime Minister Cameron, lacking a majority, formed a rare coalition government with the Liberal Democrats.

The populist UKIP finished first in European Parliament elections in May 2014. With voter turnout of only 34.2 percent, the party received 27.5 percent, while Labour came second with 25.4 percent and the Conservative Party finished third with 23.9 percent. UKIP also gained its first member of Parliament (MP) in the House of Commons in an October

by-election after former Conservative MP Douglas Carswell defected to UKIP and rewon his seat under his new party affiliation.

Sinn Féin and the Democratic Unionist Party (DUP) consolidated their control in 2011 Northern Ireland Assembly elections. The ruling Scottish National Party (SNP) made major gains in Scotland's election the same year.

#### **B. Political Pluralism and Participation:** 16 / 16

The Conservative and Labour Parties have traditionally dominated UK politics, with the Liberal Democrats in third place. UKIP's 2014 success brought immigration and the economy to the forefront of political issues. This was the first time since 1906 that any political party other than the Conservatives or Labour has won in national-level elections.

Other parties include the Welsh nationalist Plaid Cymru and the SNP. In Northern Ireland, the main Catholic and republican parties are Sinn Féin and the Social Democratic and Labour Parties, while the leading Protestant and unionist parties are the Ulster Unionist Party and the DUP. Smaller parties, such as the Greens and the British National Party, fare better in races for the European Parliament, which feature proportional representation voting.

The struggle between unionists and Irish nationalists over governance in Northern Ireland largely ended with a 1998 peace agreement, which established the Northern Ireland Assembly. The formal disarmament of the Irish Republican Army (IRA)—an outlawed Irish nationalist militant group—paved the way for the first assembly elections in 2007. A 2011 referendum increased the Welsh Assembly's autonomy, giving it authority to make laws in 20 subject areas without consulting Parliament.

After much debate between the UK and Scottish Parliaments over the terms of a referendum on Scotland's independence, Cameron and then-Scottish first minister Alex Salmond agreed to schedule a vote for September 18, 2014. Despite a number of polls showing the independence vote gaining ground, Scotland voted to stay in the union. Turnout was 84.6 percent, with 55.3 percent voting "No" to independence and 44.7 percent voting "Yes." Given the level of support for independence, Cameron tasked a cross-party commission with working out details of devolution of powers to Scotland. The commission proposed further devolution for the Scottish parliament in its November report, including setting income taxes and increased borrowing powers.

#### **C. Functioning of Government:** 12 / 12

In 2013, Cameron announced that he would renegotiate Britain's membership in the EU and hold a referendum on leaving if Conservatives won the next elections. Business lobby groups and investors were disturbed by the news of a possible British exit.

Corruption is not pervasive in Britain, but high-profile scandals have damaged political reputations under both Labour and Conservative governments. The Bribery Act, which is considered one of the most sweeping pieces of antibribery legislation in the world, came into force following a 2011 scandal in which the *News of the World* paper admitted to having repeatedly bribed public officials.

Political party funding has been a controversial topic, and scandals around donations occur. Political parties are funded through membership fees, donations, and state funding (if they are in opposition). Party membership hit a historic low of 1 percent in 2014. In July, Cameron came under fire for accepting a donation of £160,000 (\$250,000) from the wife of a former Russian minister in exchange for a game of tennis with him and London mayor Boris Johnson. A March change in Labour membership rules angered union leaders,

the party's majority funders, leading them to cut the number of affiliated members and £1.5 million (\$2.3 million) in union donations.

A 2013 World Bank study concluded that the UK's freedom of information laws are "reasonably successful." Civil liberties groups and the press have criticized government-proposed reforms to limit freedom of information requests. In March 2014, in response to a freedom of information request originally submitted nine years earlier, an appeals court ruled that the public has the right to access letters written by Prince Charles—also known as the "black spider" memos—to several government departments. The UK placed 14 of 175 countries and territories on Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 57 / 60

**D. Freedom of Expression and Belief:** 15 / 16

Press freedom is legally protected, and the media are lively and competitive. Daily newspapers span the political spectrum, though the economic downturn and rising internet use have driven some smaller papers out of business. On rare occasions, the courts have imposed so-called superinjunctions that forbid the media from reporting on certain information or even the existence of the injunction itself.

The state-owned BBC is editorially independent and competitive with its counterparts in the commercial market. A series of scandals have plagued the broadcaster in recent years, including the convictions of several current and former employees for sexual and verbal abuse in 2013, and a controversy involving senior managers given inordinately high severance payouts and executive pay.

The journalism scandal that led to the 2011 closure of *News of the World*, owned by media mogul Rupert Murdoch's News Corporation, wound down in July 2014 with the acquittal of the tabloid's former chief executive officer Rebekah Brooks. Brooks, along with seven of the paper's journalists, was accused of hacking the voicemails of hundreds of public figures and crime victims. The paper's former editor, and Cameron's former communications director, Andy Coulson was sentenced to 18 months in prison. Four other journalists pleaded guilty and received reduced sentences.

A regulatory system to prevent future media transgressions was established in 2013 in the wake of the scandal. The new regulations set up a recognition panel, which will assess self-regulatory bodies' compliance with certain criteria, including independence from the industry and the availability of a complaints mechanism. The system will come into force after the panel receives the first application. The British media and numerous press freedom organizations have opposed the changes. The newspaper industry launched a self-regulatory body, the Independent Press Standards Organization (IPSO), in September 2014. Critics voiced concerns regarding the organization's independence from the industry, and politicians questioned whether IPSO was different from its discredited predecessor, the Press Complaints Commission. The *Guardian*, the *Financial Times*, and the *Economist* have refused to sign up. A rival initiative called the Impress Project also began in 2014, claiming that, unlike IPSO, it would seek recognition under the royal charter.

In February the High Court ruled that the controversial detention at Heathrow Airport of the partner of investigative journalist Glenn Greenwald was lawful and proportionate. Greenwald is the *Guardian* columnist responsible for breaking the Edward Snowden story linking the GCHQ to the surveillance program of the U.S. National Security Agency (NSA) in 2013. In July 2013, two security agents threatened journalists in the *Guardian*'s offices and compelled them to destroy computer hard drives.

Despite the 2013 Defamation Act overhaul of UK libel laws that introduced a "public interest" defense, set more stringent requirements for claimants, and made it more difficult

for foreigners to file a complaint, the number of cases has increased, and those involving on-line statements more than tripled in 2014. In September, a man was sentenced to 18 months in prison for sending threatening messages to a Labour MP on Twitter.

The government does not restrict internet access. However, in July 2014, Parliament passed the Data Retention and Investigatory Powers Act, which compels telecommunications companies to store user data for up to 12 months and make them available to law enforcement. The far-reaching regulation authorizes the interception of communications outside the UK.

Although the Church of England and the Church of Scotland have official status, 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, report discrimination, harassment, and occasional assaults. The Islamic community has come under threat and occasional violence from the far-right English Defence League. Amid growing concerns over terrorism, Islamic extremists, including the well-known radical preacher Anjem Choudary, were swept up by a police raid in September 2014.

Academic freedom is respected. In June 2014, the Office for Standards in Education, Children's Services and Skills (Ofsted) placed 5 of 21 schools in Birmingham, England, on "special measures" to promote secularism. The move followed a police investigation into extremist Islamist infiltration and attempts to promote radicalization and sex segregation in a number of Birmingham schools. School officials had failed to take steps against the religious activities, partly because they feared accusations of Islamophobia.

The debate over civil liberties and privacy protections continued following ongoing leaks detailing GCHQ surveillance practices involving wiretapping of millions of phone calls and more than 200 fiberoptic cables. MPs proposed an amendment to the Regulation of Investigatory Powers Act (RIPA) in October 2014, following revelations that the police had used RIPA to obtain data from journalists and circumvent legislation protecting journalistic sources.

#### **E. Associational and Organizational Rights:** 12 / 12

Freedoms of assembly and association are respected. In 2013, the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association criticized certain laws and practices used to police demonstrations, including the criminal charge of "aggravated trespass" used occasionally against protesters and the use of "kettling," a tactic in which a cordon of police contain protesters in a limited area.

Civic and nongovernmental organizations may operate freely. UK law bans groups labeled as terrorist organizations. A lobbying bill adopted in January 2014 was heavily criticized for limiting the amount of money organizations can spend during election years; opponents assert that the bill's ambiguous language could lead to self-censorship and hinder the work of smaller groups.

Workers have the right to organize trade unions, which have traditionally played a central role in the Labour Party in particular. Hundreds of thousands of people participated in public-sector strikes in July 2014 to protest the 1 percent cap on pay raises that has been in effect since 2010.

#### **F. Rule of Law:** 15 / 16

A new Supreme Court began functioning in 2009, transferring final judicial authority from the House of Lords. In 2014, Parliament debated a Criminal Justice and Courts bill that proposes wide-ranging criminal law reforms to modernize the justice system and focus on reducing reoffending.

The police maintain high professional standards, and prisons generally adhere to international guidelines. Despite several ECHR rulings in the past decade that find the UK in violation of prisoners' rights, the UK has not amended its blanket ban on inmates' right to vote.

In June 2014, the Court of Appeals ruled that parts of the first terrorism case to be held in secret under the 2013 Justice and Security Act must be made public. The act allows civil courts to hear secret evidence in private in cases related to national security. Its critics posit that the act violates fair trial rights, denies defendants the right to counter evidence against them in closed material proceedings, and allows ministers, rather than judges, to decide which evidence would be withheld or presented in court.

In the wake of incidents involving British citizens joining the Islamic State militant group in Iraq and Syria, Cameron announced the introduction of new counterterror measures in September 2014, with the aim of tackling radicalization and preventing the return of radicalized individuals to the UK.

The government has been accused of "outsourcing" torture by extraditing terrorism suspects to their home countries, where they could be abused in custody; it has consistently denied complicity in illegal rendition and torture. In August 2014, the human rights organization Reprieve said the government was trying to conceal the UK's role in the Central Intelligence Agency's (CIA) interrogation program. After the release of the U.S. Senate report on the program in December, the UK government said redactions in the report were not related to UK involvement in the mistreatment of prisoners.

Violence in Northern Ireland has abated in recent years.

Britain's large numbers of immigrants and their descendants receive equal treatment under the law, but generally face living standards below the national average. There have also been reports of unwarranted suspicion and rising anti-immigrant sentiment amid recent terrorist attacks and plots.

In a November 2014 speech, Cameron announced plans to significantly curb welfare benefits to immigrants. The adoption of such a proposal would, however, require the amendment of EU rules on freedom of movement and the support of EU members. An immigration bill adopted in May requires landlords to check the immigration status of their tenants and banks to perform background checks before opening an account. It also increases scrutiny on marriages and compels temporary migrants to make a financial contribution to the National Health Service.

Although the number of asylum applications to the UK remained steady in 2014, the backlog in pending cases has seen a dramatic increase. Home Secretary Theresa May ordered a review of internal policies after rights group Stonewall revealed that LGBT (lesbian, gay, bisexual, and transgender) asylum seekers faced "degrading" lines of questioning.

A 2010 equality act consolidated previous antidiscrimination laws for age, disability, race, religion, sex, and sexual orientation.

#### **G. Personal Autonomy and Individual Rights: 15 / 16**

Citizens enjoy freedom of travel and choice of residence, employment, and institution of higher education. Economic activity is not excessively influenced by the government.

While women receive equal treatment under the law, they remain underrepresented in top positions in politics and business. Women won 143 seats in the House of Commons in the 2010 elections. According to a study released in March 2014, gender discrimination continues to persist in the workplace. Another 2014 report revealed that about 137,000 women living in the UK had been victims of female genital mutilation. Abortion is legal in Great Britain, though heavily restricted in Northern Ireland, where it is allowed only to protect the life or the long-term health of the mother.

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Same-sex marriage became legal in July 2013. Religious organizations are permitted to refuse to conduct same-sex marriages.

A Bill on Modern Slavery, introduced in Parliament in June 2014, aims to tackle slavery and human trafficking and ensure the protection of victims. It had not yet passed at year's end.

## United States of America

**Political Rights Rating:** 1

**Population:** 317,731,000

**Civil Liberties Rating:** 1

**Capital:** Washington, D.C.

**Freedom Rating:** 1.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

*Note:* The numerical ratings and status listed above do not reflect conditions in Puerto Rico, which is examined in a separate report.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

The opposition Republican Party scored a decisive victory in midterm congressional elections in November 2014, adding to its majority in the House of Representatives and winning control of the Senate for the first time since 2006. Despite this setback, President Barack Obama made clear his intention to pursue his agenda during the remaining two years of his tenure. Increasingly, Obama resorted to the use of his powers as chief executive, bypassing Congress where possible to achieve policy goals. Shortly after the election, the president announced executive actions that would remove the threat of deportation for some 4.4 million undocumented immigrants, a substantial portion of the estimated 11 million thought to be in the United States.

The country experienced one of its most serious racial crises in recent years after a white police officer shot and killed Michael Brown, an unarmed black 18-year-old, in Ferguson, Missouri, in August. The incident triggered months of protests in the area, including some violence, as well as solidarity demonstrations elsewhere in the country. The protest movement was fueled in part by other recent deaths of black men at the hands of police, including that of Eric Garner, a New York City man who died in July after being placed in a chokehold. The incidents highlighted the uneasy relationship between police departments and black communities in many cities, and brought fresh calls for changes in police practices and the criminal justice system more broadly.

The cause of same-sex marriage took a major step forward in October, when the Supreme Court declined to review lower court rulings that cleared the way for such marriages in five states. Although a minority of states continued to deny marriage rights to same-sex couples at year's end, the decision appeared to place the United States on a path toward recognition of same-sex marriage across the country.

**POLITICAL RIGHTS:** 37 / 40

**A. Electoral Process:** 11 / 12

The United States is a presidential republic, with the president serving as both head of state and head of government. Cabinet secretaries and other key officials are nominated

by the president and confirmed by the Senate, the upper house of the bicameral Congress. Presidential elections are decided by an Electoral College, making it possible for a candidate to win the presidency while losing the national popular vote, as happened most recently in 2000. Electoral College votes are 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 president may serve up to two four-year terms. In the 2012 election, incumbent Barack Obama of the Democratic Party won the Electoral College tally by 332 to 206 and the popular vote by 51 to 47 percent, defeating his Republican Party challenger, Mitt Romney.

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. The lower chamber, the House of Representatives, consists of 435 members serving two-year terms. All national legislators are elected directly by voters in the districts or states that they represent. In the 2014 congressional elections, Republicans won control of the Senate with 54 seats. Democrats control 44 seats, and there are two independent senators who generally vote with the Democrats. In the House, Republicans added to their majority, taking 247 seats, versus 188 for the Democrats. Republicans also control the majority of state governorships and legislatures.

In some states, citizens have a wide-ranging ability to influence legislation through referendums. Such direct-democracy mechanisms, often initiated by signature campaigns, have been hailed by some as a reflection of the openness of the U.S. system. However, they have also been criticized on the grounds that they can lead to incoherent governance, undermine representative democracy, and weaken the party system. Recent referendums in various states have resulted in the legalization of same-sex marriage, legalization of recreational use of marijuana, and increases in the state minimum wage. Even as the more conservative Republican Party dominated the elections in 2014, voters approved increases in the minimum wage in a number of states and municipalities.

Election campaigns in the United States are long and expensive. The two main parties and the constituency and interest groups that support them have used an array of methods to circumvent legal restrictions on campaign spending, and the Supreme Court on several occasions has struck down such restrictions, finding that they violated free speech rights. The cost of the 2012 presidential race alone reached at least \$5.8 billion, with billions more spent on elections for Congress and state and local offices. Such ballooning expenditures have drawn criticism in part because they lead elected officials to devote more time to fundraising and less to official duties, and because large donations increase the risk or appearance of corruption.

#### **B. Political Pluralism and Participation: 16 / 16**

The intensely competitive U.S. 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 other hurdles. However, on occasion, independent or third-party candidates have significantly influenced politics at the presidential and state levels, and a number of newer parties, such as the Green Party or groups aligned with organized labor, have modestly affected politics in certain municipalities in recent years.

While the majoritarian system has discouraged the establishment of parties based on race, ethnicity, or religion, religious groups and racial or ethnic minorities have been able to

gain political influence through participation in the two main parties. A number of laws have been enacted to ensure the political rights of minorities. However, relatively new laws in a number of states require voters to present driver's licenses, birth certificates, or other forms of identification before casting ballots. Sponsors of such legislation claim that the intent is to combat voter fraud. Critics, however, contend that such fraud is at most a minor problem and accuse Republicans of adopting the laws to suppress voting by demographic groups that tend to support Democrats, particularly low-income blacks. While the courts have struck down some voter identification laws, others have been upheld; several cases were in the appeals process during 2014.

**C. Functioning of Government:** 10 / 12

American society has a tradition of intolerance toward corrupt acts by government officials, corporate executives, or labor leaders, and the media are aggressive in investigating and reporting on such malfeasance. Cases of corruption involving administration officials, members of Congress, and others in the federal government have been relatively rare or small in scale in recent years. The most serious instances of political corruption have instead been uncovered among state-level officials. In New York State, a number of state legislators and municipal officials have been convicted on charges of bribery, theft, and other forms of graft. Former governors of Connecticut and Virginia were convicted on corruption charges during 2014 and were awaiting their sentences at year's end.

The United States has a history of open and transparent government. It was the first country to adopt a freedom of information law. In an action widely praised by scholars and civil libertarians, Obama in 2009 ordered that millions of government documents from the Cold War era be declassified, and instructed federal agencies to adopt a cooperative attitude toward public information requests. A substantial number of auditing and investigative agencies function independently of political influence. Such bodies are often spurred to action by the investigative work of journalists. Federal agencies regularly place information relevant to their mandates on websites to broaden public access.

However, the Obama administration has encountered criticism for engendering an atmosphere of secrecy. Prosecutors have exerted efforts to compel journalists to reveal the sources of leaked national security information, and the administration has been accused of implementing an aggressive policy to discourage government officials from having contact with the media. A 2013 report issued by the Committee to Protect Journalists criticized the administration's "Insider Threat Program," under which federal employees are obliged to monitor the behavior of colleagues to prevent unauthorized leaks. Journalists and scholars have also charged that the administration has failed to live up to the president's promise of a responsive policy toward freedom of information requests. According to the Associated Press (AP), the administration's censorship or denial of access to documents has grown worse in recent years—reaching 39 percent of all information requests in 2014—even as officials pledged more openness.

**CIVIL LIBERTIES:** 55 / 60

**D. Freedom of Expression and Belief:** 15 / 16

The United States has a free, diverse, and constitutionally protected press. While newspapers have been in economic decline for the past decade, the media environment retains a high degree of pluralism. Internet access is widespread and unrestricted, and news websites now constitute a major source of political news, along with cable television networks and talk-radio programs. News coverage has also grown more polarized, with particular outlets and their star commentators providing a consistently right- or left-leaning perspective.



The Justice Department has been criticized for its efforts in recent years to compel journalists, via the courts, to reveal their sources for classified information. However, both the president and the attorney general pledged in 2014 that journalists would not be jailed for refusing to identify sources. In one high-profile case, federal prosecutors largely abandoned a lengthy campaign to force James Risen, a *New York Times* reporter and author of several books on national security issues, to testify about information he may have received from Jeffrey Sterling, a former Central Intelligence Agency (CIA) employee, in the course of researching a book about American efforts to disrupt Iran's nuclear program.

Journalists occasionally encounter physical obstacles or brief detentions while attempting to cover protests, but the 2014 demonstrations in Ferguson featured an unusual degree of police interference. As of October, the PEN American Center had documented a total of 52 violations against journalists, including detentions, threats, obstructions of access, and physical assaults.

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 often adjudicates difficult cases involving tensions between church and state. In June, the court ruled that requiring family-owned businesses to provide insurance coverage for contraception under the 2010 Affordable Care Act represented a violation of religious freedom.

The academic sphere features a substantial level of intellectual freedom. Nevertheless, universities have faced problems related to their establishment of overseas branches in such authoritarian settings as China, Singapore, and the United Arab Emirates. Critics have accused such universities of avoiding discussion of sensitive issues at their foreign campuses, and agreeing to restrain student political activism. U.S. universities have also been criticized for giving in to pressure from student activist groups that object to speakers who have been invited to campus events. Speakers have regularly been disinvited or decided to withdraw from appearances after protests were launched. Other points of controversy on campuses include student campaigns to encourage universities to divest themselves of assets linked to Israel or West Bank settlements, a step which trustees have so far declined to take.

Americans generally enjoy open and free private discussion, including on the internet. However, civil libertarians, many lawmakers, and other observers have pointed to the real and potential effects of National Security Agency (NSA) data collection and other forms of government monitoring on the rights of U.S. citizens. A Human Rights Watch report in July 2014 described how the fear of surveillance had affected the work of journalists and lawyers, particularly since several NSA programs were revealed in 2013. Legislation that would restrict the NSA's bulk collection of domestic telephone records failed to win adoption in 2014, but the issue was expected to be taken up again in 2015. Separately, the Supreme Court ruled in June that police need warrants to search the mobile phones of those they arrest, a decision that was praised by civil libertarians.

#### **E. Associational and Organizational Rights: 11 / 12**

In general, officials respect the right to public assembly. Demonstrations against government policies are frequently held in Washington, New York, and other major cities. 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 directed at meetings of international institutions, political party conventions, or targets in the financial sector. In 2014, after the killing of Michael Brown in Ferguson, demonstrations were held

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for months in the town and in other cities around the country, mostly without serious friction with the authorities. However, police deployed in Ferguson were accused of imposing unreasonable restrictions on assembly at times, using dispersal devices or tactics in an arbitrary or excessive manner, and intimidating protesters with firearms and military-style equipment.

The United States gives wide freedom to trade associations, nongovernmental organizations, minority rights advocates, and issue-oriented pressure groups to organize and pursue their civic or policy agendas.

Federal law guarantees trade unions the right to organize and engage in collective bargaining. The right to strike is also guaranteed. Over the years, however, the strength of organized labor has declined, and less than 7 percent of the private-sector workforce is currently represented by unions. While public-sector unions have higher rates of membership, with nearly 36 percent in 2014, 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 about 11 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. Union organizing is also hampered by strong resistance from private employers. In 2012, Michigan became the 24th state to adopt "right to work" legislation, which makes union organizing more difficult. Organized labor's political clout at the national level has diminished along with its membership, but unions continue to provide significant support to Democratic candidates during election campaigns.

#### **F. Rule of Law:** 14 / 16

Judicial independence is respected. Although the courts have occasionally been accused of intervening in areas that are best left to the political branches, most observers regard the judiciary as one of the country's strongest democratic institutions. In recent years, much attention has been paid to the ideological composition of the Supreme Court, which has issued a number of major decisions by a one-vote margin and is currently seen as having a conservative majority. Concern has also been raised about a trend toward the politicization of judicial elections in some states.

While the United States has a strong rule-of-law tradition, the criminal justice system's treatment of minority groups has long been a problem. Black and Latino inmates account for a disproportionately large percentage of the prison population. Civil liberties organizations and other groups have also advanced a broader critique of the justice system, arguing that there are too many Americans in prison, that prison sentences are often excessive, that too many prisoners are relegated to solitary confinement or other maximum-security arrangements, and that too many people are incarcerated for minor drug offenses. Although the incarceration rate has declined somewhat in recent years, the United States still has the highest proportion of citizens in prisons or jails in the world. Additional calls for prison reform have focused on the incidence of violence and rape behind bars.

The tempo of criticism increased after the Michael Brown shooting in 2014, as demonstrations called for an overhaul of police practices and a reversal of the recent tendency toward "militarization" in law enforcement. Officials took some steps in response during the year. The Justice Department began a comprehensive investigation of the Ferguson police force that was expected to result in obligatory reforms and oversight. In December, Congress reinstated an expired law designed to ensure the collection of accurate information on deaths in custody across the country. Policymakers in many jurisdictions debated proposals that would require police to wear body cameras and record interactions with civilians. After grand juries failed to indict the officers involved in the Brown and Garner deaths, some called for reforms to the grand jury process or the laws governing use of force. Separately,

on the incarceration issue, the U.S. Sentencing Commission in July allowed tens of thousands of federal inmates to seek reductions in their prison terms for drug offenses; many states have passed legislation to scale back incarceration for drug crimes in recent years, and further reforms were under consideration in 2014.

The United States has the highest rate of legal executions in the democratic world, though the number has declined from a peak in the late 1990s. There were 35 executions in the country in 2014, the lowest number in two decades. Two states, Texas and Missouri, each accounted for 10 of those executions, and just five states made up the rest. The death penalty has been formally abolished by 18 states; in another 13 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. Of particular importance in this trend has been the exoneration of some death-row inmates based on new DNA testing, as well as legal challenges to the constitutionality of the prevailing methods of lethal injection. Lethal injection has also come under pressure in recent years due to pharmaceutical companies' refusal to supply the designated drugs for the purpose of executions, forcing states to search for new suppliers or adopt new drug combinations, which in turn draw fresh legal challenges. The botched April 2014 execution of Oklahoma inmate Clayton Lockett, who died after a flawed and drawn-out attempt at lethal injection, generated fresh criticism. At year's end, some states were considering alternate execution methods such as firing squads, the electric chair, and hypoxia by gas.

The 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. In 2012, the court further decided that juvenile offenders could not be sentenced to life imprisonment without the possibility of parole.

Major controversies surrounding counterterrorism policies dating to the administration of President George W. Bush remain unresolved. In December 2014, the Senate Intelligence Committee released the declassified summary of its long-awaited report on Central Intelligence Agency (CIA) detention and interrogation tactics in the years after the 2001 terrorist attacks on the United States, some of which have been widely denounced as torture. Although Obama quickly ended the Bush-era program after taking office, no one involved has been prosecuted for their role. The Senate report detailed the CIA's abuses, accused the agency of misleading elected officials about the program, and found that the program was largely ineffective.

In November, the Obama administration issued a revised interpretation of the UN Convention Against Torture, agreeing that it applied to U.S. officials in overseas locations like the naval base at Guantanamo Bay, Cuba, which are not U.S. territory but where the United States exercises "governmental authority." Human rights groups said this still fell short of the UN Committee Against Torture's official standard of "effective control." Long-stalled releases of Guantanamo terrorism detainees continued in 2014, but 127 detainees remained at the facility at year's end; legal, diplomatic, and political obstacles have prevented their release or transfer to U.S. prisons.

The United States is one of the world's most racially and ethnically diverse societies. In recent years, residents and citizens of Latin American ancestry have replaced black Americans as the largest minority group, and the majority held by the non-Latino white population has declined. An array of policies and programs are designed to protect the rights of minorities, including laws to prevent workplace discrimination, affirmative-action plans for university admissions, quotas to guarantee representation in the internal affairs of some political parties, and policies to ensure that minorities are not treated unfairly in the distribution of government assistance. The black population, however, continues to lag in overall

economic standing, educational attainment, and other social indicators. Affirmative action in employment and university admissions remains a contentious issue. The Supreme Court has given approval to the use of race or ethnicity as a factor in university admissions under certain narrow conditions, but several states have banned it outright through referendums.

Federal antidiscrimination legislation does not include LGBT (lesbian, gay, bisexual, and transgender) people as a protected class, though many states have enacted such protections. Moreover, the government bans discrimination based on sexual orientation in federal employment, and in July 2014, Obama signed an order extending this rule to include gender identity. The order also barred employment discrimination against LGBT people by federal contractors. The Justice Department in December said it would include transgender status under an existing law that allows it to file suit against state and local public employers for sex discrimination.

The United States has generally maintained liberal immigration policies in recent decades. Most observers believe that the country has struck a balance that both encourages assimilation and permits new legal immigrants to maintain their religious and cultural customs. Many Americans remain troubled by the large number of illegal immigrants in the country, and the government has responded by strengthening border security and stepping up efforts to deport illegal immigrants, especially those found guilty of criminal offenses. Some states have enacted laws to restrict various economic and civil rights of undocumented immigrants, though the federal courts have struck down key sections of these laws, partly because of their potential side effects on the rights of U.S. citizens. At the same time, other states have adopted policies that discourage local law enforcement officials from identifying or reporting illegal immigrants, except in cases of serious crimes.

Although the Obama administration and most Democrats support proposed plans that would offer many current illegal immigrants a path to resident status and eventual citizenship, such immigration reform has been opposed by most Republican elected officials. The Obama administration has recently refocused its enforcement policies to target criminals and other high-priority categories of migrants while explicitly sparing groups like those who entered the country illegally as children. In November 2014, Obama extended protection from deportation and the right to work to some 4.4 million undocumented immigrants who are parents of U.S. citizens or legal permanent residents and have lived in the country for at least five years. Opponents filed legal challenges in an attempt to block the move. Earlier in the year, a months-long surge in migration by unaccompanied minors from Central America raised concerns about the conditions of their temporary detention and the handling of their cases by immigration authorities.

#### **G. Personal Autonomy and Individual Rights: 15 / 16**

Citizens of the United States enjoy a high level of personal autonomy. The right to own property is protected by law and is jealously guarded as part of the American way of life. Business entrepreneurship is encouraged as a matter of government policy.

Women have made important strides toward equality over the past several decades. They now constitute a majority of the American workforce and are well represented in professions like law, medicine, and journalism. Although women with recent university degrees have effectively attained parity with men, the average compensation for female workers is roughly 80 percent of that for male workers. Many female-headed families continue to live in conditions of chronic poverty. In recent years, there has been a renewed effort in some states to restrict women's access to abortion. In the past, most such measures were ultimately struck down by the Supreme Court, but the new laws are being tailored to push the

boundaries of prior court decisions, and some have survived initial judicial scrutiny, adding to state-by-state variation in access.

Many states have passed laws or constitutional amendments explicitly banning same-sex marriage, but the courts have increasingly rejected these measures, and voters or elected officials in other states have granted gay couples varying degrees of marriage and family rights. By the end of 2014, same-sex marriage was legal in some 35 states, including many of the most populous.

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 enhance equality of opportunity. Recently, however, studies have shown a widening inequality in wealth and a narrowing of access to upward mobility, trends that have been accentuated in the years since the 2008–09 financial crisis. Obama has cited the reduction of inequality as a major objective of his administration. The government has proposed an increase in the federal minimum wage, and a number of states and municipalities have proposed or enacted substantial hikes in their own minimum wage levels. At the same time, Americans seem resistant to increases in tax rates, and Democratic Party leaders have generally failed to win passage of tax measures that call for wealthier citizens to contribute more. Among the world’s prosperous, stable democracies, the United States is unique in having a large underclass of poor people who have at best a marginal role in economic life.

## Uruguay

**Political Rights Rating:** 1

**Civil Liberties Rating:** 1

**Freedom Rating:** 1.0

**Electoral Status:** Free

**Electoral Democracy:** Yes

**Population:** 3,419,000

**Capital:** Montevideo

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F

### INTRODUCTION

General elections dominated the political landscape in 2014. The leftist Broad Front (Frente Amplio) coalition remained a majority in the parliament and their candidate, Tabaré Vázquez, returned to the presidency for a second (nonconsecutive) term.

A referendum on lowering the age of criminal responsibility was voted on at the same time as the legislative and presidential elections. While Uruguay still has a low crime rate compared to the rest of the region, security was a central theme in the presidential election. The referendum was rejected after passionate campaigning by both sides.

Uruguay made international news by its willingness to accept six detainees from the U.S. military prison in Guantánamo Bay, Cuba, who had been cleared for transfer. While the transfer was agreed upon by both countries early in the year, the United States had delayed the process after the controversial Bowe Bergdahl transfer, and Uruguay subsequently put off the transfer until after the general elections. The six men arrived in Uruguay in December.

**POLITICAL RIGHTS:** 40 / 40**A. Electoral Process:** 12 / 12

The 1967 constitution established a bicameral General Assembly consisting of the 99-member Chamber of Representatives and the 30-member Senate, with all members directly elected for five-year terms. The president is directly elected for a single five-year term.

In the October 2014 elections, the Frente Amplio retained their majority in parliament, winning 50 seats in the lower house and 15 seats in the Senate. The National Party placed second with 32 and 10 seats in the respective houses, followed by Colorado with 13 and 4 seats; the remainder were taken by the Popular Assembly and the Independent Party. The Tabaré Vázquez–Raúl Sendic ticket, also of the Frente Amplio, captured the presidency after a run-off in November. Vázquez served as the country's first leftist president from 2005 to 2010; the constitution bans consecutive terms. Outgoing president José Mujica will return to the Senate after winning a seat in the October elections.

Under a 2009 quota law, women must comprise one-third of parties' candidate lists as of 2014. A campaign by women's groups supported these efforts during the year.

**B. Political Pluralism and Participation:** 16 / 16

Uruguay operates with an open and competitive multiparty system. The major political parties are the Colorado Party, the National Party (also known as Blanco), the Independent Party, and the Frente Amplio coalition, the latter of which is currently in power. Frente Amplio includes the Popular Participation Movement, the New Space Party, the Socialist Party, the Communist Party, and the Uruguayan Assembly, among other factions.

The small Afro-Uruguayan minority, comprising approximately 8 percent of the population, is severely underrepresented in the government.

**C. Functioning of Government:** 12 / 12

Corruption levels in Uruguay are low compared to regional standards, and government institutions have established a fairly strong record of accountability to the electorate. The country's Transparency Law criminalizes a broad range of potential abuses of power by officeholders, including the laundering of funds related to public corruption cases. Uruguay was ranked 21 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index, making it one of the best performers in Latin America. However, Uruguay's regional governments lack transparency, in part due to limited online resources made available to the public.

**CIVIL LIBERTIES:** 58 / 60**D. Freedom of Expression and Belief:** 16 / 16

Constitutional guarantees regarding free expression are respected, and violations of press freedom are rare. 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 2009 law eliminated criminal penalties for the defamation of public officials. The December 2014 passage of the Law of Audiovisual Communication Services (LSCA), commonly known as the Media Law, increased media pluralism by redistributing broadcast frequencies: one-third will go to community media, one-third to state media, and one-third to commercial stations. The law also established an independent Broadcasting Communication Council tasked with enforcing the law. It requires that at least 60 percent of public programming be produced or coproduced in Uruguay.

The government does not place restrictions on internet usage or monitor private online communications without proper legal permission.

Freedom of religion is broadly respected and a central tenet of the government's principles. However, there have been reports of anti-Semitic acts in recent years. In August, a swastika was keyed on the doors of an apartment building that has some Jewish residents.

The government does not restrict academic freedom.

#### **E. Associational and Organizational Rights:** 12 / 12

Rights to freedom of assembly and association are protected by law, and the government generally observes these in practice. A wide array of community organizations are active in civic life. For example, women's rights groups focus on problems such as violence against women, societal discrimination, and abortion rights. Workers exercise their right to join unions, bargain collectively, and hold strikes. Unions are well organized and politically powerful.

#### **F. Rule of Law:** 15 / 16

The judiciary is mostly independent, but the court system remains severely backlogged. More than 60 percent of the prison population consists of people awaiting pretrial hearings. Overcrowded prisons, poor conditions, and violence among inmates remain serious problems. The prison system still holds approximately 120 percent of its intended capacity, a decrease from previous years. Medical care for prisoners is substandard, and many rely on visitors for food. The recidivism rate is approximately 50 percent. Politicians debated methods for decreasing overpopulation in the prison system during the 2014 presidential campaign.

Uruguay's efforts to bring to justice those responsible for human rights violations committed under the military regime that ended in 1985 have been inconsistent and have taken steps backwards in recent years. Although a 2011 law enabled trials regardless of a prior amnesty law by saying that the statute of limitations that was the basis for the amnesty did not apply, the Supreme Court declared in 2013 that the 2011 law was unconstitutional. Nevertheless, most cases failed to move forward in 2014. A 2014 report by the UN special rapporteur on transitional justice urged Uruguay to proceed with these cases, but the judiciary has not responded.

Uruguay has historically been one of the most peaceful countries in the region. The homicide rate was only 7.5 per 100,000 people in 2014. However, officials have attributed a steady rise in crime over the past few years to warring drug gangs, with Uruguay becoming an increasingly important transit point for narcotics. The outgoing Mujica administration's response included an increased police presence in the capital, especially during periods of high tourist activity, as well as a bill to legalize and regulate the production and distribution of marijuana, which prompted the rollout of a legal marijuana marketplace in May 2014. In addition, the "Seven Zones Plan," which began implementation in 2013, expanded social programs and law enforcement measures in the poorest districts of Montevideo, where the majority of crime is concentrated. A bill passed in August 2014 increased gun control laws, including higher penalties for trafficking and possession of weapons, regulations for the sale of arms, and requiring the destruction of confiscated weapons. Gun ownership rates are unusually high at 31.8 per 100 people, the ninth highest rate in the world.

The Afro-Uruguayan minority continues to face economic and social inequalities. An affirmative action law to improve conditions was passed in 2013, including incentives to increase graduation rates and an 8-percent quota in government employment, but implementation remains slow.

**G. Personal Autonomy and Individual Rights: 15 / 16**

Women enjoy equal rights under the law but face discriminatory traditional attitudes and practices, including salaries averaging approximately half those of men for comparable jobs. Violence against women remains a problem, with the government reporting that 7 out of 10 Uruguayan women suffer some kind of violence. Women hold 16 percent of the seats in the Chamber of Representatives and 29 percent in the Senate. Women make up approximately 25 percent of Uruguay's armed forces, compared to an average of 4 percent in Latin America overall.

The parliament approved same-sex civil unions in 2007, legalized abortion for any reason during the first trimester in 2012, and voted overwhelmingly to legalize gay marriage in 2013. Uruguay was the first country in the world to ratify the Domestic Workers Convention, in 2012. The convention mandates domestic workers' core labor rights.

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## Uzbekistan

**Political Rights Rating:** 7**Population:** 30,739,000**Civil Liberties Rating:** 7**Capital:** Tashkent**Freedom Rating:** 7.0**Freedom Status:** Not Free**Electoral Democracy:** No**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Ratings	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF

**INTRODUCTION**

Uzbekistan's government continued to suppress all political opposition in 2014. The few remaining civic activists and critical journalists in the country faced physical violence, prosecution, hefty fines, involuntary hospitalization, and arbitrary detention.

Gulnora Karimova, President Islam Karimov's elder daughter with whom he had been feuding publicly, remained under house arrest for much of 2014 after the government accused her of having links to organized crime. Many of her properties and assets, as well as those of close associates, were seized throughout the year, and many of her associates were prosecuted in proceedings hidden from the public.

That month, the government created a new legal framework allowing house arrest, heralded by some human rights activists as a potentially humane reform but dismissed by many others as a symbolic gesture to legalize the measures taken against Karimova. Though the charges against Karimova and her associates acknowledge the problem of corruption at the highest levels, many believe the case reflects a shift in internal competition for power and resources, rather than substantial changes in the culture of corruption.

**POLITICAL RIGHTS: 0 / 40****A. Electoral Process: 0 / 12**

After Uzbekistan gained independence from the Soviet Union in 1991, Islam Karimov, the incumbent Communist Party leader, was elected president. The constitution barred Karimov from running for reelection after his second legal term in office ended in January 2007. Nevertheless, despite the lack of any formal ruling on this legal obstacle, he won a new term

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in 2007, officially with 88 percent of the vote. The legislature quietly altered the constitution in 2011 to reduce future presidential terms from seven to five years. The 75-year-old Karimov has given no indication that he intends to step down from power and appears slated to run in the 2015 presidential elections.

Uzbekistan has a bicameral parliament. The lower house has 150 seats, with 135 members directly elected in single-member constituencies and 15 representing the newly formed Ecological Movement of Uzbekistan, which holds separate indirect elections. 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.

Parliamentary elections held in December 2014 offered voters no meaningful choice, as all participating parties supported the government; observers from the Organization for Security and Co-operation in Europe (OSCE) noted the elections “lacked genuine competition and debate.” Local human rights activists alleged serious disparities between reported turnout, which the government claimed was more than 88 percent, and the number of actual votes cast.

#### **B. Political Pluralism and Participation: 0 / 16**

Only four political parties, all progovernment, are currently registered, and no genuine opposition parties operate legally. The legal parties indulge in mild criticism of one another and occasionally of government ministers below the president. Unregistered opposition groups function primarily in exile, and domestic supporters or family members of exiled opposition figures are frequently persecuted.

Authorities targeted the Birdamlik (Solidarity) movement in 2014; this came after Birdamlik’s U.S.-based leader, Bahodir Choriyev, had announced in 2013 that he would run in the next presidential election. In March 2014, Choriyev’s father, who had been jailed in 2013 after Choriyev announced his presidential run, died less than a month after being released from prison. Activists and family members had expressed fears that the elder Choriyev had not received proper medical care in prison. Also in March, several members of the movement reported their passports were confiscated and that authorities refused to issue passport renewals to prevent Uzbekistan-based members from participating in the movement’s April congress in the United States. In September, Bahodir Choriyev’s wife and son were forcibly deported from Uzbekistan and their citizenship revoked; two other family members were notified their citizenship was similarly annulled.

No registered party represents the specific interests of minority ethnic or religious groups.

#### **C. Functioning of Government: 0 / 12**

The legislature serves as a rubber stamp for the executive branch. Police, security services, and judges interpret the laws as they choose or according to political dictates, leaving little recourse to appeal.

Corruption is pervasive. Uzbekistan was ranked 166 out of 175 countries and territories surveyed in Transparency International’s 2014 Corruption Perceptions Index. Graft and bribery among low- and mid-level officials are common and at times even transparent.

In May 2014, two of Karimova’s business partners were found guilty of corruption charges; in September, the government announced charges against another of her partners, as well as against Karimova herself. Although the charges against Karimova and her associates were ostensibly about governmental corruption, many believe the case reflects an internal power struggle.

**CIVIL LIBERTIES: 4 / 60****D. Freedom of Expression and Belief: 1 / 16**

Despite constitutional guarantees, freedoms of speech and the press are severely restricted. The state controls major media outlets and related facilities, and state-run television has aired “documentaries” that smear perceived opponents of the government. Although official censorship was abolished in 2002, it has continued through semiofficial mechanisms that strongly encourage self-censorship. Foreign reporters are generally excluded from the country. Even recording artists must obtain special licenses from a government authority to perform in public; licenses can be revoked if performance content is deemed to be “meaningless” or insufficiently patriotic and edifying. In June 2014, film producer Mirsobir Hamidkariev was apprehended in Moscow and extradited to Uzbekistan, where he was charged with organizing illegal public gatherings and distributing materials that threaten public safety. Hamidkariev had spoken out against the government’s treatment of Muslims. He was reportedly tortured while in custody.

The government systematically blocks websites that contain content critical of the regime. Mainstream news, information, and social media sites based outside the country are sometimes blocked as well. Authorities maintain and frequently update a list of banned proxy sites that would allow users to access blocked content anonymously. Citing dangers to reporters operating in Uzbekistan, the Germany-based Uznews.net ceased operations in December 2014.

In January 2014, the Namangan City Court sentenced local resident Kudratbek Rasulov to eight years in prison on charges of “attempting to overthrow the constitutional order” for contacting the united opposition group the People’s Movement of Uzbekistan through social media networks and on Skype. In August, the government announced new restrictions on bloggers, expanding the list of topics they are prohibited from discussing. The sweeping language of the restrictions led observers, including the OSCE, to express concerns that they will provide a legal framework to further impede freedom of expression online.

The government permits the existence of approved Muslim, Jewish, and Christian denominations but treats unregistered religious activity as a criminal offense. The state exercises strict control over Islamic worship, including the content of sermons. Suspected members of banned Muslim organizations and their relatives have been subjected to 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. Members of other religions are regularly arrested and fined. Throughout 2014, Christian groups continued to face harsh fines following raids of churches and private homes in which religious literature, including bibles, was seized.

In January, the government issued a new decree banning any literature or media intended to “change” or “distort” a person’s beliefs; both definitions are determined by the state on a case by case basis. The decree led to an increase in the seizure of religious literature by customs officials, including electronic media found in searches of personal electronic devices such as mobile phones and laptops.

The government reportedly limits academic freedom. Bribes are commonly required to gain entrance to exclusive universities and obtain good grades. Private discussion is limited by *mahalla* committees, traditional neighborhood organizations that the government has turned into an official system for public surveillance and control.

**E. Associational and Organizational Rights: 0 / 12**

Despite constitutional provisions for freedom of assembly, authorities severely restrict this right in practice, breaking up virtually all unsanctioned gatherings and detaining participants.

In April 2014, 28 activists scheduled to travel to Birdamlik's office in Tashkent to participate in the movement's first world congress via Skype were reportedly detained in their homes by local authorities, stopped on the road, or temporarily arrested.

Freedom of association is tightly constrained, and unregistered nongovernmental organizations face extreme difficulties and harassment. After a major episode of unrest in the city of Andijon in 2005, the government shut down virtually all foreign-funded organizations in Uzbekistan. Throughout 2014, human rights activists continued to face harassment, prosecution, travel restrictions, and violence. In March, activists Nuriddin Jumaniyazov and Fakhridin Tillaev, who organized and assisted migrant workers, were sentenced to between six and eight years each for human trafficking; the sentences were upheld on appeal in April.

The Council of the Federation of Trade Unions is dependent on the state, and no genuinely independent union structures exist. Organized strikes are extremely rare.

**F. Rule of Law: 0 / 16**

The judiciary is subservient to the president, who appoints all judges and can remove them at any time. The 2008 creation of a Lawyers' Chamber with compulsory membership increased state control over the legal profession. Law enforcement authorities routinely justify the arrest of suspected Islamic extremists or political opponents by planting contraband, filing dubious charges of financial wrongdoing, or inventing witness testimony. During a trial in February and March 2014, the Ferghana provincial court judge recorded testimony from a witness who had died more than a year before the trial began, casting further doubt upon the procedural integrity in the judiciary.

In September, Human Rights Watch released a report detailing 34 cases of long-term political imprisonment in Uzbekistan, including two of the journalists imprisoned for the longest time in the world. 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 abuse or torture.

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. Moreover, the government appears to be systematically closing schools for the Tajik-speaking minority.

Sex between men is illegal in Uzbekistan and punishable with up to three years in prison. The law does not protect LGBT (lesbian, gay, bisexual, and transgender) people from discrimination, and traditional social taboos make discussing LGBT issues difficult.

**G. Personal Autonomy and Individual Rights: 3 / 16**

Permission is required to move to a new city, and bribes are commonly paid to obtain the necessary documents. Restrictions on foreign travel include the use of exit visas, which are often issued selectively. Despite such controls, millions of Uzbeks seek employment abroad, particularly in Russia and Kazakhstan; activists who attempt to help them form unions or organize for better labor conditions are routinely harassed and prosecuted.

Women's educational and professional prospects are limited by cultural and religious norms and ongoing economic difficulties. Victims of domestic violence are discouraged from pressing charges against perpetrators, who rarely face prosecution. The trafficking of women abroad for prostitution remains a serious problem.

Widespread corruption and the government's tight control over the economy limit equality of opportunity. Multiple international monitors reported that forced adult labor had

expanded to meet government quotas during the annual harvest campaign, which began in September 2014. Monitors also found that students older than 15 were forced into the fields on a less systematic but significant basis. While reports indicated that forced labor for children under 15 was less pervasive than in the past, multiple organizations confirmed the ongoing use of forced labor during the cotton harvest in 2014. A 2009 law imposed tougher penalties for child labor, and in 2012, Uzbekistan's prime minister pledged to end the practice completely. Self-reporting on social media sharply increased published accounts of people injured or killed during the harvest campaign due to unsafe labor conditions and use of people too young or infirm to withstand harsh conditions or operate machinery. Anecdotal reports allege that parents are required to sign a contract agreeing to compulsory unpaid cotton labor by their children before they can be admitted to vocational college at age 15.

## Vanuatu

**Political Rights Ratings:** 2

**Population:** 271,000

**Civil Liberties Ratings:** 2

**Capital:** Port Vila

**Freedom Rating:** 2.0

**Freedom Status:** Free

**Electoral Democracy:** Yes

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

### INTRODUCTION

In May 2014, Prime Minister Moana Carcasses Kalosil of the Green Confederation (GC) was removed from office by a no-confidence vote initiated by the opposition. He was replaced by Joe Natuman, who himself withstood a motion of no-confidence brought by Carcasses within weeks of taking office.

In January, Parliament approved the controversial Capital Investment Immigration Program, which takes advantage of the desire of mainland Chinese citizens to acquire residency in Hong Kong, for which they must have resident status in a country other than China. In exchange for \$300,000 in combined application fees and investments in Vanuatu, the program offers citizenship in Vanuatu without requiring that applicants physically reside in or even visit the island nation. A Hong Kong-based firm has been contracted to execute the program. Some critics oppose the program for its lack of transparency, while others have voiced opposition to the sale of citizenship.

Vanuatu continued to develop bilateral ties with China in 2014, actively seeking more Chinese loans, assistance, investments, and tourism. This relationship has been cause for some domestic discontent, and there is concern from local residents about the growing number of Chinese-owned businesses.

**POLITICAL RIGHTS:** 32 / 40

**A. Electoral Process:** 9 / 12

The constitution provides for parliamentary elections every four years. The prime minister, who appoints his own cabinet, is chosen by the 52-seat unicameral Parliament from among its members. Members of Parliament and the heads of the six provincial gov-

ernments form an electoral college to select the largely ceremonial president for a five-year term. The National Council of Chiefs works in parallel with Parliament, exercising authority mainly over language and cultural matters.

In general elections held in October 2012, the Vanua'aku Party (VP) won 8 seats, the People's Progressive Party (PPP) took 6 seats, the Union of Moderate Parties (UMP) captured 5 seats, and the National United Party (NUP) took 4 seats. The remainder of the 52 seats went to 12 other parties and several independent candidates.

Legislators chose Natuman to replace Carcasses as prime minister in May 2014. Carcasses himself attempted to unseat Natuman weeks later with a no-confidence motion, which the new prime minister survived. Lack of legislative support forced Carcasses to withdraw yet another no-confidence motion in November.

#### **B. Political Pluralism and Participation:** 15 / 16

Many political parties are active, including the GC, the VP, the UMP, the PPP, and the NUP. However, politicians frequently switch affiliations, and political loyalties are heavily driven by linguistic and tribal identity. No-confidence votes have forced several changes of government in recent years, including in 2014, and such frequent changes in government have had an adverse effect on the stability of governance.

In 2013, Parliament amended the constitution to allow dual citizenship.

#### **C. Functioning of Government:** 8 / 12

Abuse of office and corruption are serious problems that stir deep public grievance. Mismanagement of funds often leads to poor conditions in public facilities like prisons, hospitals, and schools. Both domestic and international critics have condemned the practice of politicians granting diplomatic passports for personal gain. The Capital Investment Immigration Program was the target of scrutiny in 2014, with opponents raising concerns about the lack of measures for ensuring transparency and accountability in the processing of applications and related funds.

In November 2014, Parliament suspended 16 opposition members, including Carcasses, for allegedly accepting bribes and violating the Leadership Code. Carcasses admitted to depositing sums of up to \$10,000 into the bank accounts of several lawmakers but claimed that they were private loans, rather than bribes. The suspended lawmakers took their case to the Supreme Court, which in December ruled their suspensions to be invalid, finding that parliamentary procedure does not allow for the suspension of a lawmaker for alleged actions outside of Parliament.

Live internet streaming of parliamentary sessions was initiated in 2013. Anticorruption advocates expressed hopes that this will increase legislative accountability in addition to connecting voters with affairs in Parliament.

#### **CIVIL LIBERTIES:** 47 / 60

#### **D. Freedom of Expression and Belief:** 15 / 16

The government generally respects the freedoms of speech and the press, though elected officials have been accused of threatening journalists for critical reporting. The number of internet users is growing, but access is limited by high cost and lack of infrastructure.

The government generally respects freedom of religion in this predominantly Christian country. Academic freedom is also respected.

#### **E. Associational and Organizational Rights:** 11 / 12

The law provides for freedoms of assembly and association, and the government typically upholds these rights. Public demonstrations are permitted by law and generally allowed in practice. Civil society groups are active on a variety of issues.

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Workers can bargain collectively and strike. Two independent trade unions are organized under the umbrella Vanuatu Council of Trade Unions.

**F. Rule of Law:** 10 / 16

The judiciary is largely independent, but lack of resources hinders the hiring and retention of qualified judges and prosecutors. Long pretrial detentions are not uncommon. Tribal chiefs often adjudicate local disputes.

In June, two Chinese nationals wanted in China for fraud were arrested and deported.

Prisons fail to meet minimum international standards. In June, authorities announced that they were seeking nearly \$10 million in aid from New Zealand to upgrade the country's prisons. Harsh treatment of prisoners, police brutality, and lax management are causes of frequent prison riots and escapes. Seven high-risk inmates escaped from prison in May 2014.

No law provides explicit protections for LGBT (lesbian, gay, bisexual, and transgender) people. There were no reports of violence against them in 2014.

**G. Personal Autonomy and Individual Rights:** 11 / 16

Women often face discrimination and violence because of traditional views and prejudices, as well as a persisting lack of legal protections. No law prohibits spousal rape, domestic abuse, or sexual harassment. Social stigma and fear of reprisal inhibits reporting, and police and courts rarely intervene or impose strong penalties. A 2013 amendment to the municipal electoral law reserved a number of seats for women in the Port Vila Municipal Council; five women had seats as of January 2014.

The rapid expansion of Chinese-owned businesses has fueled resentment among native Vanuatu residents. In 2013, the government expanded the list of occupations reserved for those native to Vanuatu.

Vanuatu was not rated in the U.S. State Department's 2014 *Trafficking in Persons Report*. The country is not a signatory to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Local and foreign reports suggest some incidence of human trafficking.

Vanuatu has the highest annual population growth rate in the world at 2.3 percent and the fourth highest fertility rate at 4.1 births per woman.

## ↓ Venezuela

**Political Rights Rating:** 5

**Population:** 30,206,000

**Civil Liberties Rating:** 5

**Capital:** Caracas

**Freedom Rating:** 5.0

**Freedom Status:** Partly Free

**Electoral Democracy:** No

**Trend Arrow:** Venezuela received a downward trend arrow due to the government's repressive response to antigovernment demonstrations, including violence by security forces, the politicized arrests of opposition supporters, and the legal system's failure to protect basic due process rights for all detained Venezuelans.

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	4,4,PF	4,4,PF	4,4,PF	4,4,PF	5,4,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF

**INTRODUCTION**

Venezuela was convulsed in 2014 by widespread protests that featured violence on the part of both police and demonstrators. A harsh governmental response to a student protest in March over insecurity in Táchira State prompted demonstrations in many cities, led by students and middle-class Venezuelans who were generally aligned with the political opposition. Grievances included quality-of-life concerns centered on crime, inflation, and scarcity of goods, as well as anger about the deterioration of political rights and civil liberties under the governments of President Nicolás Maduro and his predecessor, Hugo Chávez. The government blamed opposition leaders for the unrest and encouraged both the official security forces and armed progovernment civilian groups to forcibly prevent the opposition's alleged goal of a "soft coup." By June, the highly divisive protests had largely wound down in the face of fatigue, a tenuous government-opposition dialogue, and violent repression. More than 40 people were reported dead and more than 900 injured, and local rights group PROVEA documented more than 3,100 arrests. Human Rights Watch noted severe physical abuse of detainees both during and after arrest, as well as the use of falsified evidence as cases moved through Venezuela's highly politicized judicial system. Although the vast majority of detainees were released, Leopoldo López, a leader of a more confrontational faction within the opposition, was held in a military prison through the end of the year on charges of inciting violence.

Politics in Venezuela continue to play out in the shadow of former president Chávez, who died of cancer in 2013 after 14 years in power and left Venezuela sharply divided. After December 2013 local elections resulted in a victory for Chavismo, rifts within the opposition deepened in early 2014. The moderate faction led by Henrique Capriles largely encouraged a nonconfrontational, electoral route to political change, while the group led by López and parliamentarian María Corina Machado espoused the use of popular protests to achieve goals ranging from major policy shifts to Maduro's resignation.

The Maduro administration has focused significant attention on stabilizing the economy, which suffers from fiscal and monetary stresses—especially a mismanaged exchange-rate regime and dependence on oil exports. However, it has failed to halt widespread shortages of consumer goods and the hemisphere's highest inflation rate. In January 2014, Maduro decreed the Law on Fair Prices in an attempt to address those problems, but the year closed with a rate of over 60 percent. As oil prices fell during the summer and fall of 2014, increasing fiscal pressures threatened the government's ability to pay its debts and provide the social benefits upon which its diminishing popularity depended.

The United States is one of the primary importers of Venezuelan oil, but it has not had an ambassador in Caracas since 2010, and relations deteriorated further in 2014. Bilateral friction has been attributed to Venezuela's long-standing aspirations to regional leadership as well as its history of rhetorical support for and economic cooperation with countries such as Cuba and Iran. Venezuela's external influence has waned due to Chávez's death and ongoing economic instability.

**POLITICAL RIGHTS:** 13 / 40 (-1)

**A. Electoral Process:** 5 / 12

The president serves six-year terms, and since 2009 neither he nor other elected officials have been subject to term limits. In the presidential election of April 2013, Maduro—Chávez's vice president and handpicked successor—narrowly defeated opposition leader Capriles, 50.6 percent to 49.1 percent. Turnout was nearly 80 percent. Maduro was officially declared the winner by the Chavista-dominated National Electoral Commission (CNE). The opposition accused the government of multiple violations, including election-day abuses

and the rampant misuse of state resources during the campaign, and for the first time since 2005 it refused to accept the outcome's legitimacy without a more complete audit. Protests in the election's immediate aftermath left nine people dead and hundreds injured. A limited audit conducted by the CNE revealed few discrepancies, while the Supreme Tribunal of Justice (TSJ) rejected the opposition petitions in August 2013, thereby concluding the electoral process.

The unicameral, 165-seat National Assembly is popularly elected for five-year terms. In the run-up to the 2010 legislative elections, the ruling Unified Socialist Party of Venezuela (PSUV) benefited from significant exposure on state-run media and pressure on public employees and neighborhood groups. The opposition, grouped together as the Democratic Unity Roundtable (MUD), took more than 47 percent of the vote, and the PSUV captured 48 percent. Due to electoral rules revised in 2009, however, PSUV candidates secured 98 of the 165 seats, MUD candidates took 65, and the opposition-leaning Fatherland for All (PPT) party won the remaining 2. The ruling party's legislative majority has acted as a reliable rubber stamp for the executive, and although the 2011–15 assembly features a much larger opposition presence than its predecessor, it has been unable to check government power. The legislature has voted to hand the president wide-ranging decree powers several times in recent years, and the central government has stripped opposition-led municipalities of responsibilities and resources, leaving those officials with a reduced role in governance.

While the act of voting in Venezuela is relatively free and the count is generally considered fair, the political playing field favors government-backed candidates, and the distinction between state institutions and the ruling party is virtually nonexistent. In all recent elections, the CNE has failed to limit the use of state resources by the PSUV. The promotion of social and infrastructure projects often blurs the line between PSUV candidates' official roles and their electoral campaigns. Public employees are subjected to heavy pressure to support the government, and state vehicles are frequently used to transport supporters to rallies and voting sites.

Ballot secrecy has long been a source of controversy, despite a lack of evidence of secrecy violations in the past several elections. Suspicion stems from the period after a failed 2004 presidential recall referendum, when tens of thousands of people who had signed petitions in favor of the effort found subsequently that they could not gain government jobs or contracts, or qualify for public assistance programs.

#### **B. Political Pluralism and Participation: 6 / 16 (–1)**

Nearly all government-aligned parties have merged into the PSUV, though several groups retain nominal independence. PSUV leaders are generally selected by the president, rather than through internal elections. In 2009, opposition parties established the MUD, which selected unity candidates—in part via primaries—for subsequent local, parliamentary, and presidential elections. Tensions within the MUD in 2014 resulted in the appointment of Jesús Torrealba, a reporter and community activist, as secretary in an attempt to deepen the opposition's outreach to poorer Venezuelans.

The year 2014 featured a general increase in both legal and physical attacks against opposition sympathizers. Opposition leadership in some states and localities has been blunted in recent years by laws allowing the national government to cut budgets and strip important functions from subnational administrations. Several opposition mayors, including Daniel Ceballos of San Cristóbal, the flashpoint of the protests, were jailed in 2014 for allegedly inciting or failing to halt violent demonstrations in their jurisdictions.

Rather than stimulating pluralistic policymaking, the opposition's sizable presence in the National Assembly has made it a forum for polarized and occasionally violent partisan



confrontation. Two opposition members were stripped of their seats in 2013 despite a lack of formal charges against them. In March 2014, Machado was expelled from the parliament for allegedly entering the service of a foreign state when the government of Panama invited her to speak at a gathering of the Organization of American States; she was charged in December with conspiring to assassinate Maduro, though she remained free at year's end. The government's majority ensures that the opposition is denied any meaningful opportunity to play a role in proposing and debating legislation and monitoring government operations. In December 2014, the PSUV obtained approval from the TSJ for its reinterpretation of a constitutional article on government appointments, gaining the power to confirm officials by a simple majority rather than the two-thirds mandated in the constitution. This enabled the party to unilaterally fill the positions of the ombudsman, comptroller, attorney general, several CNE members, and 14 new TSJ members.

### **C. Functioning of Government:** 2 / 12

The government plays a major role in the economy and has created regulatory restrictions that increase opportunities for corruption, particularly via the selective disbursement of scarce U.S. dollars at the greatly distorted official exchange rate. Several large development funds, such as the Joint Chinese-Venezuelan Fund, which is based on a loans-for-oil arrangement, are controlled by the executive branch without independent oversight. The largest such fund, the National Development Fund, has received more than \$100 billion since 2005 with no legislative examination of its many large-scale, unproductive allocations.

Anticorruption efforts have been a low government priority, and the lack of state transparency makes citizen investigation and exposure of corruption difficult. In 2014, the government emphasized combating smuggling, which has become extremely lucrative because of Venezuela's subsidies and price controls; gasoline smuggling alone costs the government several billion dollars per year. Complaints among Chavistas about government corruption increased after Jorge Giordani, the minister of planning and a prominent advocate of deepening Venezuelan socialism, was dismissed in June 2014 and then accused the government of tolerating graft. In November, Maduro announced the creation of a new National Anticorruption System under the control of the presidency. Venezuela was ranked 161 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

### **CIVIL LIBERTIES:** 22 / 60 (-2)

#### **D. Freedom of Expression and Belief:** 8 / 16

Although the constitution provides for freedom of the press, the media climate is permeated by intimidation, sometimes including physical attacks, and strong antimedia rhetoric from the government. The 2004 Law on Social Responsibility of Radio and Television gives the government the authority to control radio and television content. Opposition-oriented outlets have a substantial presence among the print media, but their share has been shrinking in recent years as government-friendly business groups purchase newspapers and other outlets that are critical of the state, and narrow the range of permissible critique. In 2014, new managers at two of Venezuela's most prominent newspapers, *Últimas Noticias* and *El Universal*, were accused of imposing censorship. Other papers have faced increasing difficulty acquiring newsprint from the government-controlled distributor or dollars to purchase it from abroad; some have been forced to temporarily close, and in 2014 venerable dailies *El Impulso* and *Tal Cual* repeatedly warned that they may have to shut down.

The opposition presence in the broadcast media has declined even further in recent years, in part due to closures by regulators and other forms of official pressure. The last large domestic station with a marked oppositionist line, Globovisión, was sold in March 2013

and subsequently softened its political coverage. Reporting on election campaigns by state media has been overwhelmingly biased in favor of the government; private outlets have also exhibited bias, though to a somewhat lesser degree.

Local press watchdog the Institute for Press and Society registered 347 press violations in 2014. These included dozens of arbitrary detentions and acts of aggression against reporters covering social protests.

A 2010 law extended the 2004 broadcasting law's restrictions to the internet. Social media sites such as Twitter remain enormously popular. In recent years, dozens of prominent opposition activists and journalists have found that their Twitter accounts had been hacked and used to disseminate threats and denunciations aimed at the opposition.

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.

Academic freedom came under mounting pressure during Chávez's tenure, and a school curriculum developed by his government emphasizes socialist concepts. A 2008 Organic Education Law included ambiguities that could lead to restrictions on private education and increased control by the government and communal councils. In universities, elections for student associations and administration positions have become more politicized, and rival groups of students have clashed over both academic and political matters.

In recent years the government has repeatedly aired illegally intercepted conversations of opposition members, and ordinary Venezuelans have become more reticent about calling attention to their politics in situations in which they might be overheard.

#### **E. Associational and Organizational Rights: 3 / 12 (-1)**

Freedom of peaceful assembly is guaranteed in the constitution. However, the right to protest has become a sensitive topic in recent years, and rights groups have criticized legal amendments that make it easier to charge protesters with serious crimes. In the past, workers, particularly employees of state-owned enterprises, had been the most frequent demonstrators, followed by citizens protesting poor delivery of public services. In 2014, however, protests rejecting the president and demanding political rights—including the very right to protest—were the most abundant. Although Venezuelan police are trained in managing protests, the more militarized, untrained National Guard and armed progovernment civilian groups were more frequently dispatched to confront protesters in 2014; some individuals detained in relation to deaths in the early protests were members of the Bolivarian Intelligence Service (SEBIN).

Nongovernmental organizations are frequent antagonists of the government, which has sought to undermine the legitimacy of human rights and other civil society groups by questioning their international ties. The 2010 Law on Political Sovereignty and National Self-Determination threatens sanctions against any "political organization" that receives foreign funding or hosts foreign visitors who criticize the government. Dozens of civil society activists have been physically attacked in recent years, and other forms of harassment are common, including bureaucratic hurdles to registration.

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 growing competition has contributed to a substantial increase in labor violence as well as confusion and delays during industrywide collective bargaining. In August 2014, the Venezuelan Observatory on Social Conflict reported 28 killings of unionists in the first half of the year, mostly in the construction sector.

**F. Rule of Law: 3 / 16 (-1)**

Politicization of the judicial branch increased dramatically under Chávez, and high courts generally do not rule against the government. Conviction rates remain low, the public defender system is underfunded, and more than half of all judges and prosecutors lack tenure, undermining their autonomy. The National Assembly has the authority to remove and appoint judges to the TSJ, which controls the rest of the judiciary and is viewed as friendly to the government. Several TSJ decisions on controversial issues reflected government preferences in 2014, including an April ruling giving authorities the right to break up all public protests that lack formal permits, and a December ruling allowing the confirmation of key officials by a simple majority vote rather than the constitutionally mandated two-thirds majority. Judge María Lourdes Afiuni was released from house arrest in June 2013, and the judicial process surrounding her corruption charges was ongoing in 2014. She had been arrested in 2009 after angering the government by ordering the release of a prominent banker who had been held without conviction for more than the maximum of two years.

There are few effective due process safeguards, and Human Rights Watch and Amnesty International reported that judicial processes against arrested protesters were plagued by irregularities throughout 2014. In October, the UN Working Group on Arbitrary Detentions expressed continuing concern over the prolonged detention of López and 69 other individuals. In a conciliatory gesture, authorities transferred Iván Simonovis, a former police chief viewed by the opposition as a political prisoner, from prison to house arrest in September so that he could seek medical treatment.

Venezuela's murder rate is among the world's highest: The nongovernmental Venezuelan Violence Observatory cited a rate of approximately 82 homicides per 100,000 citizens in 2014. Several anticrime initiatives formulated during Chávez's second term received praise from policy analysts and rights groups, but the same observers have decried a trend toward militarized public security under Maduro. The October murder of Robert Serra, a young, vocal PSUV congressman, and the ensuing reaction illustrated the politicization of law enforcement, as the government quickly blamed his death on an international right-wing conspiracy despite evidence of a robbery motive.

The police and military have been prone to corruption, widespread arbitrary detention and torture of suspects, and extrajudicial killings, with few convictions. Prison conditions in Venezuela remain among the worst in the Americas. The Venezuelan Prison Observatory reported 150 deaths within prison walls in the first six months of 2014, which actually represented a substantial decrease compared with 2013. Nevertheless, the crisis in the country's prison system remained in the public eye. In November in Barquisimeto, 35 inmates died and more than 140 became ill after storming the Uribana prison infirmary and ingesting stolen drugs during a protest against poor living conditions.

Since a short-lived military coup in 2002, the executive has purged the military of unsympathetic officers, politicized those who remained, and heightened military participation in the delivery of public services. Military officials, many of them in active service, occupy top positions in approximately a third of government ministries and govern half of the nation's states, and the armed forces perform routine government duties, blurring the lines between civilian and military functions. The presence of the military in Venezuela's political and economic life continued to deepen in 2014, drawing criticism from both the opposition and many Chavistas. Maduro provided increasing privileges to the military in exchange for support for his beleaguered presidency. Foreign officials assert that the military has adopted a permissive attitude toward drug trafficking. In addition, the unclear division of responsibility between the military, the police, and civilian militias was frequently on display during

the protests in 2014. Tension between the police and the informal armed groups known as collectives led to a confrontation in October that left five collective members dead and contributed to the sacking of Interior Minister Miguel Rodríguez Torres.

The formal and constitutional rights of indigenous people, who make up about 2 percent of the population, improved under Chávez, though such rights are seldom enforced by local authorities. The constitution reserves three seats in the National Assembly for indigenous people. Indigenous communities trying to defend their land rights are subject to abuses, particularly along the Colombian border. In August 2014, five people were convicted for the March 2013 murder of indigenous leader Sabino Romero, who had sought greater land rights for the Yukpa indigenous group in Zulia State. Critics decried the light sentences and the fact that the intellectual authors of the crime remained free.

Afro-Venezuelans also remain marginalized and underrepresented among the country's political and economic elite, despite some state efforts to ameliorate conditions. Although discrimination based on sexual orientation is barred, LGBT (lesbian, gay, bisexual, and transgender) Venezuelans face widespread de facto discrimination and are occasionally subjected to violence.

#### **G. Personal Autonomy and Individual Rights: 8 / 16**

Property rights are affected by the government's penchant for price controls, nationalizations, overregulation, and corruption. While the pace of expropriation has declined in recent years—due in part to the state's dominant position in many strategic industries—the government continues to threaten to nationalize businesses deemed to lack commitment to revolutionary goals. Accusations of mismanagement, underinvestment, corruption, and politicized hiring practices within state-owned enterprises are common.

The incidence of consumer-goods shortages rose sharply in 2014. The opposition pointed to the perverse effects of price controls and other economic policies, while the government blamed capitalist conspirators and used the Law on Fair Prices to penalize hundreds of businesses for usury, speculation, excessive profits, and other violations.

Women are guaranteed progressive rights in the 1999 constitution, as well as benefits under a major 2007 law. However, despite some improvements on implementation of these pledges, domestic violence and rape remain common and are rarely punished in practice. Trafficking of women remains inadequately addressed by the authorities. Women are poorly represented in government, with just 17 percent of the seats in the National Assembly, but they hold a number of important offices in the executive branch.

## Vietnam

**Political Rights Ratings:** 7

**Civil Liberties Ratings:** 5

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Population:** 90,655,000

**Capital:** Hanoi

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	7,5,NF	7,5,NF	7,5,NF	7,5,NF	7,5,NF	7,5,NF	7,5,NF	7,5,NF	7,5,NF	7,5,NF

**INTRODUCTION**

In 2014, Vietnam continued to suppress freedom of expression online, in print, and through public demonstrations. The state enacted Decree 174 to institute harsh new penalties for certain types of speech in blogs and social media, expanding upon government powers to censor internet and social media usage in place under a previous decree. Several high-profile internet writers and bloggers were arrested, while the trials of other prominent activists proceeded despite international pressure for their release.

Vietnam's relations with neighboring China were severely strained in May 2014 after a Chinese oil rig attempted to relocate in disputed waters off the Paracel Islands in the South China Sea; several naval skirmishes took place between the two countries before China's withdrawal in July. Labor riots sparked by anti-China sentiment broke out in May as thousands protested working conditions in Chinese and other foreign-owned factories across Vietnam. After initial tolerance, state security forces shut down the violent demonstrations, arresting groups of protesters in Hanoi and Ho Chi Minh City.

In August 2014, a new police reform law, Circular 28, passed in an effort to curb police rights abuses. However, critics questioned enforcement and cited problems concerning legal due process under the law.

Although the Communist Party of Vietnam (CPV) oversaw a period of economic expansion after the late 1980s, growth has slowed since the global economic crisis of 2009. Vietnam's recession has been compounded by a widening wealth gap and large-scale debt of state-owned enterprises.

**POLITICAL RIGHTS: 3 / 40****A. Electoral Process: 0 / 12**

The CPV is the country's only state-recognized political party, and its Central Committee is the government's top decision-making body. The unicameral National Assembly, whose 500 members are elected to five-year terms, generally follows CPV dictates. 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.

In tightly controlled 2011 elections for the National Assembly, the CPV took 454 seats, officially vetted nonparty members secured 42 seats, and self-nominated candidates won the remaining 4. In July 2011, the legislature elected Trương Tấn Sang as president and approved Nguyễn Tấn Dũng, acting prime minister since 2006, for a second term.

**B. Political Pluralism and Participation: 1 / 16**

The CPV is the only legally recognized political party in Vietnam. In theory, the Vietnam Fatherland Front (VFF) is an alliance of organizations representing the people and is responsible for vetting all candidates for the National Assembly, but in practice the VFF acts as an arm of the CPV. Party membership is widely viewed as a means to business and societal connections, and corruption and nepotism among party members are a continuing problem. Although ethnic minorities are represented within the CPV, they are almost never allowed to rise up to senior leadership positions within the party.

Splits between factions within the party exist, but are not openly aired; public discussion of dissent is actively suppressed.

**C. Functioning of Government: 2 / 12**

The government is increasingly saddled by corruption, internal dissent, and an inability to manage the country's economic problems. Disunity within the CPV is more widely acknowledged than in the past, as are complaints that the government has failed to seriously

address corruption or nepotism in the party or state-owned companies. Although senior CPV and government officials have acknowledged growing public discontent, they have not responded with comprehensive reforms or increased transparency. The CPV announced plans in 2013 to increase financial transparency of state enterprises, clean up debts in state firms, and make state firms more productive, but actualization of these reforms has been limited, and many state companies continue to operate with little transparency.

**CIVIL LIBERTIES:** 17 / 60

**D. Freedom of Expression and Belief:** 4 / 16

The state controls all print and broadcast media via the CPV, military, or other government organs. The government actively silences critics through arrest, legal prosecution, and other means of harassment. A 1999 law requires journalists to pay damages to groups or individuals found to have been harmed by press articles, even if the reports are accurate. A 2006 decree imposes fines on journalists for denying revolutionary achievements, spreading “harmful” information, or exhibiting “reactionary ideology.” In 2013, the government passed Decree 72, which gave the state sweeping new powers to restrict speech on blogs and social media. In January 2014, Vietnam’s Decree 174 was put into effect, instituting harsh new penalties for social media and internet users voicing “antistate propaganda” or “reactionary ideologies” on social media sites.

Foreign media representatives cannot legally travel outside Hanoi without government approval, though they often do. Satellite television is officially restricted to senior officials, international hotels, and foreign businesses, though many private homes and businesses have satellite dishes.

A 2003 law bans the receipt and distribution of antigovernment e-mail messages. Websites considered “reactionary” are blocked, and owners of domestic websites must submit their content for official approval. Internet cafés must register the personal information of users and record the sites they visit. Internet service providers face fines and closure for violating censorship rules. In addition, in 2014 it was revealed that the government employs roughly 1,000 “public opinion shapers”: bloggers whose job it is to shut down Facebook accounts of government critics and to disseminate favorable state propaganda through social media.

Vietnam also increased its repression of print and online journalists in 2014. In February, the government arrested eight activists, including several prominent bloggers, for minor traffic offenses in an act of intimidation intended to halt a group of 21 individuals on their way to visit arrested human rights lawyer Nguyễn Bắc Truyền. In August, a court sentenced three of the activists—defenders of religious freedoms Bùi Thị Minh Hằng, Nguyễn Văn Minh, and Nguyễn Thị Thúy Quỳnh—to jail terms of between two and three years. Roughly 33 people who tried to attend the trial were detained, and several activists in Hanoi and Ho Chi Minh City were prevented from leaving their homes at the time of the trial. In May, the government arrested the two prominent bloggers behind the politics and culture site Ba Sàm (Talking Nonsense) on “antistate” charges. In August, the government detained and allegedly tortured popular blogger and activist Phạm Lê Vương Các upon his return from a UN meeting in Geneva where he spoke about Vietnam’s human rights record.

Despite the various restrictions, Vietnam has the third-highest number of internet users in Southeast Asia. Many Vietnamese increasingly use the web and social media to participate in political debate, often using remote internet servers and other methods to avoid detection and censorship.

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. Those who fail to register their activity with the state are often arrested and harassed. The Roman Catholic Church selects its own bishops and priests, but they must be approved by the government. Christians continue to be persecuted, particularly outside of major cities. In June 2014, security forces raided an unauthorized church and Bible school in Binh Duong Province, beating and detaining 76 worshippers. In February, security forces attacked a group of 15 Hòa Hảo Buddhists from an unsanctioned Buddhist church traveling to Ho Chi Minh City to visit arrested human rights lawyer Nguyễn Bắc Truyền. In December, a Vietnamese court upheld Nguyễn's sentence, and gave three of his visitors extended sentences for "causing public disorder." The U.S. Commission on International Religious Freedom reports that dozens of people are currently "detained for their religious activity or religious freedom advocacy in Vietnam."

In March 2014, Pope Francis met with the president of Vietnam's legislature to discuss religious freedom and Catholicism in Vietnam. The meeting was taken as a sign of the country's openness to relations with the Vatican, though no formal diplomatic ties have been established. Vietnam also allowed the UN Special Rapporteur on freedom of religion or belief Heiner Bielefeldt to meet with various groups of religious leaders in Vietnam in July. At the end of his visit, Bielefeldt reported that "serious violations of freedom of religion or belief are a reality in Vietnam." In recent years, Vietnam has allowed several prominent foreign evangelical Christian leaders to visit the country and lead worship sessions, a major shift from when such visits were banned.

Academic freedom is limited. University professors must refrain from criticizing government policies and adhere to party views when teaching or writing on political topics.

Although citizens enjoy more freedom in private discussions than in the past, authorities continue to punish those who openly criticize the state.

#### **E. Associational and Organizational Rights: 1 / 12**

Freedoms of association and assembly are tightly restricted. Organizations must apply for official permission to obtain legal status and are closely regulated and monitored by the government. A small but active community of nongovernmental groups promotes environmental conservation, land rights, women's development, and public health, but human rights organizations and other private groups with rights-oriented agendas are banned.

Land rights activists are frequently arrested. In March and April 2014, seven farmers from the Duong Nội area outside Hanoi were beaten, arrested, and later convicted on charges of "disturbing the public order" after they protested government seizures of their lands.

The government initially tolerated nationwide labor protests against Chinese-owned factories in May 2014, sparked by anti-China sentiment involving a Chinese oil rig in disputed waters off the coast of the Paracel Islands. As demonstrations turned to encompass issues beyond Vietnam-China relations, the government clamped down, resulting in more than 1,000 arrests and at least four confirmed deaths. More than 350 foreign-owned factories were damaged or destroyed.

The Vietnam General Conference of Labor (VGCL) is Vietnam's only legal labor federation and is controlled by the CPV. All trade unions are required to join the VGCL. However, in recent years the government has permitted hundreds of independent "labor associations" without formal union status to represent workers at individual firms and in some service industries. Farmer and worker protests against local government abuses, such as land confiscations and unfair or harsh working conditions, have become more common. The central leadership often responds by pressuring local governments and businesses to comply with tax laws, environmental regulations, and wage agreements.

**F. Rule of Law: 4 / 16**

Vietnam's judiciary is subservient to the CPV, which controls the courts at all levels. Defendants have a constitutional right to counsel, but lawyers are scarce, and many are reluctant to take on human rights and other sensitive cases for fear of state harassment and retribution, including arrest. Defense lawyers cannot call or question witnesses and are rarely permitted to request leniency for their clients. Police can hold individuals in administrative detention for up to two years on suspicion of threats to national security. The police are known to abuse suspects and prisoners, and prison conditions are poor. Vietnam is believed to have more than 200 political prisoners, more than any other country in Southeast Asia, and political detainees are often held incommunicado.

In June 2014, police reportedly beat a man to death at a traffic stop for suspected drunk driving. Another suspect died in police custody in June in mysterious circumstances. The August 2014 police reform law, Circular 28, codifies rules for police investigations and prohibits police from coercing suspects in an effort to curb police abuses. Some human rights groups have praised Circular 28 as a step forward, but critics complain that the reforms, especially those protecting due process of law and enforcement, fall short.

Ethnic minorities, who often adhere to minority religions, face discrimination in mainstream 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. The government came under criticism in 2014 from international rights groups for its increased rate of repatriation of ethnic Uighurs back to China, without consideration of their possible refugee status.

Despite the overall worsening of the climate for political rights and civil liberties in Vietnam, the government has increased LGBT (lesbian, gay, bisexual, and transgender) rights. LGBT supporters held pride days in 2013 and 2014, and the country's state media aired a gay-themed sitcom. The government debated allowing greater rights and even possibly marriage for same-sex couples, but in May 2014 provisions for rights and legal status for same-sex couples were struck from a broader law on marriage.

**G. Personal Autonomy and Individual Rights: 8 / 16**

Although freedom of movement is allowed and theoretically protected by law, migrants are often discriminated against in larger cities, and the authorities frequently try to keep ethnic minorities from leaving areas such as the highlands. Land rights remain a large-scale problem, as land is owned by the state but leased to farmers. Nearly 70 percent of complaints to governmental agencies between 2004 and 2011 involved lands rights issues.

Women generally have equal access to education and are treated similarly in the legal system as men. Women won 122 seats in the National Assembly in 2011. Although economic opportunities have grown for women, they continue to face discrimination in wages and promotion. Many women are victims of domestic violence, and thousands each year are trafficked internally and externally and forced into prostitution. The Vietnamese government was praised in 2014 by numerous foreign governments and nongovernmental organizations for increasing investigation and prosecution of human traffickers.

Enforcement of labor laws covering child labor, workplace safety, and other issues remains poor.



# ↓ Yemen

**Political Rights Rating:** 6

**Population:** 25,956,000

**Civil Liberties Rating:** 6

**Capital:** Sanaa

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

**Electoral Democracy:** No

**Trend Arrow:** Yemen received a downward trend arrow due to the Houthi militant group’s seizure and occupation of the capital city, its forced reconfiguration of the cabinet, and its other demands on the president, which paralyzed Yemen’s formal political process.

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,5,PF	5,5,PF	5,5,PF	5,5,PF	6,5,PF	6,5,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF

### INTRODUCTION

Yemen moved closer to political collapse 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 in January with a plan to transform the country into a federated state of six regions, which would be ratified in a new constitution. Dissatisfied with the terms of the deal and with a fragile ceasefire between themselves and Salafi and tribal fighters in their region, supporters of the Houthi rebel movement—rooted in the Zaidi sect of Shiite Islam—began to occupy additional territory in the North in February. The government stoked Houthi unease when it ended fuel subsidies in July, leading to calls for civil disobedience and the convergence of tens of thousands of Houthi supporters in encampments around Sanaa. Large Houthi protests occurred regularly in late summer and early fall, including unrest in the capital and an attempted attack on the cabinet in September.

The United Nations brokered a deal that month calling for the formation of a unity government, but armed Houthi fighters had effectively occupied Sanaa by the end of September and continued to expand their control, moving into the western port city of Hodeida in October. Although a new cabinet that included Houthi members was announced in November, sharp political disagreements persisted. The rebels clashed regularly with elements of the military and Al-Qaeda in the Arabian Peninsula (AQAP) during the last quarter of the year, causing hundreds of deaths. The year ended without a resolution to the crisis.

**POLITICAL RIGHTS:** 9 / 40 (–1)

**A. Electoral Process:** 3 / 12

Under the existing constitution, the president is elected for seven-year terms and appoints 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. Provincial councils and governors are also elected.

However, past elections have been marred by flaws including vote buying, the partisanship of public officials and the military, and exploitation of state control over key media platforms. Moreover, parliamentary elections have been repeatedly postponed. The original six-year mandate of the current parliament expired in 2009, and elections were put off again in 2011 amid a popular uprising against longtime president Ali Abdullah Saleh.

In November 2011, under sustained pressure from the United States, the United Nations, and the Gulf Cooperation Council, Saleh signed a Saudi-brokered agreement that transferred his powers to Yemen's vice president, Abdu Rabu Mansur Hadi, in exchange for immunity from prosecution for his role in the violent crackdown on antigovernment protests that year. Mohammed Basindawa, an independent, was named prime minister in December, replacing Ali Muhammad Mujawar of Saleh's General People's Congress (GPC) party. In February 2012, Yemeni voters confirmed Hadi, who ran unopposed, as interim president with a two-year term. His term was extended in early 2014 until the reforms proposed by the NDC could be finalized in a new constitution.

The new cabinet announced in November 2014 as part of the UN-brokered deal with the Houthis was headed by Prime Minister Khaled Bahah, another independent.

**B. Political Pluralism and Participation: 4 / 16**

Although the political system was long dominated by Saleh and the GPC, Yemen's relatively well-developed and experienced opposition parties have historically been able to wring some concessions from the government. The 2011 ouster of Saleh was accomplished through a sustained campaign of protests motivated primarily by frustration with imbalances of power and high levels of corruption, but also by lack of access to decision-making and political participation by regular citizens.

As part of the 2011 transition agreement, and after several delays, the government and opposition launched the NDC process in 2013. The conference, though boycotted by some in the opposition, was attended by 565 delegates, including representatives of the southern separatist movement and Houthi rebels from the north. The NDC's concluding settlement in January 2014 called for a new constitution that would grant greater autonomy to both northern and southern provinces, decentralizing power and creating a federation of six regions. A final draft of the new charter had yet to be submitted at year's end.

A variety of armed factions exerted influence over political affairs during 2014, as did Saleh and his supporters within the GPC and the military. In November, the UN Security Council imposed sanctions on Saleh and two Houthi commanders, accusing them of working to destabilize the country. Saleh had been suspected of encouraging Houthi aggression as part of a bid to reclaim power.

**C. Functioning of Government: 2 / 12 (-1)**

Since coming to power in 2011, Hadi has struggled to consolidate his authority. The Houthis, tribal groups, AQAP, and southern separatists all challenged the central government's control over Yemeni territory during 2014, and a network of corruption and patronage established under Saleh remained entrenched in public institutions. The Houthi occupation of the capital and effective ouster of the cabinet represented a new low in the government's ability to determine and implement its own policies.

Despite recent efforts by the government to fight endemic corruption, Yemen lacks most legal safeguards against conflicts of interest. Auditing and investigative bodies are not sufficiently independent of executive authorities. Yemen was ranked 161 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES: 16 / 60**

**D. Freedom of Expression and Belief: 6 / 16**

The government does not respect freedoms of expression and the press. Article 103 of the Press and Publications Law bans direct personal criticism of the head of state and publication of material that "might spread a spirit of dissent and division among the people" or

that “leads to the spread of ideas contrary to the principles of the Yemeni Revolution, [is] prejudicial to national unity or [distorts] the image of the Yemeni, Arab, or Islamic heritage.” The government controls most terrestrial television and radio, though several privately owned radio stations have opened since 2012. Access to the internet is not widespread, and the authorities block websites they deem offensive. Some websites and forums where political debate takes place are blocked due to security concerns.

Although they diminished in scale after the 2011 protest movement receded, attacks on the media have continued. In May 2014, Yemeni authorities expelled American freelance journalist Adam Baron without explanation; his reporting on the country’s counterterrorism campaign had reportedly angered both Yemeni and U.S. officials. In June the army raided and shut down a newspaper and television station owned by former president Saleh. The government also restricted efforts by Qatar’s Al-Jazeera network to report on violence in the provinces during the year. Abdul Rahman Hamid al-Din of state-run Sanaa Radio was fatally shot in the capital under unclear circumstances in August, and American freelance reporter Luke Somers was killed in December during an attempt by U.S. forces to rescue him from AQAP, which had held him hostage for over a year.

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, and their rights are generally respected in practice, though conversion from Islam and proselytizing to Muslims is prohibited.

Strong politicization of campus life, including tensions between supporters of the GPC and the opposition party Al-Islah, infringes on academic freedom at universities.

#### **E. Associational and Organizational Rights: 3 / 12**

Yemenis have historically enjoyed some freedom of assembly, with periodic restrictions and sometimes deadly interventions by the government, as during the 2011 uprising. Over the past four years, southern Yemenis have mounted growing protests to challenge official corruption and abuse of power, the marginalization of southerners in the political system, and the government’s inability to address pressing social and economic concerns. The protest movement has called for secession by the south, although several of the movement’s leaders agreed to participate in the NDC in 2013. In November 2014, security forces killed one demonstrator and wounded four others in Aden as tens of thousands of southern separatists marched in commemoration of the 47th anniversary of the end of British colonial rule. Also in Aden, police shot and killed the prominent southern political activist Khaled al-Junaid in December, sparking protests.

Freedom of association is constitutionally guaranteed. Several thousand nongovernmental organizations work in the country, although their ability to operate is restricted in practice. The law acknowledges the right of workers to form and join trade unions, but some critics claim that the government and ruling party elements have increased efforts to control the affairs of these organizations. Virtually all unions belong to a single labor federation, and the government is empowered to veto collective bargaining agreements.

#### **F. Rule of Law: 2 / 16**

The judiciary is nominally independent, but it is susceptible to interference from the executive branch and political factions. Authorities have a poor record on 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 or direct appeals to executive authorities. Arbitrary detention is common, stemming in part from inadequate training for law enforcement officers and a lack of political will among senior government officials to

eliminate the problem. Security forces affiliated with the Political Security Office (PSO) and the Interior Ministry torture and abuse detainees, and PSO prisons are not closely monitored.

In addition to insecurity associated with the Houthi rebellion and the political crisis in the capital, Yemen suffered from tribal and terrorist violence during 2014. In May and July, separate attacks on the country's most important oil pipeline temporarily interrupted exports. AQAP carried out attacks against military and nonmilitary targets throughout the year. A particularly devastating pair of suicide bombings killed at least 67 people in October. In December a suicide bomber likely affiliated with AQAP targeted Houthis in the city of Ibb, killing at least 30 people commemorating the birthday of the prophet Muhammad. Meanwhile, the Yemeni and U.S. militaries continued an aggressive bombing and drone campaign against Al-Qaeda forces in the country.

Yemen is relatively ethnically homogeneous. However, the Akhdam, a small minority group, live in poverty and face social discrimination. Separately, thousands of refugees fleeing war and poverty in the Horn of Africa are smuggled annually into Yemen, where they are routinely subjected to theft, abuse, and even murder.

Same-sex sexual activity is illegal, with possible penalties including lashes, imprisonment, and death. In 2013 there were credible reports of AQAP killing men for allegedly being gay. Due to the severe threats they face, few LGBT (lesbian, gay, bisexual, and transgender) Yemenis reveal their status.

#### G. Personal Autonomy and Individual Rights: 5 / 16

Freedom of movement, property rights, and business activity are impaired by insecurity and corruption. Many Yemenis rely on migrant work in Persian Gulf countries, where their rights are often precarious. Hundreds of thousands of Yemenis were abruptly deported from Saudi Arabia during a crackdown on foreign workers in 2013.

Women continue to face discrimination in several aspects of life. A woman must obtain permission from her husband or father to receive a passport and travel abroad, cannot confer citizenship on a foreign-born spouse, and can transfer Yemeni citizenship to their children only in special circumstances. Women are vastly underrepresented in public office; there is just one woman in the lower house of parliament. School enrollment and educational attainment rates for girls fall far behind those for boys.

Yemen's penal code allows lenient sentences for those convicted of "honor crimes"—assaults or killings of women by family members for alleged immoral behavior. Although the law prohibits female genital mutilation, it is still prevalent.

## Zambia

**Political Rights Rating:** 3

**Civil Liberties Rating:** 4

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Electoral Democracy:** Yes

**Population:** 15,111,000

**Capital:** Lusaka

#### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	4,4,PF	3,4,PF	3,4,PF	3,3,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF	3,4,PF

**INTRODUCTION**

President Michael Sata, 77, died on October 28, 2014, at a London hospital, becoming the second Zambian president to die in office since 2008 and confirming long-standing rumors that he was seriously ill. Although Sata had appointed Defense and Justice Minister Edgar Lungu, who was also the secretary general of the ruling Patriotic Front (PF) party, acting president when he left the country October 19 for medical treatment, Vice President Guy Scott assumed the presidency upon Sata's death. This was in accordance with the constitution, though initially there was some contention in the party surrounding Scott's elevation. An election for Sata's successor was scheduled for January 20, 2015; the ballot is required to be held within 90 days of the incumbent's death. Scott, whose parents were born in Britain, is constitutionally barred from running for president. The president's death deepened existing divisions in the PF over the selection of a successor to the longtime party leader, and tensions between Scott and Lungu precipitated public rifts in the PF. By late December, however, these rifts were healed, at least publicly, and Scott and most PF leaders fell in behind Lungu's candidacy.

Sata died just four days after Zambia marked 50 years of independence from the United Kingdom. In what was seen as an attempt to appease critics, the PF-led government released to the public the long-delayed draft of a new constitution on the day before the Golden Jubilee celebrations. The draft contained certain popular provisions, such as a requirement that presidential candidates gain more than 50 percent of the vote to win and that the vice president be an elected running mate to the president. In November, a coalition of civil society groups and church organizations that had been monitoring the constitution-making process gave its approval to the draft. However, the road map for the finalization process remained unclear, and observers questioned whether a promised national referendum would ever be held.

Much of 2014 was dominated by speculation about the state of Sata's health; he was out of the country or absent from public view for most of the year. Little progress was made on long-promised PF initiatives such as improving the economy, rooting out corruption, and media-sector reforms. The use of repressive laws and policies against government critics continued throughout much of the year, although this subsided somewhat after Sata's death, as the PF's focus turned inward.

**POLITICAL RIGHTS: 26 / 40 (+1)****A. Electoral Process: 8 / 12**

The president and the unicameral National Assembly are elected to serve concurrent five-year terms. The National Assembly includes 150 elected members, as well as up to 8 members appointed by the president. In the September 2011 presidential election, Sata defeated incumbent Rupiah Banda of the Movement for Multiparty Democracy (MMD) 43 percent to 36 percent. Sata then appointed Scott vice president. In concurrent parliamentary elections, the PF won a plurality, taking 61 seats, followed by the MMD with 55 seats and the United Party for National Development (UPND) with 29. Although the elections were characterized by fierce campaigning, the misuse of state resources by the MMD, and isolated rioting, the voting was deemed free and credible by international observers. The winner of the January 2015 presidential by-election will serve the remainder of Sata's five-year term.

By-elections in 2012–13, triggered in part by a PF strategy of enticing opposition legislators to switch parties with offers of government posts (a party switch automatically triggers a by-election), altered the balance of power in the National Assembly in favor of the PF. Several of the campaigns were characterized by violence between party cadres, as

well as blatant misuse of state resources and the media by the PF to win votes and discredit the opposition. The PF had somewhat less success with this tactic in 2014, winning three of six by-elections. By the end of 2014, the PF held 74 elected seats, while the MMD had 37 and the UPND 32.

**B. Political Pluralism and Participation: 12 / 16 (+2)**

The major political parties are the PF, the MMD, and the UPND. Since its 2011 election loss, the MMD—which had governed Zambia for the previous 20 years—has been weakened considerably due to infighting and PF efforts to coopt its members. The loss of seats in recent by-elections meant that no opposition party currently met the 53-seat threshold to be recognized as the official opposition in parliament.

Throughout 2014, the PF was plagued by internal discord, as demonstrated by the August firing by Sata of then justice minister and PF secretary general Wynter Kabimba, previously considered a favorite to succeed Sata. The infighting escalated in the wake of Sata's death, as Scott attempted to fire Lungu as PF secretary general, sparking street demonstrations and riots by Lungu's supporters among the PF rank and file. Lungu was reinstated soon afterward. Among the many disputes, Lungu asserted that the PF central committee was empowered to name the party's presidential candidate, while Scott maintained that only a PF general conference, comprising thousands of party delegates, could select the candidate. Ten people officially entered the race to be the party's presidential candidate.

A general conference went forward in late November, but it too split into factions, with one electing Lungu as PF presidential candidate unopposed on November 30, and another on December 1 choosing Deputy Commerce Minister Miles Sampa. On December 3, the High Court declared Lungu the victor and PF candidate.

In late November, the MMD executive committee endorsed former president Banda, Sata's predecessor, over MMD party president Nevers Mumba as its presidential candidate, sparking renewed discord within the former ruling party. However, the Supreme Court ruled in mid-December that Mumba was the MMD's official candidate. In late November, Hakainde Hichilema, who had placed third in the previous three presidential elections, announced the start of his campaign as the candidate of the UPND.

The two main opposition parties, as well as smaller parties, had been weakened in recent years by harassment and intimidation from the PF government, including use of the colonial-era Public Order Act to prevent them from holding meetings and rallies. In January 2014, Hichilema was summoned to a Lusaka police station to answer a charge of spreading false information. Police reportedly used batons and tear gas against UPND supporters who had come to the station to support Hichilema. Intimidation and harassment of the opposition lessened somewhat toward the end of 2014 with Sata's death and the split in the PF, as the ruling party turned its attention to the fight among internal factions.

**C. Functioning of Government: 6 / 12 (-1)**

The state of Sata's health had been the subject of speculation since 2012, and rumors increased in 2014 when the president made several foreign trips, including a mysterious "working vacation" in Israel. He missed several key events during the year, including the high-profile African Leaders Summit in Washington, D.C., in August. However, the government consistently denied that he was ill, describing such reports as "outlandish and unsubstantiated." When he left the country, Sata turned power over to various cabinet ministers rather than Scott. Opposition parties and analysts alleged that the apparent secrecy surrounding Sata's health and his activities made it difficult for the public to know who was running the government.

Corruption is believed to be widespread. The PF government has taken some steps to fight graft; in 2012, the National Assembly reinserted the key “abuse of office” clause of the Anti-Corruption Act, which had been removed by the MMD-dominated legislature in 2010. The clause allows for the prosecution of public officials for violations such as abuse of authority or misuse of public funds. However, many prosecutions and court decisions under the PF have allegedly been politically motivated.

In March 2013, the National Assembly voted to lift former president Banda’s immunity from prosecution. Among other charges, he was accused of abuse of power in connection with a \$2.5 million oil deal with a Nigerian company from which he allegedly benefited during his 2008–11 presidency. Banda denied the charges, which remained pending at the end of 2014, and alleged that the case was partly retribution for a case against the director of public prosecutions, Mutembo Nchito, and another close Sata ally, *Post* newspaper owner Fred M’membe, that had begun while Banda was president. In that case, Nchito and M’membe were ordered in 2012 to repay at least \$2.5 million to the Development Bank of Zambia, having borrowed it in an effort to finance *Zambian Airways*, which collapsed in 2009. A retrial was ongoing in the High Court as of the end of 2014, and Nchito and M’membe had yet to repay the funds.

The PF-led government has made repeated promises to pass an access to information law since coming to power, but had not taken action on an existing draft by the end of 2014. Zambia was ranked 85 out of 175 countries and territories surveyed in Transparency International’s 2014 Corruption Perceptions Index.

#### **CIVIL LIBERTIES:** 34 / 60

#### **D. Freedom of Expression and Belief:** 11 / 16

Freedoms of speech and the press are constitutionally guaranteed, but the government often restricted these rights in practice in 2014. Government officials, including the president, use defamation lawsuits in response to unfavorable reporting. However, the Lusaka High Court ruled in December 2014 that provisions of Section 67 of the penal code prohibiting the publication of false information were unconstitutional because they violated the right to freedom of expression. The ruling came in a case involving Richard Sakala and Simon Mwanza of the independent *Daily Nation* and democracy activist McDonald Chipenzi, who had been charged in 2013 with “publication of false information with intent to cause public alarm” in connection with an article about police recruitment methods.

Although Sata had pledged to free the public media—consisting of the Zambia National Broadcasting Corporation (ZNBC) and the widely circulated *Zambia Daily Mail* and *Times of Zambia*—from government control, these outlets have generally continued to report along progovernment lines, and journalists reportedly practice self-censorship. The other main daily is the privately owned *Post*; the paper and its owner, M’membe, were longtime supporters of the PF. However, after the firing of Kabimba, who was seen as an ally of M’membe, the *Post* became more critical of Sata’s government. The ZNBC dominates the broadcast media, though several private stations have the capacity to reach large portions of the population. Just over 15 percent of the population had internet access, according to 2013 figures.

At the opening of parliament in September 2014—Sata’s first public appearance since June—only the ZNBC was allowed to broadcast the event live, and only journalists from the state media and the *Post* were allowed in the chamber’s press gallery. Journalists from the rest of the private media were barred from the chamber and forced to watch a live ZNBC feed. The Zambia chapter of the Media Institute for Southern Africa (MISA) filed an official complaint with the Lusaka High Court over the incident, reportedly the first time that the private media had been barred from the opening of parliament since independence.

Community and privately owned radio stations faced stepped-up harassment and threats by local government officials and PF party cadres throughout 2014, especially in retaliation for hosting opposition figures on call-in shows or criticizing local officials on the air.

The election campaign period in late 2014 saw an increase in media freedom violations, including editorial pressure, harassment, and intimidation of journalists and outlets. In November, high-ranking PF officials stormed the ZNBC newsroom and ordered the news director, Kenneth Maduma, and ZNBC journalists not to run stories with opposition views. Separately, in December, the UPND filed a lawsuit against the ZNBC for failing to cover Hichilema's presidential campaign rallies in its radio and television broadcasts, while giving full coverage to the PF conference and other events. In December, MISA Zambia issued a statement calling for a halt to election-related attacks on journalists and acts of censorship after reports of increases in both.

In January, the critical *Zambian Watchdog* news website leaked a version of the draft constitution; soon after, the government threatened new restrictions on internet media. Starting in June 2013 and for parts of 2014, the *Zambian Watchdog* and another independent news site, *Zambia Reports*, were blocked inside Zambia, although their content could be accessed on mobile phones, using circumvention tools and mirror sites, and via Facebook and Twitter.

Constitutionally protected religious freedom is respected in practice. The government does not restrict academic freedom.

#### **E. Associational and Organizational Rights: 7 / 12**

Freedom of assembly is guaranteed under the constitution but is not consistently respected by the government. Under the Public Order Act, police must receive a week's notice before all demonstrations. While the law does not require permits, the police in 2014 continued to break up "illegal" rallies and demonstrations, as well as indoor meetings, led by opposition groups because the organizers lacked permits. The police can choose where and when rallies are held, as well as who can address them.

Freedom of association is guaranteed by law but not always respected in practice. Nongovernmental organizations (NGOs) are required to register and reregister every five years under the 2009 NGO Act, which was signed into law by Banda but not implemented. The PF in its 2011 campaign had vowed to review the act, which also established a government-appointed board to provide guidelines and regulate NGO activity, and granted the government broad discretion to deny registration. However, in 2013 the PF attempted to implement the law, initially requiring every group to register by early November or face a ban. While many NGOs complied with the registration requirement, others resisted it as a violation of the right to freedom of association, and mounted a legal challenge. In August 2014, the government and some NGOs agreed to resolve the dispute out of court, leading to a suspension of the forced registration provision and negotiations on a self-regulatory framework that were ongoing at the end of 2014.

The law provides for the right to join unions, strike, and bargain collectively. Historically, Zambia's trade unions were among Africa's strongest, but the leading bodies, including the Zambia Congress of Trade Unions (ZCTU), have faced marginalization under PF rule. In October 2014, the ZCTU—which represents nearly all unionized public-sector workers—threatened mass protests and strikes if the government did not lift a two-year wage and hiring freeze announced in 2013. The strikes never materialized, but the ZCTU sought to secure the agreement of all presidential candidates that they would lift the freeze if elected.



**F. Rule of Law: 8 / 16**

While judicial independence is guaranteed by law, the government often does not respect it in practice. Upon taking office, Sata replaced most top judges and judicial officials, alleging that the system was corrupt and needed reform. In a disturbing development, Sata set up tribunals to probe alleged misconduct by judges (including the judges who ruled against Sata's allies in the *Zambian Airways* case), in violation of constitutional provisions on judicial independence. In 2012, Sata installed his ally and cousin, Lombe Chibesakunda, as acting chief justice of the Supreme Court after forcing out her predecessor. A legal challenge to her appointment, which had never been ratified by the National Assembly because she was past the constitutionally mandated retirement age of 65, was dismissed in April 2014. She has been accused of making biased decisions in favor of the PF.

Zambia's courts lack qualified personnel and resources, and significant trial delays are common. Pretrial detainees are sometimes held for years under harsh conditions, and many of the accused lack access to legal aid owing to limited resources. In rural areas, customary courts of variable quality and consistency—whose decisions often conflict with the constitution and national law—decide many civil matters.

Allegations of police corruption and brutality are widespread, and security forces have generally operated with impunity. There are reports of forced labor, abuse of inmates by authorities, and deplorable health conditions in the country's prisons.

Some leaders in Western Province, a traditionally poor and marginalized region, have repeatedly demanded to secede from Zambia. Successive national administrations have had a contentious relationship with the Lozi, the province's largest ethnic group. In 2012, a small group of separatists in the region declared independence after Sata reneged on a campaign promise to honor the 1964 Barotseland Agreement, which gave the area limited local self-governance and provided for future discussions of greater autonomy or independence. Presidents since independence have failed to honor such agreements.

Consensual sexual activity between members of the same sex is illegal and punishable by prison sentences of up to 15 years, and members of the LGBT (lesbian, gay, bisexual, and transgender) community have faced increased public harassment and legal prosecution in recent years. In 2013, prominent LGBT rights activist Paul Kasonkomona was arrested after calling for same-sex relations to be decriminalized on a live show on privately owned Muvi TV. Kasonkomona was acquitted of "soliciting for immoral purposes" in February 2014. Two men, Philip Mubiana and James Mwape, arrested in 2013 for engaging in homosexual acts were acquitted in July 2014.

**G. Personal Autonomy and Individual Rights: 8 / 16**

The government generally respects the constitutionally protected rights of free internal movement and foreign travel. However, movement is often hindered by petty corruption, such as police demands for bribes at roadblocks, for which perpetrators are rarely prosecuted.

Most agricultural land, on which the majority of citizens conduct subsistence farming, is administered according to customary law; while technically such land is communally held, individuals and families exercise very strong use rights. However, the president retains ultimate authority over all land in the country and can intercede to block or compel its sale or transfer. Such powers have been used to buttress a land privatization scheme since the mid-1990s that has undermined traditional land rights and resulted the accumulation of large estates by commercial agriculture and mining concerns. Zambia ranks low on indexes of economic freedom; processes for starting and operating businesses can be opaque and time consuming.

Societal discrimination remains a serious obstacle to women's rights. Women won just 17 of the 150 elected seats in the National Assembly in the 2011 polls. Women are denied

full economic participation, and rural, poor women often require male consent to obtain credit. Discrimination against women is especially prevalent in customary courts, where they are considered subordinate with respect to property, inheritance, and marriage. Rape, while illegal and punishable with up to life in prison with hard labor, is widespread, and the law is not adequately enforced. Spousal rape is not considered a crime. Domestic abuse is common, and traditional norms inhibit many women from reporting assaults.

There is significant labor exploitation in some sectors of the economy. In particular, labor abuses in Chinese-operated copper mines, including unsafe working conditions and resistance to unionization, have been reported. A 2013 report by Human Rights Watch found that these violations largely continued.

The use of children in the most dangerous forms of labor, such as mining and agriculture, is a problem in Zambia. According to the U.S. State Department's 2014 *Trafficking in Persons Report*, the most prevalent forms of exploitation in Zambia were internal trafficking of women and children for domestic servitude and forced labor in agriculture, mining, textile work, construction, and small businesses.

## Zimbabwe

**Political Rights Rating:** 5

**Population:** 14,707,000

**Civil Liberties Rating:** 6

**Capital:** Harare

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

**Electoral Democracy:** No

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	7,6,NF	7,6,NF	7,6,NF	7,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	5,6,NF	5,6,NF

### INTRODUCTION

The year 2014 was characterized by extensive political turmoil in Zimbabwe under the leadership of President Robert Mugabe and the Zimbabwe African National Union-Patriotic Front (ZANU-PF) party. Though ZANU-PF has enjoyed a two-thirds majority since elections in 2013, it has been troubled by intraparty divisions that have hindered its ability to govern. In December, Mugabe fired Vice President Joice Mujuru, long viewed as his successor, after she was accused of plotting against him. Nine ministers and six deputies loyal to Mujuru also lost their posts, and Mujuru was expelled from ZANU-PF. Mugabe promoted her main rival, Emmerson Mnangagwa, to continue as vice president and serve as acting president while Mugabe traveled at the end of 2014.

Zimbabwe's constitution, adopted in 2013, includes strong guarantees of civil and political rights and strengthens checks on executive power, but implementation of reforms in 2014 has been slow. In November 2014, the constitution was amended to further centralize executive influence, granting the president powers to appoint several previously elected top positions in the country's 49-member governing Politburo.

In September 2014, the government began demolishing thousands of residential plots it claimed were illegally constructed, as well as a transit camp settled by 18,000 victims of January 2014 floods.

**POLITICAL RIGHTS:** 12 / 40**A. Electoral Process:** 3 / 12

Zimbabwe has a bicameral legislature. In the lower chamber, the 270-seat House of Assembly, 210 members are elected by a first-past-the-post system with one member per constituency, and 60 female members are elected by proportional representation. The 80-seat Senate includes 6 members from each of Zimbabwe's 10 provinces who are elected through proportional representation, and 20 appointments, including 18 traditional leaders and 2 members representing the disabled. Members in both houses serve five-year terms.

A new constitution was adopted by popular referendum in 2013. It includes a Declaration of Rights (including a range of basic political and civil rights), limits the president to two five-year terms, removes the presidential power to veto legislation and dismiss parliament, and devolves some powers to provinces. The term-limit restriction is not retroactive, however, and gives Mugabe, who has been the country's leader since independence in 1980, the chance to serve two more terms. It also empowers the president's political party, not parliament, to select a presidential successor in the case of a death in office—a critical provision given that Mugabe turned 90 in 2014. The 2013 constitutional referendum was deemed credible by a range of domestic and outside observers, though the vote was preceded by a widespread crackdown on prodemocracy civil society.

Although far less violent than the 2008 elections, the 2013 presidential and legislative elections were marred by serious irregularities. Mugabe won the presidency with 61 percent of the vote; his opponent, Movement for Democratic Change (MDC) leader Morgan Tsvangirai, won 34 percent. ZANU-PF took 197 of the 270 seats in the National Assembly. According to the Zimbabwe Electoral Coalition (ZEC), more than 300,000 voters were rejected at the polls over registration issues, and the Zimbabwe Election Support Network (ZESN) claimed that up to one million voters were omitted from the roll or turned away at the polls. ZEC also reported that 200,000 "assisted" votes were cast, leading to accusations that ZANU-PF supporters were casting votes for people not genuinely in need of assistance. Distribution of selective benefits to ruling party supporters and use of government institutions to campaign were also rampant.

The 2012 Electoral Amendment Act reconstituted the ZEC with new commissioners nominated by all political parties, but the ZEC president and much of the staff remained partisan and susceptible to political influence. Two of the new commissioners resigned within a week of the 2013 vote. In August 2014, another Electoral Amendment Act was passed that brings electoral laws into partial compliance with the 2013 constitutional reforms. The amendments expand the powers of observers and election agents, and reduce ambiguities in the process for handling ballots. The amendments also reinstated postal voting, which was historically used to ensure that the armed forces collectively voted in favor of ZANU-PF. Legal loopholes that permit the printing of extra ballots, unfair media coverage, and interference of police officers in voter choice remain unrevised.

By-elections were held in 2014 but did not appear to reflect any updates to voter rolls. ZESN reported a troublingly high police presence at several 2014 by-election polling places.

Electoral processes were subverted in 2014 by conflict within the ruling party that resulted in a number of elected officials being dismissed from their positions, including former vice president Joice Mujuru and several elected members of parliament, ministers, and deputies. Many were accused of crimes including plots to assassinate the president and intimidation of party members. By the end of 2014, the president's unpopular wife, Grace Mugabe, was rapidly promoted from first lady to head of the ZANU-PF women's league and Politburo member.

**B. Political Pluralism and Participation:** 6 / 16

ZANU-PF has dominated politics since Zimbabwe's independence in 1980. The main opposition party, the MDC, split into multiple factions after its defeat in the 2013 elections. Given the MDC's decline, in 2014 the Mugabe administration exercised fewer strategies to suppress opposition organizing than in previous years. Nevertheless, the ruling party continues to use state institutions to punish opposition supporters and activists. In July, riot police and Central Intelligence Organization (CIO) officers arrested Jacob Ngarivhume, the leader of the newly formed political party Transform Zimbabwe, charging him under the Public Order and Security Act (POSA) for participating in an illegal public gathering. Several other members of Transform Zimbabwe reported harassment in 2014, including 16 detained without charge in April and illegal detentions of other members. In November, ZANU-PF youths attacked attendees and organizers of a Transform Zimbabwe rally in Chitungwiza in the presence of police officers and riot police. Some members of MDC factions were also arrested and assaulted in November. The same month, a Harare court acquitted the leader of the opposition Transform Zimbabwe party, who had been arrested multiple times for violating POSA.

Affiliates of the MDC have also perpetrated violence, though an increasing share of politically motivated violence in 2014 stemmed from internal ZANU-PF leadership struggles. According to monthly reports published by the Zimbabwe Peace Project, more than 2,000 politically motivated human rights violations occurred in 2014, including more than 200 cases of physical assault. Of these violations, the vast majority were perpetrated by agents of ZANU-PF.

The 2013 constitution failed to introduce reforms including greater civilian oversight or professionalization of the highly partisan security forces. Although the powerful Joint Operations Command (JOC) was supposed to be disbanded before the 2013 elections and replaced with the National Security Council (NSC), the transition never occurred, and the JOC continues to play a central role in government decision making. Under the new constitution, the NSC should be chaired by the president and composed of the vice presidents, ministers, and members of the security services. The CIO remains closely tied to the presidency and free from any substantial enforceable regulation by the legislature or bureaucracy.

**C. Functioning of Government:** 3 / 12

Corruption has become endemic since 2000, including at the highest levels of government. The collapse in public-service delivery and the politicization of food and agricultural aid have made the problem ubiquitous at the local level as well. The "Salarygate" scandal that broke in early 2014 revealed that some top government officials were being paid more than \$200,000 per month, while the institutions under their direction had huge unpaid bills or deficits. No arrests resulted from the scandal because the salaries and benefits had been legally instituted. The Zimbabwe Anti-Corruption Commission, which was enshrined in the 2013 constitution, has little independent investigative or enforcement capacity. Zimbabwe was ranked 156 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

**CIVIL LIBERTIES:** 16 / 60**D. Freedom of Expression and Belief:** 6 / 16

Freedom of the press is restricted. Although the new constitution's Declaration of Rights protects freedom of the media and of expression, the country's repressive legal framework—including the Access to Information and Protection of Privacy Act, the Official

Secrets Act, POSA, and the Criminal Law (Codification and Reform) Act (CLCRA)—has yet to be reformed. In general, these laws restrict who may work as a journalist by requiring journalists to register with the state. They severely limit what journalists may publish and mandate harsh penalties, including long prison sentences, for violators.

A series of court rulings beginning in 2013 weakened CLCRA provisions that criminalize undermining the authority of the president and publishing falsehoods detrimental to the state. In November 2013 and June 2014 the Constitutional Court ruled that these provisions are harmful and unconstitutional under the old constitution. However, by the end of 2014 it remained ambiguous whether this ruling would apply under the new constitution.

In April 2014, the editor of *NewsDay* was charged with violating the CLCRA after publishing allegations of police responsibility for the death of a child. Other journalists, including editor Edmund Kudzayi of the *Sunday Mail*, were arrested in June and the offices of journalists and editors continue to be illegally searched. Kudzayi and his brother were charged with insurgency and terrorism for their alleged role as administrators of the government watchdog “Baba Jukwa” Facebook page and blog.

The state-controlled Zimbabwe Broadcasting Corporation (ZBC) and New Ziana news agency continue to dominate broadcast media. Access to international news via satellite television is prohibitively expensive for most Zimbabweans. The government keeps close tabs on radio access, particularly around elections. During the constitutional referendum in 2013, radios that had been fixed with the ability to receive all frequencies were banned and confiscated. Since October 2013, the Broadcasting Authority of Zimbabwe (BAZ) has been processing applications for new private radio stations, after issuing two new private radio licenses to ZANU-PF-affiliated stations in 2012. The government has not offered new licenses for community radio stations, which tend to be independent and often antigovernment, nor has it taken any steps to license private television broadcasters. Internet access and use have expanded rapidly in recent years and access is rarely blocked or filtered, though during 2014 ZANU-PF leaders discussed passing a cybersecurity bill.

While freedom of religion has generally been respected in Zimbabwe, church attendance has become politicized. Some religious groups and individual pastors have faced harassment and arrest. In July 2014, the government announced plans to require registration of churches.

Academic freedom is somewhat limited, though prominent academics rank among the regime’s most vociferous critics. Mugabe serves as the chancellor of all eight state-run universities, and the Ministry of Higher Education supervises education policy at universities. The ZANU-PF-affiliated Zimbabwe Teachers’ Union has been accused of intimidating teachers in rural areas to mobilize support for the ruling party and enforcing the teaching of political indoctrination. Students continue to face harassment or arrest for protesting government policy.

#### **E. Associational and Organizational Rights: 3 / 12**

Freedom of assembly is limited, though protests do occur. POSA requires police permission for public meetings and demonstrations, allows police to impose arbitrary curfews, and forbids criticism of the president. Protests were disrupted or disallowed several times in 2014, and, in some cases, police beat protesters. In August, riot police used violence and indiscriminate arrests to quell protests over living conditions in a camp for displaced persons in southern Zimbabwe. Police assaulted and arrested a small group of protesters that attempted to occupy Africa Union Square in Harare in fall 2014.

Nongovernmental organizations (NGOs) are active and professional, but they are regularly subject to legal restrictions under POSA, the CLCRA, and the Private Voluntary Or-

ganisations Act. This legislation is often implemented in a partisan manner and violates the rights laid out in the 2013 constitution. In addition to legal harassment, NGOs, human rights lawyers, and civil society workers face extralegal harassment and arbitrary arrest by security services. For instance, peaceful demonstrators were arrested in Harare in January 2014 and in Masvingo in April; in some cases they were assaulted by police while in custody.

Despite legal challenges, POSA has frequently been invoked to justify detentions and arrests of groups and individuals organizing meetings or demonstrations. Organizers in Masvingo and Victoria Falls were arrested and charged with organizing illegal public meetings in the summer and winter of 2014.

The Labor Act allows the government to veto collective bargaining agreements that it deems harmful to the economy. Strikes are allowed except in “essential” industries. Because the Zimbabwe Congress of Trade Unions (ZCTU) has led resistance to Mugabe’s rule, it has become a particular target for repression. It has also seen its membership decline due to closure of companies, and this has affected the ability to organize and mobilize workers. In July 2014, police banned a peaceful march over corruption and late salary payments by workers in the Zimbabwe Railways and Artisans Union, a move that the Constitutional Court subsequently ruled unconstitutional.

#### **F. Rule of Law: 2 / 16**

Pressure from the executive branch has substantially eroded judicial independence over the past 15 years, but courts do rule against the government in some cases. The Constitutional Court made several such rulings in 2014, including on defamation as well as in favor of dual citizenship, which the ruling party had long opposed. The High Court convicted and sentenced several ZANU-PF party operatives for their role in the murder of an MDC activist during the 2008 elections. In contrast, the May 2013 ruling that elections had to be held by July 31 was largely considered to be a product of political interference by Mugabe and ZANU-PF, which favored such an earlier election date. The Constitutional Court also ruled the elections were free and fair in the face of evidence to the contrary. The government has repeatedly refused to enforce court orders. Vacancies for scores of magistrate posts have caused a backlog of around 15,000 cases in the three highest courts.

The government has so far failed to fully implement new and update standing legislation as mandated by the 2013 constitution. In some cases, this has left the judiciary to struggle with interpreting contradictions between the new constitution and existing law.

Security forces abuse citizens, often ignoring basic rights regarding detention, searches, and seizures. The government has taken no clear action to halt the incidence of torture and mistreatment of suspects in custody. In September 2014, the Law Society of Zimbabwe expressed concern at the high number of deaths in police custody.

Lengthy pretrial detention remains a problem, and despite some improvements in recent years, prison conditions remain harsh and sometimes life-threatening. By official estimates, 17 percent of detainees have not yet been convicted. Overcrowding, poor sanitation, and food shortages have contributed to HIV, tuberculosis infections, and other illnesses among inmates. In June 2014, the Constitutional Court ruled in a case brought by Women of Zimbabwe Arise (WOZA) that the conditions in the Harare Central detention center violated prisoners’ rights.

The Declaration of Rights contained in the 2013 constitution is considered an improvement because it guarantees equal treatment of citizens under the law. The constitution gives those arrested the right to contact relatives, advisers, and visitors; to be informed of their rights; and to be released after 48 hours unless a court orders them to remain detained. However, these rights are often infringed upon in practice.

Discrimination on the basis of a broad range of characteristics is prohibited under the 2013 constitution. In 2014, most minority groups in Zimbabwe did not face violence or legal discrimination on the basis of their minority status. Discrimination on the basis of sexual orientation, however, is not expressly prohibited. Sex between men is a criminal offense and can be punished with a fine and up to one year in prison. Mugabe has been vocal in his opposition to same-sex sexual relations, and LGBT (lesbian, gay, bisexual, and transgender) groups have been subject to regular harassment by security forces.

#### **G. Personal Autonomy and Individual Rights: 5 / 16**

High passport fees inhibit legal travel abroad. At the same time, badly underfunded immigration and border authorities lack the capacity to effectively enforce travel restrictions. In a positive development, the new constitution gives citizenship rights back to Zimbabwean nationals born to foreign parents; these nationals had been stripped of automatic citizenship by a 2001 amendment to the Citizenship Act. However, application of the law has not been widespread. Aside from a brief period surrounding the elections, domestic and international travel is less restricted than it has been in the past, when the government would seize passports of domestic opponents or expel or deny entry to foreign critics.

Property rights are not respected. Operation Murambatsvina in 2005 displaced hundreds of thousands of urban residents, many of whom received no compensation and still lack adequate housing. In 2014, in the high-density suburbs of Chitungwiza and Epworth, 14,000 residential plots were identified for demolition. Demolitions left thousands homeless and were carried out without the necessary court orders before being mostly halted by a high court order in October. As many as 18,000 families displaced by the January 2014 Tokwe Mukosi floods, now living in Chingwizi transit camp, faced arrest, assault, and the destruction of tents by the army and police in July and August.

In rural areas, the nationalization of land has left both commercial farmers and smallholders with limited security of tenure. Farmers without title to their land have little collateral to use for bank loans. Seizures of land owned by white commercial farmers increased in 2014, and attackers killed a white farmer and his daughter in May.

The 2007 Indigenization and Economic Empowerment Act stipulates that 51 percent of shares in all companies operating in Zimbabwe must be owned by black Zimbabweans. Despite postelection fears that an unfettered ZANU-PF would use the indigenization laws to expropriate foreign businesses, since the 2013 elections the statements of Finance Minister Patrick Chinamasa and Mugabe have suggested that ZANU-PF will selectively apply the indigenization laws to avoid discouraging foreign investment. As of 2014, many foreign mining companies have complied with the indigenization policy, while the financial sector was understood to be exempt. More generally, many businesses in Zimbabwe are required to deliver material support to political elites in order to maintain permission to operate.

Women enjoy extensive legal protections, and women serve as ministers in the national and local governments. However, societal discrimination and domestic violence persist, and sexual abuse is widespread. Female members of the opposition often face particular brutality at the hands of security forces. The prevalence of customary laws in rural areas undermines women's civil rights and access to education. About one-third of Zimbabwean girls do not attend primary school and two-thirds do not attend secondary school due to poverty, abuse, and discriminatory cultural practices. Child marriage has been increasing, with approximately one-third of girls married before they turn 18 and 5 percent before they turn 15.

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# Abkhazia

**Political Rights Rating:** 4

**Population:** 242,800

**Civil Liberties Rating:** 5

**Freedom Rating:** 4.5

**Freedom Status:** Partly Free

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,5,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF	4,5,PF	4,5,PF	4,5,PF

### INTRODUCTION

In June 2014, Aleksandr Ankvab resigned from the presidency amid protests led by the Coordinating Council, a joint opposition group. A snap presidential election was held in August, and Raul Khajimba—the leader of the Coordinating Council—won with more than 50 percent of the vote. Thousands of ethnic Georgians from the district of Gali were barred from voting. In November, Abkhazia and Russia signed a treaty stipulating closer Abkhaz-Russian relations, particularly in military and economic matters. The treaty was highly criticized domestically and internationally, with opponents claiming that its terms serve to expand Russian influence on the territory.

At the end of 2014, only Russia, Venezuela, Nicaragua, and the Pacific Island state of Nauru recognized Abkhazia's independence from Georgia.

**POLITICAL RIGHTS:** 18 / 40

**A. Electoral Process:** 6 / 12 (-1)

Abkhazia's 1999 constitution established a presidential system, in which the president and vice president are elected for five-year terms. The parliament, or People's Assembly, consists of 35 members elected for five-year terms from single-seat constituencies. Under the constitution, only ethnic Abkhaz can be elected to the presidency. The more than 200,000 ethnic Georgians who fled the region during the 1992–93 war—in which Abkhazia secured de facto independence—cannot vote in Abkhazia's elections. None of Abkhazia's elections have been recognized internationally.

The 2012 parliamentary elections marked a significant shift toward independents, who captured 28 of the 35 seats, compared with 4 for opposition parties and only 3 for the ruling United Abkhazia party. Six of the nine incumbents seeking reelection were defeated, including the outgoing parliamentary speaker. Amid a low 44 percent turnout, only 13 candidates won majorities in the first round, requiring runoff votes for the remaining 22 seats.

A snap presidential election was held in August 2014, following Ankvab's resignation amid widespread public protest and upheaval. The protests followed his refusal to meet the demands of the newly formed Coordinating Council—an amalgam of opposition parties and movements—that included the dismissal of Ankvab's cabinet and the redistribution of power from the office of the president to that of the prime minister. Parliamentary speaker Valery Bganba was designated acting president following Ankvab's resignation.

Four candidates competed for the presidency. Khajimba, who had run in three previous presidential elections, won with 50.57 percent of the vote, followed by former leader of the State Security Service Aslan Bzhanias with 35.9 percent. Former defense minister Mirab



Kishmaria captured approximately 6 percent, and former interior minister Leonid Dzapshba won over 3 percent of the vote. Khajimba was inaugurated in September; he has formerly served as vice president, prime minister, and defense minister.

More than 20,000 Gali Georgians were disenfranchised before the election, when Abkhaz authorities removed their names from voter lists; the decision was partly driven by claims that the Gali Georgian's Abkhaz passports were illegal. The political status of this group had been a point of serious contention between Ankvab and the opposition, who claimed that ethnic Georgians in Abkhazia posed a security threat. Gali Georgians had been allowed to vote in previous elections.

**B. Political Pluralism and Participation:** 8 / 16 (+1)

Abkhazia's opposition has grown stronger in recent years, and various opposition parties and figures have spearheaded protest movements against incumbent presidents in recent years. In 2014, growing opposition cooperation culminated in the actions of the Coordinating Council, which actively challenged the Ankvab administration through political protest and dialogue. A broad range of opposition parties representing different political beliefs participated in the Coordinating Council, and the wave of protests organized by the group throughout May 2014 led to Ankvab's resignation and the subsequent presidential election.

The Georgian government elected in 2012 had adopted a softer policy toward Abkhazia, no longer discouraging Gali Georgians from seeking Abkhaz passports; more than 20,000 of them had received the documents. Following protracted public debate and pressure from then-opposition members, Ankvab suspended issuance of Abkhaz passports to Gali Georgians in 2013. The passports carry significant legal benefits, entitling residents to vote, own property, run a business, and obtain Russian citizenship and pensions.

**C. Functioning of Government:** 4 / 12

The ability of elected authorities to set and implement policies is limited by the influence of Moscow. Moscow provides direct budgetary support amounting to roughly a fifth of Abkhazia's state budget, additional funds for aid projects and civilian infrastructure, and some \$70 million annually in pension payments, as most Abkhaz residents hold Russian passports. Since 2008, Moscow has spent at least \$465 million to build or rehabilitate military infrastructure in Abkhazia, including the largest military airfield in the South Caucasus and a strategic naval base close to Tbilisi. According to Russian officials, roughly 5,000 Russian military and other security personnel remain stationed in Abkhazia.

Moscow extended its already significant military and economic control over the region in a treaty signed in November 2014. The treaty, focusing on deepening bilateral relations, stipulates the creation of a joint Russian-Abkhaz military force, increased Russian funding to regional military efforts, and the doubling of Russian subsidies to Abkhazia. The terms of the agreement also state that Russia will respond to an attack on Abkhazia as an attack on itself. The treaty negotiations were met with contentious public debate in Abkhazia, and although several unpopular provisions were removed from the final draft, its signing was nevertheless condemned by the Abkhaz opposition and international community, including Georgia. Critics argued that the terms infringe on Abkhaz autonomy.

Corruption is believed to be extensive, and government officials are not required to provide declarations of income. In 2013, Russia's Audit Chamber reported that only half of the aid funds allocated for 2010–12 had been spent, citing poor planning and oversight as well as noncompetitive contracting practices.

**CIVIL LIBERTIES:** 23 / 60 (+1)**D. Freedom of Expression and Belief:** 8 / 16

Local broadcast media are largely controlled by the government, which operates the Abkhaz State Television and Radio Company (AGTRK). Abkhaz journalists criticized Khajimba in 2014 for failing to reform AGTRK, including for keeping it under government control. Major Russian television stations broadcast into Abkhazia. The print media are considered more influential, consisting of several weekly newspapers. The government publication *Respublika Abkhazii* competes with two main independent papers, *Chegemskaya Pravda* and *Novaya Gazeta*, which are openly critical of government policies. Some legal restrictions apply to both traditional and online media, including criminal libel statutes. In August 2014, a car belonging to the editor of the newspaper *Nuzhnaya Gazeta* was shelled with an automatic weapon, although no one was harmed. The perpetrator had not been found at year's end. Internet access continues to increase, with over a quarter of the population believed to be online.

Religious freedom in Abkhazia is affected by the political situation. In 2011, the Abkhaz Orthodox Church split into two factions; while both officially support autocephaly, or independence, for the Abkhaz church, the newer faction accused the established leadership of acquiescing to de facto control by the Russian Orthodox Church. Outside Abkhazia, the territory is still formally considered to be in the Georgian Orthodox Church's jurisdiction.

Abkhazia's Muslims, who make up about 30 percent of the population, are allowed to practice freely, though a series of murders and assassination attempts have targeted local religious leaders in recent years. Jehovah's Witnesses continue to practice openly, but they were banned by a 1995 decree and have recently reported increased pressure from local authorities.

The Abkhaz constitution offers some protection for education in minority languages. Armenian-language schools generally operate without interference, but Gali's schools are officially allowed to offer instruction only in Russian or Abkhaz. While Georgian is often used in these schools in practice, enforcement by the authorities has reportedly been on the rise. Some ethnic Georgian students regularly travel to Georgian-controlled territory to attend classes. Ethnic Georgian residents without Abkhaz passports are restricted from attending Sukhumi State University.

**E. Associational and Organizational Rights:** 6 / 12 (+1)

Opposition and civil society groups have mounted regular protests since 2013. The May 2014 protests leading Ankvab to step down from the presidency drew thousands of local residents and opposition members. The protests were conducted nonviolently, with broad-ranging political support, and without major interference from security forces. Many of the protests took place in front of the presidential headquarters, and protesters briefly occupied the building, as well as the offices of AGTRK, in the week preceding Ankvab's resignation.

Although most nongovernmental organizations (NGOs) rely on funding from outside the territory, the NGO sector exerts significant influence on government policies.

**F. Rule of Law:** 4 / 16

The judicial code is based on Russia's, and the criminal justice system suffers from chronic problems, including limited defendant access to qualified legal counsel, violations of due process, and lengthy pretrial detentions. Local NGOs have petitioned for significant judicial reform.

Gali's ethnic Georgian residents continue to suffer from widespread poverty and undefined legal status, though the security situation in Gali is reported to have improved in 2013 and 2014 following an increase in violence over the previous two years, during which eight Abkhaz officials and one Russian soldier were killed, according to Abkhaz sources. In June 2014, a Georgian court sentenced a Russian citizen from Chechnya to 12 years in prison for the 2013 murder of a Russian consulate officer in Sukhumi.

### **G. Personal Autonomy and Individual Rights: 5 / 16**

Travel and choice of residence are limited by the ongoing separatist dispute. Most ethnic Georgians who fled Abkhazia during the early 1990s live in Tbilisi and western Georgia. As many as 47,000 former Gali residents have returned to Abkhazia since 1994, with an additional 5,000 who commute between Abkhazia and Georgia. Travel permits remain expensive and burdensome to obtain, and travel has become more difficult since Russian border guards closed the administrative line between Abkhazia and Georgia and took control of the sole official crossing point in 2012. About 90 percent of Abkhazia's residents hold Russian passports, as Abkhaz travel documents are not internationally recognized. Since the 2008 war, ethnic Abkhaz have had greater difficulty receiving visas to travel abroad, including to the United States and European Union countries.

Equality of opportunity and normal business activities are limited by corruption, criminal organizations, and economic reliance on Russia, which accounts for nearly all foreign investment.

Foreigners are barred from buying Abkhaz property by law, and some ethnic Russians have reported that their homes have been confiscated. An early draft of the November 2014 Abkhaz-Russian pact had included a provision that would have expedited procedures for ethnic Russians to gain Abkhaz citizenship and thus purchase property. The provision was removed by Abkhaz authorities.

A strong NGO sector has contributed to women's involvement in business and civil society. However, Abkhaz women complain of being underrepresented in government positions, holding only one of the 35 legislative seats.

## **Crimea**

**Political Rights Rating:** 7

**Population:** 2,400,000

**Civil Liberties Rating:** 6

**Freedom Rating:** 6.5

**Freedom Status:** Not Free

### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

<b>Year Under Review Rating</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
	—	—	—	—	—	—	—	—	—	7,6,NF

### **INTRODUCTION**

In late February 2014, after Ukrainian president Viktor Yanukovich fled Kyiv in the face of a victorious opposition protest movement, Russian military forces invaded and occupied the Crimean Peninsula. Russian president Vladimir Putin initially claimed that local "self-defense" forces were responsible, but in April he admitted that Russian troops had

played a role. On March 1, Russia's Federation Council had formally granted him permission to deploy Russian forces to Ukraine as needed.

At the start of the invasion in late February, a group of armed men imposed Sergey Aksyonov as the acting leader of Crimea by forcing the Crimean parliament to elect him at gunpoint. Before coming to power, he had been a marginal political figure in the region, and his pro-Moscow Russian Unity party won only 4 percent of the vote in the 2010 legislative election. Aksyonov had reputedly been involved in organized crime during the 1990s.

Once its troops were firmly in control, Moscow and its local proxies hastily organized a March 16 referendum on whether Crimea should join the Russian Federation. Russian authorities claimed that turnout was 83 percent, with 97 percent of participants voting in favor of annexation. However, a report by Russian human rights experts that was posted on the website of the Russian Presidential Council for Civil Society and Human Rights found that turnout was only 30 to 50 percent, with just 50 to 60 percent of participants voting in favor of annexation. Opinion polls taken in February showed that a majority of Crimean residents did not want to become part of Russia. Most of the international community denounced the vote as a charade, and only six member states of the United Nations recognized the secession as valid. The referendum notably violated the Ukrainian constitution, which requires a nationwide vote to change the country's borders.

In violation of international law, Russia formally incorporated Crimea into the federation on March 18. In response, the United States, the European Union, and a number of allied countries placed economic sanctions on key Russian individuals and companies. On April 15, Ukraine's parliament declared Crimea to be a territory temporarily occupied by Russia, and the government restricted trade with the peninsula, but Ukrainian leaders offered no short-term strategy on how to restore Kyiv's control.

A commission drafted a new constitution for Crimea based on Russia's own charter, and it went into effect on April 12. The Russian military presence continued to expand during the year, and the peninsula switched to the Russian ruble on June 1.

**POLITICAL RIGHTS:** -1 / 40

**A. Electoral Process:** 0 / 12

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 that had also been governed separately under Ukrainian control. Sevastopol's political institutions largely mirror those of Crimea proper in their structure and observance of democratic norms.

The head of the Republic of Crimea is elected by its legislature, the Crimea State Council, for a term of five years and is limited to two consecutive terms. Lawmakers choose the leader based on a list of nominees prepared by the Russian president. On October 9, they unanimously elected Aksyonov, the acting leader, as the head of the republic, and he simultaneously served as prime minister.

The Crimea State Council consists of 75 members elected for a term of five years. Two-thirds of the members are elected by party list and one-third in single-member districts. Legislative elections under the Russian-organized constitution took place on September 14, the same day as Russia's regional elections. All of the parties allowed to contest the elections supported Putin, no pro-Ukraine parties were allowed to participate, and the ethnic Tatar minority boycotted the voting. The ruling party in Russia, United Russia, took 70 seats, while the ultranationalist Liberal Democratic Party of Russia secured the remaining 5 seats. No other parties crossed the 5 percent vote threshold to enter the parliament. The elections were not widely recognized internationally.

Residents of Crimea were not permitted to take part in Ukrainian presidential and parliamentary elections held in May and October 2014.

**B. Political Pluralism and Participation:** 0 / 16

The Russian occupation authorities use intimidation and harassment to eliminate any public opposition to the annexation of Crimea and to the current government. The Russian Federal Security Service (FSB), the local police, and “self-defense” units made up of pro-Russian residents enforce this political order. Approximately 20,000 people who opposed Russian rule fled the territory by the end of the year. Ukrainian political parties are not able to operate, and the Crimean Tatars—the only group that has continued to openly oppose the Russian occupation—has faced considerable political persecution. The headquarters of the Mejlis, the official but nongovernmental representative body of the Crimean Tatar people—was seized and closed by the authorities in September. The incumbent chairman of the body, Refat Chubarov, had been banned from the territory in July.

**C. Functioning of Government:** 0 / 12

All major policy decisions are made in Moscow and executed by Putin’s representatives in Crimea or the local authorities, who are beholden to Moscow. Given the territory’s relative poverty under Ukrainian rule and the collapse of its key tourism and agricultural sectors following the occupation, it now relies heavily on Russian subsidies. International sanctions, dependence on mainland Ukraine for water and electricity supplies, and the lack of a land connection to Russia all put the region under severe logistical stress. Conditions contributing to corruption include Crimea’s history of pervasive graft during the Yanukovich era, the newly dominant role of Russia’s corrupt political establishment, and the need to evade economic sanctions.

**Discretionary Political Rights Question B:** -1 / 0

Russian and local pro-Russian officials’ policies and actions in Crimea have led to an influx of 30,000 to 35,000 Russian troops and additional civilian personnel, an outflow of many ethnic Ukrainians, and the persecution of ethnic Tatars. The Russian occupation also represents a major setback to Tatars’ long-term campaign to reestablish property and other rights that were lost in a Soviet-era mass deportation of the group. In late March 2014, Crimea’s deputy prime minister warned that Tatars would be asked to vacate illegally occupied land.

**CIVIL LIBERTIES:** 11 / 60

**D. Freedom of Expression and Belief:** 3 / 16

Free speech is severely limited in Crimea. In addition to other restrictive Russian laws, a December 2013 amendment to the Russian criminal code that took effect in May 2014 banned public calls for action aimed at violating Russia’s territorial integrity, meaning statements against the annexation, including in the media, could be punished with up to five years in prison.

Under Ukrainian rule, Crimea hosted a flawed but relatively pluralistic media environment. The occupation authorities have essentially cut the territory off from access to Ukrainian television, with armed men seizing the transmission centers and imposing Russian broadcasters. Only a few Ukrainian entertainment channels are left on some cable systems. Independent and pro-Ukrainian media no longer function in Crimea. A television station affiliated with the anti-Yanukovich Ukrainian political opposition, TV Chornomorska, was taken off the air in March, and bailiffs sealed its premises on August 1 under court order.

Media owned by the Crimean Tatars have come under particular scrutiny. The FSB has accused Shevket Kaybullayev, the chief editor of the Mejlis's *Avdet* newspaper, of publishing extremist articles, issuing him a series of warnings. Similarly in September, the authorities accused ATR, the region's only Tatar broadcaster, of inciting extremism.

Russia has also replaced Crimean internet service providers with Russian equivalents. The state-controlled Rostelecom laid an internet cable across the Kerch Strait and began providing service to the peninsula in late July. Crimea's internet service providers now must operate under Russia's increasingly draconian media laws, and independent websites have come under digital attack. Blogger Yelizaveta Bohutskaya, popular on Facebook for her criticism of the Crimean authorities, fled the territory for mainland Ukraine after the police searched her house, confiscated her computer, and questioned her for three hours in September. The occupation authorities have targeted opposition journalists for violent attacks, and at least two suffered beatings in June.

In their efforts to suppress opposition to the annexation, the occupation authorities often target Ukrainian religious institutions and schools that promote Ukrainian language, history, and culture. Nearly one-third of Ukrainian Orthodox churches had been forced to close by November, and at least one Roman Catholic parish leader was forced to leave Crimea. Schools must use Russia's curriculum, and regular instruction in the Ukrainian language was rapidly phased out during 2014. The authorities also reduced the amount of class time devoted to teaching the Ukrainian and Tatar languages.

The FSB reportedly encouraged residents to inform on neighbors who expressed opposition to the annexation, and a climate of fear and intimidation seriously inhibited private discussion of political matters.

#### **E. Associational and Organizational Rights:** 1 / 12

Freedoms of assembly and association are restricted. The authorities blocked plans by the Crimean Tatars to hold a street rally in central Simferopol on May 18 to mark the anniversary of their 1944 deportation. Thousands of Tatars gathered near a mosque on the city's outskirts instead, but police closed surrounding roads to prevent others from joining, and military helicopters flew low over the assembly. The de facto authorities, including the FSB, repress all independent political and civic organizations. Nongovernmental organizations are subject to harsh Russian laws that enable state interference and obstruct foreign funding.

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

Under Moscow's rule, Crimea is subject to the Russian judicial system, which lacks independence and is effectively dominated by the executive branch. In keeping with Russian laws that bar dual citizenship for public officials, the occupation authorities in 2014 required all judicial and law enforcement officers to exchange their Ukrainian passports for Russian documents as a condition for retaining their positions. Irregular, paramilitary "self-defense" groups operate with impunity, and a permanent auxiliary police force was created out of such units in November.

Crimea's approximately 300,000 Tatars often suffered discrimination under Ukrainian rule at the hands of local authorities and communities, affecting their access to land ownership, employment, social services, and educational opportunities in their native language. Nevertheless, the Tatars staunchly opposed the Russian annexation and have suffered much

harsher discrimination as a result. The authorities searched the houses of many Crimean Tatars during 2014, and Aksyonov threatened in September to expel or prosecute those who incite divisions on ethnic grounds.

Tatar leaders and activists faced exile, arrest, or abduction and murder during the year. In addition to the closure of the Mejlis and the barring of reentry by its current chairman, the Crimean authorities banned Mustafa Dzhemilev—a prominent Soviet dissident, Ukrainian parliament member, and longtime leader of the Mejlis—from entering Crimea for five years. Russian officials moved his son, who had been held in Crimea since 2013 on a murder charge, to a prison in Russia despite a July 10 European Court of Human Rights order calling for his release. By year's end, at least 19 activists who supported the Crimean Tatar cause had disappeared, and two were later found dead.

Other opponents of the annexation were also targeted. Film director Oleh Sentsov and three other Ukrainian citizens were arrested in Crimea and charged with plotting terrorist acts; one defendant, Hennadiy Afanasyev, received a seven-year prison sentence in late December, while the others remained in pretrial detention in Moscow. Sentsov's activism had reportedly included delivering food to Ukrainian troops who were trapped on their bases after the Russian invasion. Three pro-Ukrainian activists were abducted and disappeared in May.

After the annexation, Crimea became subject to Russia's 2013 law banning dissemination of information that promotes "nontraditional sexual relationships," which tightly restricts the activities of LGBT (lesbian, gay, bisexual, and transgender) people. In April the authorities rejected requests to hold pride parades in Sevastopol and Simferopol, citing the Russian law.

#### **G. Personal Autonomy and Individual Rights: 7 / 16**

The Russian occupation authorities sought to compel Crimea residents to accept Russian citizenship and turn in 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.

Property rights in general are poorly protected, and the Russian invasion has resulted in a redistribution of assets. The occupation authorities effectively seized Ukrainian state property, and a law passed by the Crimean legislature in August allows the government to condemn and purchase "strategic" assets. The government has also taken over property that it deemed to have been privatized illegally, such as the Yalta film studio and assets owned by Ukrainian business magnate and Dnipropetrovsk governor Ihor Kolomoyskyy. The Ukrainian Justice Ministry estimated in December that about 4,000 entities had been expropriated, often on dubious grounds, with seizures frequently implemented by paramilitary forces. Confiscated property has been distributed among Russian and local pro-Russian agencies and companies.

Government officials demonstrate little interest in or understanding of gender issues. Discrimination on the basis of gender, physical appearance, and age are not uncommon.

# Gaza Strip

**Political Rights Rating:** 7

**Population:** 1,816,000

**Civil Liberties Rating:** 6

**Freedom Rating:** 6.5

**Freedom Status:** Not Free

*Note:* Whereas past editions of *Freedom in the World* featured one report for Israeli-occupied portions of the West Bank and Gaza Strip and another for Palestinian-administered portions, the five latest editions divide the territories based on geography, with one report for the West Bank and another for the Gaza Strip. As in previous years, Israel is examined in a separate report.

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	—	—	—	—	—	6,6,NF	6,6,NF	6,6,NF	7,6,NF	7,6,NF

## INTRODUCTION

The Gaza Strip was the focus of fighting in a 50-day conflict in July and August 2014 between Israeli forces and Hamas militants, dubbed Operation Protective Edge by the Israeli military. More than 2,100 Palestinians were killed, including an estimated 1,500 civilians. Sixty-six Israeli soldiers were also killed, as were seven civilians in Israel.

In addition to the devastating effects of the war, Gaza residents continued to face serious restrictions on press freedom and other civil liberties throughout 2014.

Negotiations aimed at repairing the seven-year-old rift between Hamas in Gaza and the Fatah-led Palestinian Authority (PA) in the West Bank made limited progress during the year. While a new unity government was announced in June, at year’s end it had yet to take effective control in Gaza or merge the two bureaucracies.

**POLITICAL RIGHTS:** 5 / 40

**A. Electoral Process:** 2 / 12

Residents of Gaza were never granted citizenship by either Egypt or Israel, and are mostly citizens of the PA. The Hamas-controlled government in the territory claimed to be the legitimate leadership of the PA. However, the authority—a quasi-sovereign entity created by the 1993 Oslo Accords—is effectively fractured, and Hamas officials implement PA law selectively.

The PA president is elected to four-year terms, and international observers judged the 2005 presidential election to be generally free and fair. However, PA president Mahmoud Abbas lost control over Gaza after the 2007 Fatah-Hamas schism, and Prime Minister Ismail Haniya of Hamas continued to lead the government in Gaza despite being formally dismissed by Abbas. Other Hamas ministers remained in their posts in Gaza after almost all Fatah-affiliated leaders were expelled or fled to the West Bank. When Abbas’s elected term expired in 2009, Hamas argued that the PA Basic Law empowered the head of the Palestinian Legislative Council (PLC)—Aziz Dweik of Hamas—to serve as acting president.

The unicameral, 132-seat PLC serves four-year terms. Voting in Gaza during the 2006 PLC elections was deemed largely fair by international observers. Hamas won 74 seats, while Fatah took 45. The subsequent Hamas-Fatah rift, combined with Israel’s detention of many (especially Hamas-affiliated) lawmakers, has prevented the PLC from meeting since 2007, and its term expired in 2010. No elections have been held since 2006.



In May 2011, Hamas and Fatah agreed to form a national unity government that would organize presidential and parliamentary elections and increase security coordination, but negotiations on implementing the pact soon stalled. After further talks, the two sides reached agreement in April 2014, and a new cabinet was announced in early June. Following the summer conflict with Israel, another agreement in September laid out the terms by which the unity PA government—headed by Abbas and his prime minister, Rami Hamdallah—would merge the administrations and take control of Gaza and its border crossings. However, when the government’s initial six-month term expired in December, the plan had yet to be implemented. Hamas was still in de facto control of the territory at year’s end.

#### **B. Political Pluralism and Participation: 2 / 16**

Since the 2007 schism, Gaza has effectively functioned as a one-party state, with Fatah largely suppressed and smaller factions tolerated to varying degrees. There is little to no public display of opposition party activities, and negligible party organizing. In January 2013, Hamas authorities allowed a mass rally by Fatah supporters in Gaza for the first time in several years. However, despite the unity government deal concluded in 2014, relations between the two factions and their supporters remained hostile.

#### **C. Functioning of Government: 1 / 12**

The expiration of the presidential and parliamentary terms in 2009 and 2010 has left Gaza’s authorities with no electoral mandate, and the continued failure to set new election dates in 2014 further undermined their legitimacy. The ability of local officials to make and implement policy is limited by Israeli and Egyptian border controls, Israeli military actions, and the fact that the Palestinian territories remain politically divided.

Humanitarian organizations and donor countries allege that Hamas exerts almost total control over the distribution of funds and goods in Gaza, and allocates resources according to political criteria with little or no transparency, creating ample opportunity for corruption. The September 2014 unity agreement raised hopes that donor funds would flow through an internationally recognized PA structure, but the stability and effectiveness of the pact remained in doubt at year’s end.

#### **CIVIL LIBERTIES: 10 / 60**

#### **D. Freedom of Expression and Belief: 5 / 16 (+1)**

The media are not free in Gaza. In 2008, Hamas replaced the PA Ministry of Information with a government Media Office and banned all journalists not accredited by it; authorities also closed down all media outlets not affiliated with Hamas. According to the Palestinian Center for Development and Media Freedoms (MADA), the 2011 political reconciliation deal promised to end Hamas’s ban on the import of three West Bank newspapers—*Al-Ayyam*, *Al-Quds*, and *Al-Hayat al-Jadida*—that are generally associated with Fatah. In May 2014, *Al-Quds* was finally allowed back into Gaza. Blogging and other online media activity have reportedly increased in recent years.

During Operation Protective Edge in 2014, 16 journalists, 1 media worker, and 1 “media activist” were killed, according to MADA. The Committee to Protect Journalists found that the deaths of 4 journalists and 3 media workers during the conflict occurred in the course of their work. Israeli forces reportedly targeted buildings housing media outlets associated with Hamas. For the first half of 2014, MADA reported 16 Palestinian violations of media freedoms in Gaza, including physical violence, detentions, prevention of coverage, and threats.

Freedom of religion is restricted in Gaza. The PA Basic Law declares Islam to be the official religion of Palestine and states that “respect and sanctity of all other heavenly re-

ligions (Judaism and Christianity) shall be maintained.” Hamas authorities have enforced traditional Sunni Islamic practices and conservative dress, and have regularly harassed worshippers at mosques not affiliated with Hamas. The Christian population in Gaza—which numbers about 1,500, down from some 5,000 in the mid-1990s—has also suffered harassment. Violent attacks have reportedly declined in recent years, though a church in Gaza City was bombed in February 2014.

Hamas has taken over the education system, aside from schools run by the United Nations. A teachers’ strike in 2009 led to the replacement of many strikers with new, Hamas-allied teachers. Hamas security officials have confiscated copies of “immoral” novels from (mostly university) bookstores, according to Human Rights Watch. In 2013, Hamas segregated schools by gender for pupils above age nine.

The Egyptian and Israeli blockade has restricted access to school supplies. While university students are ostensibly allowed to leave Gaza, they must be escorted by foreign diplomats or contractors. In practice, Gazans are now mostly absent from West Bank universities.

The 2014 conflict took a toll on educational institutions; the Islamic University was destroyed by Israeli fire, and two other universities were damaged. Twenty-six schools were destroyed, and more than 250 were damaged. By the beginning of the academic year, 20 schools were still being used as shelters for Gaza residents displaced in the fighting. During the conflict, Hamas reportedly hid rockets in some schools, and a UN school being used as a shelter was bombed, apparently by Israeli forces, killing 19 people.

#### **E. Associational and Organizational Rights: 3 / 12**

Since 2008, Hamas has significantly restricted freedoms of assembly and association, with security forces violently dispersing unapproved public gatherings of Fatah and other groups. There is a broad range of Palestinian nongovernmental organizations (NGOs) and civic groups, and Hamas operates a large social-services network. However, following a 2009 armed conflict between Hamas and Israel known as Operation Cast Lead, Hamas restricted the activities of aid organizations that would not submit to its regulations, and many civic associations have been shut down for political reasons since the 2007 PA split. In 2011, Hamas began enforcing its 2010 demand to audit the accounts of some 80 international NGOs in Gaza. In late 2014, postwar aid and reconstruction efforts, to be led by UN agencies, were held up in part by disagreements over international and PA access to the territory and control over border crossings.

Independent labor unions in Gaza continue to function, and PA workers have staged strikes against Hamas-led management. However, the Fatah-aligned Palestinian General Federation of Trade Unions, the largest union body in the territories, has seen its operations greatly curtailed. Its main Gaza offices were taken over by Hamas militants in 2007, and the building was severely damaged in a December 2008 Israeli air raid. Unresolved PA-Hamas staffing redundancies and compensation problems linked to the unity government plan led to further strikes and protests by civil servants during 2014.

#### **F. Rule of Law: 0 / 16**

Laws governing Palestinians in the Gaza Strip derive from Ottoman, British Mandate, Jordanian, Egyptian, PA, and Islamic (Sharia) law, as well as Israeli military orders. The judicial system is not independent, and Palestinian judges lack proper training and experience. Hamas security forces and militants continued to carry out arbitrary arrests and detentions during 2014, and torture of detainees and criminal suspects were reported. The Palestinian human rights ombudsman agency, the Independent Commission for Human

Rights, is banned from Hamas detention centers and Gaza's central prison. As of the end of 2014, 362 Palestinians from Gaza were being held in Israeli prisons, plus 17 detained for illegal presence in Israel.

In addition to the fatalities linked to Operation Protective Edge in July and August 2014, Israeli forces killed 18 Palestinians in Gaza during the year, according to B'Tselem. Meanwhile, Hamas-controlled courts in Gaza issued four death sentences, and two Palestinians were executed by Hamas.

Rocket fire from the Gaza Strip into Israel greatly increased in 2014, with more than 4,000 rockets reportedly launched. During Operation Protective Edge, Human Rights Watch criticized both Hamas's use of indiscriminate rocket fire and Israel's failure to adequately distinguish between military and civilian targets.

Vulnerable groups including LGBT (lesbian, gay, bisexual, and transgender) people reportedly face societal discrimination and official harassment in Gaza. Laws dating to the British Mandate authorize up to 10 years in prison for sexual acts between men.

#### **G. Personal Autonomy and Individual Rights: 2 / 16 (-1)**

Freedom of movement in Gaza is severely restricted, and conditions worsened in 2014 as civilians were displaced within the territory by fighting between Israel and Hamas. Roughly 20,000 homes were destroyed or rendered uninhabitable, and nearly 500,000 people were displaced. Unexploded ordnance presented a lingering obstacle to internal movement.

Both Israel and Egypt exercised tight control over border areas. Although Egypt had opened the Rafah border crossing to women, children, and men over 40 in mid-2011, it was closed again soon after the country's July 2013 military coup. The crossing was opened only sporadically during 2014, contributing to a sharp drop in the number of Gazans entering and exiting the strip compared with the previous year.

About 35,000 Gaza Palestinians lack identity cards, severely limiting their ability to travel. Human rights groups such as B'Tselem have urged Israel, as the state controlling the Palestinian Population Registry, to rectify the problem.

Under Hamas, personal status law is derived almost entirely from Sharia, which puts women at a stark disadvantage in matters of marriage, divorce, inheritance, and domestic abuse. Rape, domestic violence, and so-called honor killings are not uncommon, and these crimes often go unpunished. The government has barred women from wearing pants in public and declared that all women must wear hijab in public buildings, though these and other such controls on women's behavior have been enforced less frequently in recent years. At the end of 2013, Hamas appointed its first female spokesperson for international media.

The blockade of Gaza's land borders and coastline has greatly reduced economic opportunity in the territory. A dense network of tunnels beneath Gaza's border with Egypt facilitates much economic activity and is also used to transport weapons. The tunnels are routinely bombed by Israel, and after the 2013 coup in Egypt, authorities there made a serious attempt to shut them down. By mid-2014, the number of tunnels was thought to have been cut by two-thirds.

Israel loosened restrictions on the entry of some construction materials through Gaza border crossings in January 2014, and again in September after the conflict, though shipments remained far short of the total need. Israeli forces reduced the coastal waters open to Gazan fishermen from 6 to 3 nautical miles from shore in July, then reinstated the 6-mile limit under the terms of the truce that ended the fighting. As of the second quarter of 2014, the unemployment rate in Gaza stood at 45 percent, up from less than 19 percent in 2000.

## ↓ Hong Kong

**Political Rights Rating:** 5

**Population:** 7,241,000

**Civil Liberties Rating:** 2

**Freedom Rating:** 3.5

**Freedom Status:** Partly Free

**Trend Arrow:** Hong Kong received a downward trend arrow due to restrictions on press freedom and freedom of assembly surrounding protests against a Chinese government decision to limit candidate nominations for future executive elections.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,2,PF	5,2,PF	5,2,PF	5,2,PF	5,2,PF	5,2,PF	5,2,PF	5,2,PF	5,2,PF	5,2,PF

### INTRODUCTION

China’s growing political influence over Hong Kong encountered dramatic public resistance in 2014. In August, the Standing Committee of China’s National People’s Congress (NPC) issued a decision that would allow a popular vote for chief executive in the territory for the first time in 2017, but would empower an effectively pro-Beijing committee to control nominations for the contest. Prodemocracy groups criticized the decision, arguing that it violated promises of eventual universal suffrage that China had made under Hong Kong’s Basic Law and in a corresponding 2007 NPC Standing Committee decision.

Long-standing disagreements between the authorities and a large section of the population over the degree of free choice in future elections came to a head in response to the ruling. Large student-led protests broke out in September, with demonstrators establishing encampments and barricades at several points in the city center. The occupations continued for more than two months, though the police periodically attempted to clear them, at times using tear gas and batons. The police were also accused of enabling violence by counterprotesters with alleged links to organized crime groups. The last encampments were removed by mid-December.

Meanwhile, the territory’s press freedom suffered a sharp decline. The number of physical attacks on journalists increased during the year, major businesses withdrew advertising from critical media outlets, and reporters acknowledged the growing practice of self-censorship.

**POLITICAL RIGHTS:** 16 / 40

**A. Electoral Process:** 3 / 12

Hong Kong’s 1997 Basic Law calls for the election of a chief executive and a unicameral Legislative Council (Legco). Under electoral reforms adopted in 2010, 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 various elite business and social sectors, many with close ties to Beijing—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 members of the Chinese People’s Political Consultative Conference (CPPCC), an advisory body to the NPC. Candidates for chief executive must be nominated by at least 150 members of the election committee.

Also under the 2010 reforms, which took effect in 2012, the Legco increased from 60 to 70 seats. While 30 members are still elected by the functional constituency voters,

35—up from 30—are chosen through direct elections in five geographical constituencies. Hong Kong's 18 district councils nominate candidates for the remaining 5 Legco seats from among themselves, and the nominees then face a full popular vote. All 70 members serve four-year terms. 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.

In March 2012, the election committee chose Leung Chun-ying, a member of the CP-PCC, as the new chief executive. He won 689 of the 1,050 valid votes cast following an usually competitive race against two other candidates—Henry Tang, a high-ranking Hong Kong civil servant who took 285 votes, and Democratic Party leader Albert Ho, who secured 76. Officials from China's Liaison Office reportedly lobbied members of the election committee to vote for Leung and pressured media outlets to remove critical coverage of him ahead of the balloting. Leung took office in July 2012.

During the Legco elections in September 2012, pro-Beijing parties won 43 seats, though only 17 of those were directly elected. Prodemocracy parties took 27 seats, which would enable them to block any proposed constitutional changes; changes to the Basic Law require a two-thirds majority.

#### **B. Political Pluralism and Participation: 7 / 16**

Over a dozen factions in Hong Kong's multiparty system are currently represented in the Legco. The main parties in the prodemocracy camp are the Civic Party, the Democratic Party, and the Labor Party. The largest pro-Beijing party is the Democratic Alliance for the Betterment and Progress of Hong Kong. The Chinese Communist Party (CCP) is not formally registered in Hong Kong but exercises considerable influence, both through its interactions with local government officials and through indirect economic and other pressure.

Hong Kong residents' political choices are limited by the semidemocratic electoral system, which ensures the dominance of pro-Beijing interests. While the Basic Law states that universal suffrage is the "ultimate aim," only incremental changes have been permitted to date. The NPC ruled in 2007 that it might allow universal suffrage for the 2017 chief executive election and the 2020 Legco election.

In June 2014, as discussion of possible new electoral reforms mounted, a prodemocracy campaign called Occupy Central with Love and Peace organized an unofficial referendum in which nearly 800,000 participants endorsed plans that would allow the public to nominate candidates for chief executive. The activists also proposed civil disobedience protests to back its demands. However, the August 31 ruling by the NPC Standing Committee closed the door on public nominations. Although the decision would allow the chief executive to be elected in a vote by all eligible citizens, their options would be limited to two or three candidates selected by a nominating committee whose membership would mirror that of the current election committee. Moreover, whereas candidates currently need only 150 votes on the election committee to be nominated for a place in the body's final vote, at least half the members of the new nominating committee would have to approve candidates for participation in the popular vote. The 27 prodemocracy Legco members vowed to block any reform bill that did not include some form of public nomination. The mass protests soon followed, and the Legco had yet to take up a bill at year's end.

#### **C. Functioning of Government: 6 / 12**

Hong Kong is generally regarded as having low rates of corruption. It was ranked 17 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. However, business interests are closely intertwined with the government.

In October 2014, it was revealed that Leung had received \$6.4 million in undisclosed payments from an Australian engineering firm that acquired DTZ Holdings, of which Leung was a director, months before he became chief executive. Leung maintained that he was not obliged to disclose the payments, which had continued after he took office.

In December, a jury convicted billionaire property developer Thomas Kwok and Rafael Hui, who had served as Hong Kong's second-ranked executive official from 2005 to 2007, of a massive bribery scheme. They were sentenced to 5 and 7.5 years in prison, respectively. Kwok's brother and business partner, Raymond Kwok, was acquitted.

The Independent Commission Against Corruption (ICAC) was widely criticized in 2013 after an independent review found that its former chief had continually breached spending rules during his 2007–12 tenure. In 2014, the ICAC raided the home of Jimmy Lai, a major media owner and outspoken critic of Beijing, as well as the office of Labor Party chairman and legislator Lee Cheuk-yan. The commission said it was investigating bribery allegations, but many observers criticized the searches as part of a broader attempt to intimidate and discredit Lai in light of his support for the prodemocracy camp.

**CIVIL LIBERTIES:** 49 / 60 (–2)

**D. Freedom of Expression and Belief:** 13 / 16 (–1)

The Basic Law upholds freedoms of speech, press, and publication. Residents have access to dozens of daily newspapers, international radio broadcasts, and satellite television. Foreign media operate without interference. However, in recent years the Hong Kong and Chinese governments, as well as businesses that have close ties with Beijing, have increased physical attacks and pressure against local journalists. Several media owners are current or former members of the NPC and CPPCC, and many have significant business interests in mainland China.

In June, Next Media group claimed that two major banks, HSBC and Standard Chartered, had stopped placing millions of dollars in advertising in the group's *Apple Daily* newspaper beginning in late 2013 at the request of the Chinese government. Other independent media lost advertising from major companies around the same time. Also in June, the newspaper's website suffered a large-scale cyberattack that was seen as part of an effort to disrupt the unofficial electoral reform referendum, which the paper vocally supported. The referendum's website was attacked as well. During the fall prodemocracy protests, *Apple Daily* faced ongoing cyberattacks, and thuggish counterdemonstrators repeatedly blocked distribution of the paper and destroyed thousands of copies. In November, Next Media's Jimmy Lai was pelted with animal organs at one of the protest encampments by three men, who were then seized by protesters and handed over to police. Lai was briefly arrested at the protest site in December, and stepped down as company chairman the same month.

In January, Kevin Lau Chun-to, chief editor of the newspaper *Ming Pao*, was replaced with a Malaysian citizen who was seen as more beholden to the owner and the government. Lau, known for investigations of the Hong Kong and Chinese leaderships, was then badly injured in a knife attack in February. In March, four assailants used iron bars to beat two executives from an independent media company that was planning to launch a new paper. The prodemocracy news website House News shut down in July, with the owner citing political pressure and a lack of advertisers.

During the protest movement in the fall, many reporters were assaulted by counterprotesters or police, and there were signs of self-censorship by some outlets. In October, the television station TVB broadcast footage of police officers beating Civic Party activist and protester Ken Tsang Kin-chiu, but within hours it replaced the video's voiceover to downplay allegations of excessive force.

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, in recent years they have frequently been confronted and harassed by members of the Hong Kong Youth Care Association (HKYCA), which has ties to the CCP.

University professors can write and lecture freely, and political debate on campuses is lively. Although a pro-Beijing curriculum for Hong Kong schools was shelved in 2012, government efforts to promote “patriotic education” remain a matter of controversy. Student organizations played a leading role in the 2014 prodemocracy protests.

#### **E. Associational and Organizational Rights:** 8 / 12 (-1)

The Basic Law guarantees freedoms of assembly and association, and police permits for demonstrations are rarely denied. Several large protests against the Chinese government took place during 2014, including a vigil commemorating the June 1989 crackdown on prodemocracy protesters in mainland China. Pro-Beijing forces organized their own reportedly smaller march in August.

The fall protests against Beijing’s planned electoral reforms drew more than 100,000 people at their peak, and featured long-term encampments that paralyzed key commercial and government districts. Police refrained from using deadly force, and they made only sporadic and partial attempts to break up the camps during most of the protest period. Nevertheless, their handling of the demonstrations was seen as part of a recent trend of reduced respect for freedom of assembly. Officers’ early use of tear gas in September was considered unusually harsh for Hong Kong, and served to galvanize the movement. Baton charges, pepper spray, and arrests became more common in late November and December, as the authorities sought to disperse the last clusters of protesters.

The prodemocracy encampments also faced attacks by counterdemonstrators, many of whom were later found to have links with criminal gangs. During one such episode in October, a group of thugs assaulted protesters and groped women, and the violence went on for hours before police intervened decisively, leading many to suspect that the authorities were working with the gangs.

Hong Kong hosts a vibrant and largely unfettered nongovernmental organization sector. Trade unions are independent, but collective-bargaining rights are not recognized, protections against antiunion discrimination are weak, and there are few regulations on working hours.

#### **F. Rule of Law:** 15 / 16

The judiciary is independent, and the trial process is generally fair. The NPC reserves the right to make final interpretations of the Basic Law, effectively limiting the power of Hong Kong’s Court of Final Appeal. A white paper issued by the Chinese government in June 2014 declared that for Hong Kong officials, including judges, “loving the country is the basic political requirement,” which many jurists saw as a demand for loyalty to Beijing and a threat to the territory’s rule of law and judicial impartiality.

Police are forbidden by law to employ torture and other forms of abuse. They generally respect this ban in practice, and complaints of abuse are investigated. Seven officers were arrested for the October 2014 beating of Ken Tsang. Arbitrary arrest and detention are illegal; suspects must be charged within 48 hours of their arrest. Prison conditions generally meet international standards.

Citizens are generally treated equally under the law, though South Asians routinely complain of discrimination, and antidiscrimination laws do not specifically protect LGBT (lesbian, gay, bisexual, and transgender) people.

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Hong Kong’s roughly 320,000 foreign household workers, primarily from Indonesia and the Philippines, remain vulnerable to abuse. Since foreign workers face deportation if dismissed, many are reluctant to bring complaints against employers. In a high-profile trial, an employer stood accused of physically abusing a household worker over a period of eight months, denying her food and medical treatment for her injuries, and making her work 21 hours a day without a day off. News of the case in January triggered protests by thousands of foreign workers demanding justice and equal treatment. In a second case in November, a British banker was charged with murdering two women who had reportedly come to Hong Kong as household workers but turned to prostitution, as sometimes happens when such workers lose their jobs and are unable to repay large debts to recruitment agencies. Both cases were pending at year’s end. In October, Hong Kong’s Labour Department announced an increase in the minimum wage for household workers, but the new rates still amounted to less than the minimum for most Hong Kong workers, and the increases only applied to new contracts.

Hong Kong has been criticized for slow processing of refugee cases and poor provision of economic support and working rights to designated refugees. A new system of procedures for screening asylum claims was introduced in March 2014, but local activists argued that it remained confusing and lacked transparency.

**G. Personal Autonomy and Individual Rights: 13 / 16**

Hong Kong authorities periodically deny entry to visiting political activists and Falun Gong practitioners, particularly at sensitive times, raising suspicions that the government enforces a Beijing-imposed political blacklist. In April 2014, the Immigration Department barred well-known U.S.-based Chinese political activist Yang Jianli from entering the territory to attend the opening of a museum dedicated to the 1989 Tiananmen crackdown.

After many mainland women came to Hong Kong to give birth in order to access the welfare system or skirt China’s one-child policy, the territory barred those without Hong Kong spouses from delivering in its hospitals, with violations punishable by fines or jail time. Pregnant mainlanders can also be denied entry if they lack an appointment at a Hong Kong hospital or proof of another purpose for their visit.

Women in Hong Kong are protected by law from discrimination and abuse, and they are entitled to equal access to schooling and to property in divorce settlements. However, they continue to face de facto inequality in employment opportunities, salary, inheritance, and welfare. Only 11 of the 70 Legco members are women, and none of the judges on the Court of Final Appeal. Despite government efforts, Hong Kong remains a destination and transit point for human trafficking linked to sexual exploitation and forced labor.

## Indian Kashmir

**Political Rights Rating:** 4

**Population:** 12,541,300

**Civil Liberties Rating:** 4

**Freedom Rating:** 4.0

**Freedom Status:** Partly Free

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,5,PF	5,5,PF	5,4,PF	5,4,PF	4,4,PF	4,5,PF	4,4,PF	4,4,PF	4,4,PF	4,4,PF



**INTRODUCTION**

Negotiations between India and Pakistan over the divided region of Kashmir were called off in the midst of Pakistani shelling across the India-Pakistan border in September 2014, which reached its highest level in decades. The South Asian Terrorist Portal recorded 193 deaths in Jammu and Kashmir in 2014, including 32 civilians. Pakistani forces violated the cease-fire agreement 16 times in August alone. However, reports suggest that insurgents have been unable to cross the international border.

National parliamentary elections were held in April 2014. The Indian government dispatched security forces to ensure elections proceeded peacefully. Although separatists called for a boycott, 43 percent of voters turned out. State-level assembly elections were held in November and December. Despite another boycott call in the Kashmir Valley, turnout was substantially higher than in past years.

According to official figures, 282 people lost their lives in devastating floods during 2014. The response of the state government was largely ineffective, requiring the Indian army to intervene in the rescue effort. The government has not resettled many of the displaced nor provided sufficient funds for reconstruction of homes.

**POLITICAL RIGHTS:** 22 / 40 (+2)

**A. Electoral Process:** 9 / 12 (+1)

India has never held a referendum allowing Kashmiri self-determination as called for in a 1948 UN resolution. The state's residents can change the local administration through elections, which are supposed to be held at least once every six years. However, Jammu and Kashmir enjoys substantial autonomy under Article 370 of India's constitution. All laws passed by the Indian parliament, except those related to defense, foreign affairs, and financial matters, require the assent of the Kashmiri legislature to come into force in the state. Like other Indian states, it has an elected bicameral legislature and a chief minister entrusted with executive power. An appointed governor serves as symbolic head of state. Members of the 87-seat lower house, or legislative assembly, are directly elected, while the 36-seat upper house has a combination of some members elected by the assembly and various local councils, and some nominated by the governor.

Elections for national parliamentary seats and the state assembly in 2014 were broadly free and fair, with reduced levels of voter intimidation, harassment, and violence compared to the past. In the April national elections, turnout was below 40 percent in all districts in the Kashmir Valley due to threats of poll violence, and 4,306 of 4,773 polling stations were declared sensitive throughout the state prior to the elections. The Jammu and Kashmir National Conference (JKNC), in power at the state level, lost its 3 seats. The Bharatiya Janata Party (BJP) won 3 seats out of 6 total (after winning none in 2009) and the People's Democratic Party (PDP) won 3 seats. The first stage of voting on April 24 was marked by large youth protests and an election boycott. At least 600 mainly youths were preventively detained prior to the second stage of voting on April 30.

At the state level, assembly elections were held in November and December. High turnout was due in part to anti-BJP mobilization after the party's win in April elections. No party won an absolute majority. The most successful parties were the PDP and BJP with 28 and 25 seats, respectively. The PDP was expected to enter into a coalition government in early 2015. The Election Commission and the security forces were praised for their handling of the process, which saw unusually high turnout. Heightened security measures and contingency plans in case of violence ensured the most successful and participatory contest in years.

*Panchayat* (local council) elections were held across Jammu and Kashmir in 2011 for the first time since 2001, and were described as the first truly open such elections since 1978. Although separatist groups urged citizens to boycott the polls, turnout was reported at about 80 percent. More than 700 panchayat leaders resigned in 2012, facing death threats after several were assassinated. Municipal elections originally slated for 2011 have been repeatedly delayed.

**B. Political Pluralism and Participation:** 9 / 16 (+1)

The state is governed under a multiparty system, but normal party politics and electoral activities are often disrupted by militant violence, intimidation, and boycotts. For more than a decade, state-level power has rotated between the two largest Kashmiri parties, the PDP and the JKN. However, in the 2014 elections, the PDP and the national BJP won the most seats in a landslide, and are expected to form a coalition government. This would mark the first time the Hindu BJP has been represented in government in this Muslim-majority state, reflecting broader political participation by minority groups over the last several years. Nevertheless, observers questioned the BJP's ability to build trust with Kashmiri Muslims, who are a minority at the national level, where the party campaigns on a platform of Hindu nationalism.

**C. Functioning of Government:** 4 / 12

Corruption in Jammu and Kashmir remains widespread and among the worst in India, though the government has taken some steps to combat it. The 2011 Jammu and Kashmir State Vigilance Commission Act established an anticorruption commission with the power to investigate alleged offenses under the state's 2006 Prevention of Corruption Act. Its first commissioners were appointed in 2013, and it has made some arrests of public servants on bribery charges. However, in August 2014 the term of the commission's chairperson expired, and no new chair had been appointed by year's end. In 2014, the state also established a Lokayukta—a state-level anticorruption body.

**CIVIL LIBERTIES:** 29 / 60

**D. Freedom of Expression and Belief:** 9 / 16

The 1971 Newspapers (Incitement to Offences) Act gives district magistrates the authority to censor publications in certain circumstances but is rarely invoked. Conditions have improved since protest-related violence in 2010 led some newspapers to suspend circulation and curfews inhibited journalists. Foreign journalists are generally able to travel freely, meet with separatist leaders, and file reports on a range of issues, including government abuses.

Print media thrive in Jammu and Kashmir, and online media have proliferated, providing new platforms for public discussion. There are more than 1,000 registered publications in the state. However, threats of government reprisal, including the detention of journalists under the Public Safety Act (PSA) and the withdrawal of official advertising from publications, continue to intimidate the media. Journalists also face threats from militant groups. In May 2014, several journalists were harassed and injured by police who hurled rocks at them while they covered protests against the death of a Srinager man killed by security forces in April.

Freedom of worship is generally respected by the authorities. However, intercommunal violence between Muslims and Hindus periodically flares up, and many have been injured and killed as a result. In July 2014, Hindus undertaking a pilgrimage in Jammu and Kashmir were attacked by extremists; dozens were injured and authorities canceled the pilgrimage to avoid further violence. Supplicants at a popular Hindu shrine were also harassed in July.

Academic freedom is also circumscribed. Authorities monitor the research produced at Kashmiri universities, and a combination of official and self-censorship discourages students and professors from pursuing sensitive topics of inquiry.

**E. Associational and Organizational Rights: 6 / 12**

Freedoms of assembly and association are often restricted. Although local and national civil rights groups are permitted to operate, they are sometimes harassed by security forces. The separatist All Parties Hurriyat Conference (APHC) is allowed to function, but its leaders are frequently subjected to short-term preventive detention, and its requests for permits for public gatherings are often denied. Separatist leaders are frequently arrested prior to planned protests. A number of pro-independence or anti-Indian government protests were held in 2014. The chairman of the group the Jammu and Kashmir Peoples League (JKPL), Mukhtar Ahmad Waza, was detained several times throughout the year to prevent his participation in demonstrations against human rights violations committed by Indian forces. Separatists were also detained during state elections.

Protection of labor union rights in Kashmir is generally poor.

**F. Rule of Law: 6 / 16**

Courts are politicized and act as an extension of Indian executive and military authority. The courts in Jammu and Kashmir, already backlogged by thousands of pending cases, are further hampered by intermittent lawyers' strikes. In 2014, for example, one strike followed the assault of a lawyer from the Jammu high court by a police officer. The government and security forces frequently disregard court orders. This has led to low levels of public trust in the judiciary.

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. Indian security personnel based in Jammu and Kashmir carry out arbitrary arrests and detentions, torture, forced disappearances, and custodial killings of suspected militants and their alleged civilian sympathizers. Army personnel in Budgam district killed two civilian schoolboys in November. Separatist leaders, including APHC Chairman Mirwaiz Umar Farooq and Yasin Malik, were detained to quash plans of a large protest of these killings.

Chief Minister Omar Abdullah supported revoking the AFSPA in four districts where militant activity is rare, and in the 2014 assembly election campaign the PDP advocated revoking these laws. The army opposes the move. Amendments to the PSA in 2012 prohibited the detention of minors and instituted new rules to reduce the amount of time prisoners are held before trial.

Militant groups based in Pakistan continue to kill 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 in Jammu and Kashmir. A total of 193 civilians, security personnel, and militants were killed in terrorist-related violence in 2014, up from 181 the previous year.

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. Many continue to reside in refugee camps near Jammu. Other religious and ethnic minorities, such as Sikhs and Gurjars, have been targeted in the past, but such reports have dissipated in recent years. Local Sikh organizations expressed solidarity with the aspirations of the state's Muslim majority in the 2014 elections.

**G. Personal Autonomy and Individual Rights: 8 / 16**

Freedom of movement is curtailed by both the state and federal authorities. The Indian government restricts the travel of foreigners and other Indian citizens to sensitive areas within Jammu and Kashmir, and roadblocks and checkpoints disrupt travel. Kashmiri residents face delays of up to two years to obtain and renew passports due to heightened levels of scrutiny. 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.

Women face some societal discrimination as well as domestic violence and other forms of abuse. Female civilians continue to be subjected to harassment, intimidation, and violent attacks, including rape and murder, at the hands of both the security forces and militant groups. In January 2014, a telephone line was established within the state to provide support free of charge to women who have been victims of harassment or abuse. Women are under-represented in government, though the PDP is headed by a woman.

## Nagorno-Karabakh

**Political Rights Rating:** 5

**Population:** 146,600

**Civil Liberties Rating:** 5

**Freedom Rating:** 5.0

**Freedom Status:** Partly Free

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	5,5,PF	5,5,PF	5,5,PF	5,5,PF	5,5,PF	6,5,NF	6,5,NF	5,5,PF	5,5,PF	5,5,PF

**INTRODUCTION**

The year featured an increase in cross-border violence between Nagorno-Karabakh and Azerbaijan. Although the total number of casualties in 2014 was contested, at least twenty deaths were confirmed by the end of August, following a peak in violence earlier in the month. In November, Azerbaijani forces opened fire on a Karabakh military helicopter, killing three Karabakh servicemen. Authorities in Baku claimed that the aircraft had attempted to attack Azerbaijani ground troops and enter Azerbaijan-controlled airspace, while Karabakh claimed that the helicopter was on a training mission in its own airspace.

The presidents of Armenia and Azerbaijan met several times throughout the year, including for peace talks mediated by Russian president Vladimir Putin in August. The increase in violence further complicated relations between the parties, with little progress made toward reaching a settlement or alleviating strained regional relations.

**POLITICAL RIGHTS: 12 / 40**

**A. Electoral Process: 4 / 12**

Nagorno-Karabakh has enjoyed de facto independence from Azerbaijan since 1994 and retains close political, economic, and military ties with Armenia. None of Karabakh’s elections have been considered valid by the international community, which does not recognize the territory’s independence.

The president is directly elected for up to two five-year terms and appoints the prime minister. Of the unicameral National Assembly’s 33 members, 11 are elected through the single-mandate constituencies and 22 by party list. This proportion was established through

amendments to the electoral code in October 2014. There is an electoral threshold of 5 percent for political parties, while electoral coalitions must reach 7 percent.

President Bako Sahakyan, the incumbent since 2007, was reelected in July 2012 with 66.7 percent of the vote. His main opponent, former deputy defense minister Vitaly Balasanyan, received 32.5 percent. The two main candidates had nearly identical foreign-policy goals—achieving international recognition of Nagorno-Karabakh's independence—though Balasanyan also called for social justice and accused the government of allowing corruption and fiscal mismanagement. Balasanyan claimed that administrative resources were misused to aid Sahakyan during the campaign.

The presidential contest was considered an improvement over the 2010 parliamentary elections, in which no genuine opposition candidates participated. Administrative resources were used to support the progovernment candidates, and the election commission was uniformly composed of progovernment officials. The balloting was swept by the three parties of the ruling coalition. Free Motherland (Azat Hayrenik), the party of Prime Minister Ara Harutyunyan, won 14 of the 33 seats, followed by the Democratic Party of Artsakh (AZhK) with 10 and the Armenian Revolutionary Federation (ARF)—Dashnaksutyun with 6. The remaining seats were captured by Free Motherland loyalists with no formal party affiliation. Parliamentary speaker Ashot Ghulyan was reelected to his post.

#### **B. Political Pluralism and Participation:** 5 / 16

The three main political parties are Free Motherland, AZhK, and ARF—Dashnaksutyun, all of which support the government. Given the territory's uncertain status, dissent—including political opposition—is generally regarded as a sign of disloyalty and a security risk. As a consequence, opposition groups have either disappeared or been brought into the government over the past several years.

#### **C. Functioning of Government:** 3 / 12

The ability of Karabakh officials to set and implement government policies is limited in practice by security threats along the cease-fire line, warnings from Baku, and the dominant role played by the Armenian government and other regional actors. An increase in the level of cross-border violence, in addition to escalated warnings from Baku, strained the functioning of domestic governance in 2014.

Nagorno-Karabakh continues to suffer from significant corruption, particularly in the construction industry, as well as favoritism in filling civil service positions.

#### **CIVIL LIBERTIES:** 18 / 60 (-1)

#### **D. Freedom of Expression and Belief:** 6 / 16

The territory officially remains under martial law, which imposes restrictions on civil liberties, including on media freedom. However, the authorities maintain that martial law provisions have not been enforced since 1995, a year after the cease-fire agreement with Azerbaijan was signed.

The government controls many of Nagorno-Karabakh's media outlets, and the public television station has no local competition. Most journalists practice self-censorship, particularly on subjects related to the peace process. The internet penetration rate is low but expanding, and social media platforms are increasingly used by the public and by government officials for the dissemination and discussion of news.

The Voice of Talyshistan, a radio station launched in 2013 by the Yerevan State University and an Armenian nongovernmental organization (NGO), continued broadcasting in 2014. The station broadcasts programs in Talysh, an Iranian language, from

Nagorno-Karabakh into southeastern Azerbaijan, home to the country's minority Talysh population. Some Azerbaijani officials called the station a "provocation" meant to promote anti-Azerbaijani sentiments.

Most residents belong to the Armenian Apostolic Church, and the religious freedom of other groups is limited. A 2009 law banned religious activity by unregistered groups and proselytism by minority faiths, and made it more difficult for minority groups to register. Although at least three were subsequently registered, a Protestant group and the Jehovah's Witnesses were reportedly denied registration. Unregistered groups have been fined for their religious activities, and conscientious objectors have been jailed for refusing to serve in the Karabakh army.

#### **E. Associational and Organizational Rights: 3 / 12**

Freedom of assembly is formally restricted under martial law provisions. Freedom of association is also limited, but trade unions are allowed to organize. The few NGOs that are active in the territory suffer from poor funding and competition from government-organized groups.

In May 2014, more than 150 Karabakh residents held a demonstration outside of President Sahakyan's residence during a visit by James Warlick, the co-chair of the Minsk Group, which facilitates settlement negotiations on behalf of the Organization for Security and Co-operation in Europe (OSCE). The demonstrators voiced opposition to Warlick's recent proposal on a conflict settlement for Karabakh that, among other things, suggested returning some disputed territory to Azerbaijan. In September, residents of Stepanakert organized protests against a planned increase in public transportation fares, submitting a formal appeal to the mayor. Both local authorities and Prime Minister Harutyunyan held meetings with the protesters, and although the fare increase was not reversed, the Karabakh government announced plans to subsidize transportation costs for students and low-income residents in 2015.

#### **F. Rule of Law: 4 / 12 (-1)**

The judiciary is not independent in practice, and the courts are influenced by the executive branch as well as by powerful political, economic, and criminal groups.

A 2011 amnesty law released or commuted the sentences of up to 20 percent of the prison population. The law applied to inmates who had fought in the 1991–94 war or had family killed in the conflict. The amnesty also stipulated the closure of at least 60 percent of pending criminal cases and the release of suspects from pretrial detention.

The security of the population is affected by regular incidents of violence along the cease-fire line. Hundreds or thousands of cease-fire violations are reported each month, and soldiers on both sides are killed or injured each year. The incidence of cross-border violence between Nagorno-Karabakh and Azerbaijan rose significantly in 2014, with the combined number of casualties surpassing that of recent years. The downing of a Karabakh military helicopter in November caused alarm from both domestic and international observers, marking the first time in at least 20 years that a military aircraft had been shot down in the territory. The incident followed a series of cease-fire violations that, according to estimates by international watchdogs, led to the highest number of casualties in a single year since the signing of the cease-fire in 1994. No significant progress was made in peace negotiations, including in mediation led by the Minsk Group, and observers expressed concern about the possibility of cross-border clashes continuing or intensifying.

Baku's rapid military buildup has also contributed to escalating tensions in recent years. Azerbaijan's defense budget reached \$3.75 billion in 2014, and authorities in October announced plans to increase the budget to \$4.8 billion in 2015—far above Armenia's total

state budget, which in 2014 stood at \$3.2 million. The Azerbaijani government has repeatedly threatened to consider a military solution to the conflict.

In December 2014, two Azerbaijani citizens were convicted on charges stemming from the murder of a Karabakh civilian youth, including illegal border crossing, kidnapping, and weapons possession; one man received a life sentence, while the other was sentenced to 22 years in prison. Azerbaijani authorities repeatedly denounced the trial, requesting that the men be released. Karabakh declined to treat the men as prisoners of war on grounds that their actions had targeted a civilian.

In July, two Karabakh residents were sentenced to 11 and 9 years in prison, respectively, for attempting to assassinate Vitaly Balasanyan in 2013.

#### **G. Personal Autonomy and Individual Rights: 5 / 16**

The majority of Azeris who fled the territory during the separatist conflict continue to live in poor conditions in Azerbaijan, despite Baku's increased efforts to provide new housing in recent years. The freedom of movement within Nagorno-Karabakh and travel around the territory are hindered by the larger geopolitical situation, the instability of the cease-fire, and the presence of land mines, which cause deaths and injuries each year. According to the International Committee of the Red Cross, at least 50,000 antipersonnel mines were laid during the war. In many cases, records of minefield locations were lost or never created.

Since 2012, more than 100 ethnic Armenians from Syria have settled in Nagorno-Karabakh. The Karabakh government has launched programs to provide housing and aid to those who choose to stay in the territory; the first homes constructed for Syrian Armenian settlers were finished in March 2014 in the Kashatagh region.

A small group of powerful elites control major industries and economic activity, limiting opportunities for most residents. However, the government has instituted a number of economic rehabilitation projects in recent years.

Men and women have equal legal status, though women are underrepresented in government and the private sector. Women are not subject to military conscription. The government administers material incentives to encourage couples to have children, with the goal of repopulating the territory. Couples receive several hundred dollars when they marry and additional money for the birth of each child.

## Northern Cyprus

**Political Rights:** 2

**Population:** 286,257

**Civil Liberties:** 2

**Freedom Rating:** 2.0

**Freedom Status:** Free

#### **Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F	2,2,F

*Note:* See also the country report for Cyprus.

#### **INTRODUCTION**

In February 2014, Turkish Cypriot president Derviş Eroğlu and Greek Cypriot president Nicos Anastasiades issued a joint statement aimed at reviving long-stalled negotia-

tions to unify the island, which has been divided since the 1974 Turkish intervention and subsequent 1983 declaration of independence by the Turkish Republic of Northern Cyprus (TRNC), an entity recognized only by Turkey. The two leaders committed themselves to work toward a comprehensive settlement that would create a federation. In July, Eroğlu presented a five-step roadmap for a settlement that would culminate in a referendum in both parts of the proposed federation. This was rejected as premature by the Greek Cypriots. Progress on many of the issues dividing the two sides, including a new constitutional framework, border adjustments, property claims, and management of off-shore oil and gas resources, has been elusive.

On June 5 the National Assembly in the TRNC passed 23 constitutional amendments, the first amendments to the 1985 constitution. These were designed in part to bring TRNC laws into greater harmony with European Union (EU) standards, and to combat corruption. Proposals by some center-left parties and civic organizations to expand minority rights, remove Turkish military control over the police, establish conscientious objection to military service, and instruct courts to use opinions of the European Court of Human Rights (ECHR) to interpret constitutional rights were rejected. Although the final reform package was supported by all parties in the National Assembly, voters rejected it in a June 29 referendum. Some observers suggested that one reason the “no” vote (62 percent) prevailed is that many voters were poorly informed or thought the reforms did not go far enough; others interpreted the result as a protest vote against the current government.

In January, the National Assembly repealed a colonial-era law that criminalized male homosexual acts.

## **POLITICAL RIGHTS:** 32 / 40

### **A. Electoral Process:** 11 / 12

Elections in the TRNC have long been judged free and fair. The TRNC employs a proportional representation system with a 5-percent threshold for parties to enter the 50-seat National Assembly. In 2013 elections, four out of five parties won seats. The Republican Turkish Party (CTP), which had been the main opposition party, won the most seats (21). Its leader, Özkan Yorgancıoğlu, became prime minister and leads a coalition government with the Democratic Party (DP).

The president, who serves as head of state and represents the TRNC internationally, is popularly elected to a five-year term. President Eroğlu of the National Unity Party (UBP) was elected in 2010.

The Supreme Election Committee is an independent body. However, in June opponents of the constitutional reform package protested that the committee had allowed the assembly speaker’s office to publicly take sides on the referendum vote.

### **B. Political Pluralism and Participation:** 12 / 16

Turkish Cypriots are free to organize political parties, and elections are competitive. One of the 2014 constitutional amendments, which were rejected by voters, would have allowed civil servants to join political parties.

There is a widespread perception that Turkish officials wield most political power in the TRNC, undercutting the authority of elected TRNC officials. The TRNC relies heavily on Turkey for security and economic support. In 2013, Ankara pressured the TRNC to adhere to an economic protocol that demands austerity measures and privatization, threatening to cut off funds if these measures are not implemented. The protocol remains in effect, and in 2014 critics of the government still saw Turkey’s alleged hand in the TRNC’s economic policies. Efforts to change or remove “transitional” Article 10 of the TRNC constitution, which grants



the Turkish military control over the TRNC's security and police forces, failed, prompting some to campaign for a rejection of the constitutional reform package.

Minority rights remain a concern. A few hundred Greek Cypriots and Maronites live in the TRNC. They are legally citizens of the Republic of Cyprus and thus not eligible to vote in TRNC elections. Efforts in 2014 to expand minority rights as part of the constitutional reform package failed to win parliamentary support.

### **C. Functioning of Government:** 9 / 12

Many observers suggest the effective functioning of the TRNC government is hampered by interference from Turkey. Corruption among TRNC politicians is also a concern. Parliamentary elections in 2013 occurred after several representatives decried corruption in the then-ruling party. In August 2014 another legislator resigned, citing problems of corruption. The constitutional amendments passed in June, which were ultimately rejected in a popular referendum, would have required members of parliament and their families to declare their wealth upon assuming office. Critics of the government allege that it has given tax amnesties to its supporters.

### **CIVIL LIBERTIES:** 47 / 60

#### **D. Freedom of Expression and Belief:** 14 / 16

Freedom of the press is guaranteed by law, and some media outlets are openly critical of the government. However, some observers suggest press freedom has been compromised as the Turkish government pressures editors and journalists in the TRNC to tone down some of their stories, particularly those critical of Ankara. Some journalists also express concern about new laws on privacy that were passed in March that could limit investigative journalism and sharing of information. The government does not restrict internet access.

A 1975 agreement with Greek Cypriot authorities, as well as the TRNC constitution, provides for freedom of worship; the TRNC is a secular state. However, religious activities of non-Muslims are subject to some regulations, and there are still disputes over the condition of Christian churches and access to religious sites. For example, in May 2014 police broke up a service at a Maronite church because the worshippers, some of whom were from the Republic of Cyprus, lacked permission from the TRNC foreign ministry to hold a service. The government, dominated by Sunni Muslims, has also failed to honor its pledge to build a house of worship for the minority Alevi community.

There is academic freedom and open private discussion.

#### **E. Associational and Organizational Rights:** 9 / 12

Freedoms of assembly and association are generally upheld, though police have been criticized for disrupting protests and allegedly using excessive force against them. Non-governmental organizations (NGOs) generally operate without restrictions. Workers may form independent unions, bargain collectively, and strike. In June many unions and NGOs openly lobbied for the rejection of the constitutional amendments. In September, five trade unions organized a hunger strike to protest government interference in collective bargaining activity. That same month, unions and other NGOs organized protests against a visit by Turkish president Recep Tayyip Erdoğan. Police moved against the protesters, a few of whom were arrested.

#### **F. Rule of Law:** 12 / 16

The judiciary is independent, and trials generally meet international standards of fairness. TRNC police, under the control of the Turkish military, sometimes fail to respect due

process rights, and there have been allegations of abuse of detainees. Lawyers' associations and journalists have actively worked to remedy irregularities in the justice system. However, proposed constitutional reforms to establish juvenile courts and jails, parliamentary appointment of an ombudsman, and expanded oversight powers of the high administrative court over local governments failed to pass in the June referendum.

The tiny Greek and Maronite minorities live in a collection of enclaves where their social and economic prospects are extremely limited. Some report difficulties at border checkpoints, as well as alleged surveillance by TRNC authorities.

In January 2014, the National Assembly decriminalized male homosexuality. Prior to this, those found guilty of homosexual behavior could be sentenced to jail, but this was rarely enforced.

**G. Personal Autonomy and Individual Rights: 12 / 16**

Movement within the TRNC territory is relatively free. The only direct flights from the TRNC are to Turkey. Most governments do not recognize TRNC travel documents, so many Turkish Cypriots have obtained Republic of Cyprus passports, for which they are eligible. All EU citizens can now travel to the North without obtaining a visa.

There is a right to private property. The TRNC formed a property commission in 2006 to resolve claims by Greek Cypriots who owned property in the North before the island's division. The ECHR recognized the commission in 2010 as an "accessible and effective" mechanism. By the end of 2014, approximately 6,000 applications had been lodged with the commission; around 600 had been resolved. Maronites have reported that they are not allowed to leave property to their heirs if the latter do not live in the TRNC and hold TRNC identification cards. In March, the ECHR ordered Turkey to pay €90 million (\$120 million) in damages resulting from its invasion and subsequent division of the island; two-thirds was to go toward restitution for property claims to the Greek minority population in the TRNC. Turkish officials said Turkey would not pay this penalty.

The settlement of Turkish nationals in Northern Cyprus is a source of contention. Official figures indicate that more than one-third of TRNC residents were born in Turkey, and that when tallied with their children, settlers account for nearly one-half of the total population. The Republic of Cyprus government has accused Turkey of deliberately encouraging population transfer to increase its control over the TRNC and undermine the reunification process. In July 2014, a Cypriot group filed a complaint at the International Criminal Court (ICC) demanding an investigation into Turkey's settlement policy as a potential war crime.

Women have equal legal rights to men but face various forms of discrimination and problems such as domestic violence. In August the government pledged that it would establish a new protocol to help fund women's shelters. Women are underrepresented in politics, though the speaker of the National Assembly is female; she was nominated in September as the CTP's 2015 presidential candidate. The TRNC is a destination for trafficking in women for purposes of prostitution, and local officials have done little to address this problem. Abortion is legal, but married women must receive their husbands' permission.

## Pakistani Kashmir

**Political Rights Rating:** 6

**Population:** 5,457,000

**Civil Liberties Rating:** 5

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	7,5,NF	7,5,NF	7,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF

### INTRODUCTION

In 2014, 12 political activists in Gilgit-Baltistan (GB) were sentenced to life imprisonment under the country's antiterrorism laws for speaking out for the rights of the local people. This prompted protests calling for the removal of such laws.

A series of attacks on Shiite Muslim communities in Pakistan during the year killed a number of GB residents, leading to protests. In October, sectarian militants attacked a van of Shia Muslims on Gilgit-Skardu road, killing three people.

Monsoon rains across the valley in 2014 flooded many regions of Azad Jammu and Kashmir (AJK) and GB. In AJK, 63 people lost their lives; 11 were reported dead in GB.

**POLITICAL RIGHTS:** 9 / 40 (+1)

**A. Electoral Process:** 4 / 12 (+1)

Pakistan seized control of both AJK and GB following the partition of British India in 1947. AJK enjoys nominal self-government, while Pakistan assumed direct administration of GB. Pakistan never formally incorporated either territory, leaving them neither sovereign nor provinces of Pakistan. Instead the relationship has been determined by various provisional arrangements pending a final settlement of the dispute with India. Article 1 of the constitution of Pakistan, which defines the territories of the country, obliquely refers to these areas as "such States and territories as are or may be included in Pakistan, whether by accession or otherwise."

AJK operates under an interim constitution enacted in 1974. A president, elected by the Legislative Assembly, serves as head of state, while the elected prime minister is the chief executive. An AJK Council is based in Pakistan's capital, Islamabad, consisting of both Kashmiri and Pakistani officials. The council holds a number of key executive, legislative, and judicial functions, such as the authority to appoint superior judges and the chief election commissioner. The constitution can theoretically be amended by a majority of the total membership of the Legislative Assembly and the Council in a joint sitting.

Of the AJK Legislative Assembly's 49 seats, 41 are filled through direct elections: 29 with constituencies based in the territory and 12 representing Kashmiri "refugees" throughout Pakistan. Another eight are reserved seats: five for women and one each for representatives of overseas Kashmiris, technocrats, and religious leaders. The system disproportionately favors nonresident refugees over AJK residents, yet the nonresident elections are more vulnerable to manipulation by federal Pakistani authorities; the party in office at the federal level invariably wins these seats. In the 2011 legislative elections, the Azad Kashmir Peoples' Party (AKPP)—affiliated with Pakistan's then ruling Pakistan People's Party (PPP)—won 20 of the 41 seats, followed by the Pakistan Muslim League–Nawaz (PML-N)

with nine seats and the Muslim Conference (MC) party with five. AKPP leader Chaudhry Abdul Majid became prime minister, and Sardar Muhammad Yaqoob Khan was installed as president. The elections were marred by allegations of rigging and vote buying, as well as some violence and harassment, with at least three election-related killings reported. The Muttahida Qaumi Movement (MQM), which was a coalition partner in the PPP-led governments in AJK and GB, announced in late October 2014 that it was breaking the alliance, days after it quit the federal government.

Local elections in the AJK scheduled for April 2014, which would have solidified democratic institutions, were postponed.

GB is governed under the 2009 Gilgit-Baltistan Empowerment and Self-Governance Order (GBESGO), which can only be amended by the Pakistani government. The political structure includes a 33-member GB Legislative Assembly (GBLA) and a 15-member Gilgit-Baltistan Council (GBC), headed by the Pakistani prime minister and vice-chaired by a federally appointed governor. The GBC consists of six members of the GBLA and nine Pakistani Parliament members appointed by the governor. The GBLA in turn 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 GBLA has the authority to choose the chief minister and introduce legislation on 61 subjects. Ultimate authority rests with the governor, who has significant power over judicial appointments and whose decisions cannot be overruled by the GBLA. Many fiscal powers remain with the GBC rather than the elected assembly. A majority of high-level positions in the local administration are reserved under the GBESGO for Pakistani bureaucrats.

In 2009 elections for the GBLA, the PPP won 12 of the 24 directly elected seats. Of the remainder, 10 were divided among four other parties and four independents, and voting for two seats was postponed. Syed Mehdi Shah, head of the PPP's Gilgit-Baltistan chapter, became chief minister. Independent observer missions characterized the elections as competitive, despite flaws including an inaccurate voter list, allegations of rigging and interference, and misuse of state resources to benefit the PPP. The current GBLA will complete its term in late 2014, and new elections are scheduled to be held in 2015. Following the death of Governor Shama Khalid from cancer in September 2010, Pir Karam Ali Shah, a member of the GBLA, was appointed as governor in January 2011.

#### **B. Political Pluralism and Participation: 4 / 16**

The interim constitution of AJK bans political parties that do not endorse the territory's eventual accession to Pakistan, and government employees must declare loyalty to the cause of accession. Similar rules prevail in GB, meaning nationalist leaders and parties are denied access to the political process and public employment. Those who oppose Pakistani rule are also subject to surveillance, harassment, and sometimes imprisonment. GB nationalist leaders have accused the authorities of preventing their parties from holding public gatherings, and a number of nationalist leaders and candidates were arrested during the 2009 GBLA election campaign period.

Historically, it has been the norm for the party in office at the federal level to form the local governments in AJK and GB. When a change occurred at the federal level, a transition would be effected in the local assemblies through cross voting and party switching. This has been a source of considerable political corruption. In 2013, after a PML-N government replaced the PPP in Pakistan, the new ruling party at the federal level stopped the local units from undertaking a full-fledged political coup. Nevertheless, the federal government continues to exercise control over the AJK and GB political processes.

In a case of brazen political violence, a brother of a minister in the AJK government allegedly shot and injured his political opponent in November 2014 in a business center of the local capital city and then escaped in an official vehicle.

**C. Functioning of Government:** 3 / 16

Because Pakistan maintains that their final status cannot be decided until a UN-sponsored plebiscite is held for the entire disputed region, the two units are left in constitutional limbo and do not enjoy the same rights as other provinces. They do not have seats in the Pakistan parliament or in constitutional bodies established for consultation and coordination between the federal government and the provinces. In general, the governance of these territories is marred by corruption and arbitrary exercise of power by bureaucrats. Accountability and transparency are hampered by the two territories' lack of representation in the federal government.

The federal authorities have direct control over certain areas of governance including defense and foreign affairs, and indirect control over many others through the AJK Council and GBC. The areas of responsibility left to the local authorities are consequently limited. Even on those issues, effective authority is exercised by senior civil servants appointed by the federal government.

AJK receives a large amount of financial aid from Islamabad, but successive administrations have been tainted by corruption and incompetence.

**Discretionary Political Rights Question B:** -2 / 0

The Sunni Muslim share of the population in GB has increased significantly since a pre-1947 rule was abolished to allow immigration from different parts of Pakistan. State agencies are suspected of deliberately engineering a demographic change in the sparsely populated Shiite-majority region. Under the 2009 GBESGO, settlers were given formal citizenship rights in GB. The pre-1947 restrictions on acquiring citizenship are still in place in AJK.

**CIVIL LIBERTIES:** 20 / 60 (-1)**D. Freedom of Expression and Belief:** 6 / 16

AJK and GB are subject to laws that curb freedom of expression, particularly related to the political status of the region. Media houses need permission from the AJK Council and the federal Ministry of Kashmir Affairs and Gilgit-Baltistan to operate. Though a wide range of media are present and active, censorship of political content, both direct and indirect, is common. Self-censorship is also prevalent as a means of avoiding state harassment. A number of local dailies have faced bans. In GB there have been reports of journalists being fired if they refuse to toe the government line. The government is known to withdraw advertisements, which are a source of revenue for media houses, from outlets seen as too critical. AJK and GB have access to the internet, with the same restrictions as in Pakistan. Usage is largely limited to urban areas.

Pakistan is an Islamic republic and has numerous restrictions on religious freedoms, including blasphemy laws, that are also enforced in AJK and GB. Sectarian tensions are sharper in GB, a Shiite-majority region.

Educational opportunities in the region are limited. Academics are not free from political indoctrination. Any expression of views contradicting the official line on the region's status can invite censure and even legal action. Student union activity has long been under state surveillance for signs of nationalist political views. Local languages and scripts are not taught in government schools.

**E. Associational and Organizational Rights:** 4 / 16 (-1)

There are restrictions on freedom of assembly and association. The AJK interim constitution bans activities that are prejudicial to AJK's accession to Pakistan. Nationalist groups are subject to persecution. Nevertheless, demonstrations and protests remain common, especially in AJK. The harsh curbs on assembly are limited mostly to issues that concern the region's status vis-à-vis Pakistan. Protests during the year focused on issues including teacher salaries, power outages, demands for royalties and rights from hydroelectric projects in the region, as well as revocation of antiterrorism laws from the region.

In April 2014, religious and political parties staged demonstrations for nearly two weeks in GB against suspension of wheat subsidies to the region. In November, on the eve of Prime Minister Nawaz Sharif's visit to Muzaffarabad (capital of AJK), victims of the devastating 2005 earthquake staged a protest calling for reconstruction in quake-affected areas.

Humanitarian nongovernmental organizations (NGOs) operate freely. However, NGOs working on political or human rights issues face intense government scrutiny and, in some cases, harassment.

AJK is subject to labor laws similar to those in Pakistan, though with fewer protections for workers. Unions and professional organizations are frequently barred. Labor laws and activities are at a very nascent stage of development in GB.

**F. Rule of Law:** 4 / 16

AJK has a multitiered, dual judicial system with a Supreme Court, a High Court, and district courts. Islamic judges handle criminal cases involving Sharia (Islamic law), while regular judges deal with other criminal and civil cases. The president of AJK, in consultation with the AJK Council, appoints the chief justice of the 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. Under the constitution the president is bound by the advice of the prime minister, making judicial appointments easily susceptible to manipulation by the executive in AJK and by federal institutions through the AJK Council. This has led to a politicized judiciary. Charges of nepotism, favoritism, and corruption are common, as are delays in judicial proceedings, due in part to unfilled vacancies in the courts.

GB has a Supreme Appellate Court and a GB Chief Court. The chief judge and other judges of the Supreme Appellate Court are appointed on a contractual basis by the prime minister of Pakistan in his capacity as chairman of the GBC, on the recommendation of the governor. Though the 2009 GBESGO is silent about the role of the Ministry of Kashmir Affairs and Gilgit-Baltistan, all appointments to the top judiciary have been routed through the ministry in practice. The process of appointments is consequently lengthy and gives disproportionate influence to the federal government. There have been instances in which the ministry has not honored the recommendations of the local government in a timely manner, leading to delays and dysfunction in the courts. Some areas in GB have parallel or informal judicial systems, including some operated by religious authorities.

The federal government, army, and intelligence agencies have a considerable presence in AJK and GB, and surveillance of political activities is the norm. Arbitrary arrests, torture, and deaths in custody at the hands of security forces have been reported, especially targeting independence supporters and other activists. In GB, a nascent free-Balawaristan movement, seeking independence for GB and neighboring areas under Chinese control, has been crushed ruthlessly.

Extremist groups devoted largely to attacks on Indian-administered Jammu and Kashmir operate from the region and have links with similar factions based in Pakistan and Afghanistan. Internecine tension between pro-Pakistan and nationalist Kashmiri militant

groups is common. The militant groups have been able to expand their influence in both AJK and GB. The Tehrik-e-Taliban Pakistan (TTP) and its affiliates have frequently targeted the Shiite population.

Pakistan has signed agreements with China for investment in mineral exploration and infrastructure development in GB. Local residents resent the Chinese presence, as the workers are seen to be taking away jobs and revenue from the exploitation of the region's resources. There have been instances of attacks on Chinese nationals in recent years.

**G. Personal Autonomy and Individual Rights: 6 / 16**

The citizens 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 not renewed for citizens suspected of questioning Pakistani control over the region. Pakistan has been reluctant to offer citizenship to migrants displaced from Indian-administered Jammu and Kashmir. Many of these refugees have been subjected to abuse and arbitrary arrest for demanding their rights.

The pre-1947 state subject law, which is still in effect in AJK and bars outsiders from seeking permanent residency, allows only legal residents to own property. Procedures for establishing private enterprises are onerous.

AJK and GB are economically dependent on federal assistance. The Pakistani government exercises full control over decisions on how the natural resources of the region are used. GB is rich in minerals, and AJK has abundant water. Four large hydropower projects that supply electricity to the rest of Pakistan have been undertaken in AJK. Nevertheless, the region faces persistent electricity cuts. In late October, this led to protests in AJK in which local residents blocked the Muzfarrabad-Rawalpindi highway to press for immediate payment of compensation to those affected by hydropower projects. The hydropower projects have displaced a number of people who were promised resettlement compensation packages.

Instances of violence against women and honor killings are rarer in AJK than in GB. The media reported at least 21 honor crimes in GB in 2014. Though the law prohibits discrimination on the basis of sex, treatment is unequal in practice. While women are legally permitted to marry without the consent of their family, they frequently face societal censure if they do so. Many women are victims of forced marriages. Inheritance laws are skewed heavily against women, who in most cases receive far less than their rightful share. While school enrollment is less for girls than for boys in GB, the gap has narrowed in recent years.

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## Puerto Rico

**Political Rights Rating:** 1

**Population:** 3,579,000

**Civil Liberties Rating:** 2

**Freedom Rating:** 1.5

**Freedom Status:** Free

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	1,2,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,1,F	1,2,F	1,2,F	1,2,F

**INTRODUCTION**

Despite recent improvements in Puerto Rico's economy, overall socio-economic conditions remain dire. The passage of pension cuts led to a two-day teachers' strike in January, and in June, thousands protested a new fiscal emergency law that aimed to cut wages and benefits for electrical and water workers, among other public employees. Economic problems have led many Puerto Ricans to migrate, particularly to the mainland United States.

**POLITICAL RIGHTS: 37 / 40****A. Electoral Process: 12 / 12**

As a U.S. commonwealth, Puerto Rico exercises approximately the same control over its internal affairs as do the 50 states. The commonwealth constitution, modeled after that of the United States, provides for a governor elected for four-year terms and a bicameral legislature. The 27-member Senate and the 51-member House of Representatives are also elected for four-year terms. Puerto Ricans are U.S. citizens guaranteed all civil liberties granted in the United States, though they cannot vote in U.S. presidential elections. Residents of Puerto Rico can participate in the primary and caucus process, however. A single delegate represents Puerto Rico in the U.S. Congress and is allowed to vote on floor amendments to legislation, but not on the final passage of bills. Pedro Pierluisi of the opposition New Progressive Party (PNP) was reelected to this post in 2012 by a narrow margin. In the November 6, 2012, gubernatorial election, Senator Alejandro García Padilla of the Popular Democratic Party (PPD) received 47.7 percent of the vote, narrowly defeating incumbent governor Luis Fortuño of the PNP, who captured 47.1 percent. Four other candidates received less than 3 percent each. In legislative elections held the same day, the PPD won 18 Senate seats to the PNP's 8; the Puerto Rican Independence Party won 1 seat. Three smaller parties won no seats. In the Puerto Rico House of Representatives, the PPD won 28 seats and the PNP won the remaining 23.

A two-part, nonbinding referendum on Puerto Rico's territorial status was held the same day as the elections. The first question, asking whether voters wanted Puerto Rico to maintain its current territorial status, was supported by only 46 percent of the voters. A second question asked voters to choose whether they preferred statehood, independence, or a sovereign free associated state; the statehood option was selected by 61 percent of voters. However, with more than 470,000 voters choosing not to answer the question, in effect only 45 percent supported statehood. Governor García Padilla subsequently made it clear that he does not support statehood.

**B. Political Pluralism and Participation: 15 / 16**

Power has alternated between the pro-commonwealth Popular Democratic Party (PPD) and the pro-statehood New Progressive Party (PNP) for several decades. Puerto Ricans have consistently been nearly equally divided between support for commonwealth status and full U.S. statehood, while the option of independence enjoys little popular support.

**C. Functioning of Government: 10 / 12**

Corruption is common in Puerto Rico. A number of leading political figures have been indicted in recent years on various corruption charges. In May 2014, a Superior Court judge was charged with accepting bribes from a defendant in a criminal case; the case was ongoing at year's end. The commonwealth was ranked 31 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.



**CIVIL LIBERTIES:** 52 / 60**D. Freedom of Expression and Belief:** 16 / 16

Puerto Rico's tradition of varied and vigorous news media has been challenged by a decline in newspapers stemming from the ongoing economic crisis, among other factors. While internet access in Puerto Rico is slower and more expensive than in mainland United States, access is not restricted.

Freedom of religion is guaranteed in this largely Roman Catholic territory. A substantial number of Evangelical churches have also been established in recent years.

Academic freedom is respected.

**E. Associational and Organizational Rights:** 10 / 12

Freedom of assembly is protected by law, and Puerto Ricans frequently protest local or federal government policies. Civil society is robust, with numerous nongovernmental organizations representing special interests. The government respects the rights of trade union rights, which are generally free to organize and strike.

**F. Rule of Law:** 12 / 16

The legal system is based on U.S. law, and the island's Supreme Court heads an independent judiciary. However, concerns about politicization at the Supreme Court emerged in 2010, when the four justices approved a congressional resolution expanding the court from seven to nine members—ostensibly to deal with a heavy caseload—over the objections of a three-justice minority.

Crime remains a serious problem. The center of the narcotics trade has shifted from San Juan to smaller communities, leaving housing projects in some towns under virtual siege by drug cartels. During 2014, 681 homicides were recorded—the lowest number in more than a decade and a 23 percent decline from the 883 homicides recorded in 2013. Puerto Rico, like surrounding Caribbean countries, remains a main trafficking route for international cartels. Between January and June 2014, more than 17,000 kilograms of cocaine were seized by security forces—a significant increase compared to the 820 kilograms seized in 2011. Experts have voiced concerns that this may be an indication of traffickers increasingly bypassing surrounding islands to move drugs through Puerto Rico, as more lenient customs requirements make it easier to transport packages from Puerto Rico to the mainland United States.

In September 2011, a U.S. Justice Department report accused the Puerto Rico Police of “profound” and “longstanding” patterns of civil rights violations and other illegal practices that have left it in a state of “institutional dysfunction.” According to the report, police frequently attack nonviolent protesters and journalists in a manner that compromises the constitutionally protected rights to freedom of speech and assembly. The report also accused police of unwarranted searches and seizures. The police superintendent at the time and the Puerto Rico Justice Department claimed that the report was untrustworthy and lacked objectivity. A June 2012 American Civil Liberties Union (ACLU) report on Puerto Rico's police force further corroborated the Justice Department findings, charging that officers' “use of excessive or lethal force is routine, and civil and human rights violations are rampant.” The ACLU report cited the targeting of poor, African-descent Puerto Ricans and Dominican immigrants as a prominent problem.

In May 2014, sixteen members of the police force were arrested for involvement in colluding with and providing protection to drug dealers. Twelve of them were found guilty of various charges—including robbery, extortion, selling illegal narcotics, and manipulating official records—in December, while the remaining four are scheduled to be tried in 2015.

In July 2013, the U.S. Justice Department announced a lawsuit against the Puerto Rico Police for sustained racial and sexual discrimination against a female officer. Earlier in the month, both sides had signed a major civil rights agreement to combat police misconduct.

Hate crimes against LGBT (lesbian, gay, bisexual, and transgender) people—including violent attacks and cases of murder—remain a problem. In 2013, the government signed a bill prohibiting employment discrimination based on gender or sexual orientation.

**G. Personal Autonomy and Individual Rights:** 14 / 16

Puerto Ricans enjoy freedom of travel and choice of residence. There are no limitations on rights to enter institutions of higher education or choose one’s place of employment. Despite the prominence of organized crime, the rights to own property or operate a private business are generally not inhibited. The government is the largest employer on the island.

Although women enjoy equal rights under the law, the 2011 U.S. Justice Department report cited evidence that police officers failed to investigate incidents of sexual assault and domestic violence, including spousal abuse by fellow officers.

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## Somaliland

**Political Rights Rating:** 4

**Population:** 3,500,000

**Civil Liberties Rating:** 5

**Freedom Rating:** 4.5

**Freedom Status:** Partly Free

**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	—	4,4,PF	4,4,PF	5,4,PF	5,5,PF	4,5,PF	4,5,PF	4,5,PF	4,5,PF	4,5,PF

### INTRODUCTION

The government of Somaliland, led by President Ahmed Mohamed Mohamoud Silanyo, continued its heavy-handed response to criticism and dissent in 2014. Arrests of journalists continued, and three domestic media outlets remained suspended. Tensions rose within the ruling Peace, Unity, and Development Party (Kulmiye) after chairman Muse Bihi Abdi announced his intention to run for the presidency in 2015 against Silanyo. Local media reported in May that three prominent party members were taken into custody after voicing support for Abdi’s candidacy. Abdi withdrew his candidacy in June.

The opposition Wadani party and the Justice and Welfare Party (UCID) voiced concern throughout the year about the government respecting electoral laws and procedures, alleging that the administration is delaying election preparations, particularly voter registration, in order to extend Silanyo’s term. Both presidential and legislative elections are scheduled for 2015.

Somaliland declared independence from Somalia in 1991 following the outbreak of civil war. The regional administration lacks international recognition as an independent state.

**POLITICAL RIGHTS:** 21 / 40

**A. Electoral Process:** 5 / 12

According to Somaliland’s constitution, the president is directly elected for a maximum of two five-year terms and appoints the cabinet. The presidential election of 2010,

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originally scheduled for 2008, resulted in a smooth transfer of power from the United People's Democratic Party (UDUB) to Kulmiye, the main opposition party. Silanyo, the leader of Kulmiye, captured almost 50 percent of the vote, comfortably ahead of incumbent Dahir Riyale Kahin's 33 percent. International monitors identified some irregularities, but declared the vote free and fair. In May 2014, Silanyo announced his intention to run for a second term in 2015.

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, or Guurti, are clan elders indirectly elected for six-year terms. The last parliamentary elections were held in 2005 and have been delayed since 2010. In 2013, the terms of the lower and upper houses were extended for a second time, until 2015 and 2016, respectively. The terms were first extended in 2010 on grounds that Somaliland could not organize another election so soon after the presidential poll.

In 2012, Somaliland held municipal elections, the first such elections in a decade. Though the elections were deemed free and fair by a coalition of local observers, large protests followed. Following the elections, President Silanyo called for a new voter roll to be created before the 2015 national elections.

In November 2014, the United Nations Assistance Mission in Somalia reported of incidents of violence that took place amid preparations for the 2015 parliamentary elections. There were reports of casualties as well as of the detention of a number of parliamentarians.

#### **B. Political Pluralism and Participation:** 10 / 16

Although parties defined by region or clan are technically prohibited, party and clan affiliations often coincide. A constitutional restriction allows for a maximum of three officially recognized political parties. The Registration and Approval Committee (RAC) reviewed 18 parties and associations to determine which could participate in the 2012 local elections. From the seven parties that competed, the three parties that received the most votes were officially declared eligible for elections for the coming decade: Wadani, the UCID, and Kulmiye. Wadani is the newest of these parties; it was formed by breakaway members of UCID in 2011 and drew members of the Horyaal and Nasiye political groups in the lead-up to the 2012 local elections. In 2013, Wadani and UCID agreed to align their strategies and form a coalition against Kulmiye.

#### **C. Functioning of Government:** 6 / 12

Corruption in Somaliland was a serious problem under the government of President Riyale, but there have been signs of improvement under Silanyo. A bill to strengthen the five-member Good Governance and Anti-Corruption Commission was passed by the legislature in 2012. In 2013, the government named Hassan Omer Horri as Director General of the commission. In January 2014, the commission published the findings of a National Corruption Perception Survey, funded by the United Nations Development Program (UNDP), which examined citizen perceptions of government corruption. In February, the commission released a three-year antigraft strategy for Somaliland.

#### **CIVIL LIBERTIES:** 25 / 60

#### **D. Freedom of Expression and Belief:** 7 / 16

While freedoms of expression and the press are guaranteed by the constitution, these rights are limited in practice. Eleven independent newspapers and three independent television stations operate in Somaliland, but both outlets and journalists routinely face govern-

ment interference and harassment. The Silanyo administration has adopted a harsh approach to perceived critics in recent years, suspending several media outlets and levying heavy penalties on opposition journalists. In February 2014, the regional government banned Universal TV, a broadcaster based in the United Kingdom, after it aired a mock interview of President Silanyo on a political satire program. In April, police raided the offices of *Haatuf* and *Somaliland Times*, two Hargeisa-based newspapers, and suspended both outlets for “publishing false news and insulting officials.” Both papers were part of the Haatuf Media Network and published stories alleging corruption in the energy and interior ministries. The chairman of the company and an editor were charged in May with “libel, false publication, and antistate propaganda.” Both men were denied bail and received sentences of three years in prison, in addition to fines of 50 million Somaliland shillings (\$8,000).

Islam is the state religion, and nearly all Somaliland residents are Sunni Muslims. While the Somaliland constitution allows for the freedom of belief, it prohibits conversion from Islam and proselytizing by members of other faiths. It also requires that candidates for the presidency, vice presidency, and House of Representatives be Muslim. Academic freedom is less restricted than in neighboring Somalia. The territory has at least 10 universities and colleges of higher learning, though they are not adequately funded or staffed.

#### **E. Associational and Organizational Rights: 5 / 12**

Freedoms of assembly and association are constitutionally guaranteed. However, the government has been known to repress demonstrations in the past. Domestic human rights groups reported that police fired live ammunition at University of Hargeisa students during a peaceful demonstration against increased tuition fees in April 2014. Police violence was also reported at a demonstration in Gabiley in September. Local and international nongovernmental organizations operate without serious interference. 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**

The judiciary is underfunded and lacks independence, and the Supreme Court is largely ineffective. Somaliland has approximately 100 judges, most of whom lack formal legal training; judges are usually selected on the basis of clan or political affiliation. Somaliland’s constitution allows for three legal systems based on Sharia (Islamic law), civil law, and customary law. Upon taking office, Silanyo pledged to strengthen the independence of the judiciary and release all prisoners who had not been charged with a crime, apart from those accused of terrorism or theft. In March 2014, multiple members of the judiciary reported that they frequently face pressure from cabinet officials to make particular rulings or to release suspects.

Somaliland’s police and security forces have been accused of using excessive force. In 2014, the Somaliland-based Human Rights Centre’s annual report concluded that police operate with extensive impunity and use beatings, torture, and coercion to gather intelligence and extract confessions. According to the report, many of Somaliland’s police stations, which are intended to hold individuals for up to 48 hours, are used for long-term detention. These facilities have become overcrowded, and detainees are often held without food or other basic necessities.

In May 2014, local human rights organizations called upon the government to withdraw proposed antiterrorism legislation that they argued has the potential to severely restrict basic rights, including the freedoms of expression, assembly, and movement.

**G. Personal Autonomy and Individual Rights: 6 / 16**

Societal fault lines are largely clan-based. Larger, wealthier clans have more political clout than the less prominent groups, and clan elders often intervene to settle conflicts.

Business opportunities are limited, and unemployment is high. Among individuals aged 25 to 34, an estimated 63 percent of men and 80 percent of women are unemployed. In October 2014, the governments of the United Kingdom and Somaliland cohosted a conference to encourage trade with and investment in the territory.

The Somaliland government has made attempts to combat human trafficking in recent years. An estimated 50 Somaliland residents are smuggled out of the territory every month. The government has a specialized department within the Ministry of Labor and Social Affairs to investigate suspected trafficking. The U.S. State Department's 2014 *Trafficking in Persons Report* cites the establishment of a committee in June 2013 to combat illegal immigration. In October 2013, Somaliland police arrested a man suspected to be a prominent member of an international human trafficking network led by Yasin Mahi Ma'alin, a Swedish citizen of Somali origin.

While society in Somaliland is patriarchal, women have made modest advances in public life. Quotas for political representation of women have been frequently discussed but never adopted. In 2010, Kulmiye expressed support for a 25 percent quota across all political institutions. There are no female judges, only four women in cabinet-level positions, and one female legislator in the House of Representatives.

Violence against women, including rape, remains a major problem. The practice of female genital mutilation is widespread.

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## South Ossetia

**Political Rights Rating:** 7

**Population:** 52,000

**Civil Liberties Rating:** 6

**Freedom Rating:** 6.5

**Freedom Status:** Not Free

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	–	–	–	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF

### INTRODUCTION

In June 2014, South Ossetia held parliamentary elections, which were conducted peacefully and without major procedural violations. A number of newly formed opposition parties were able to participate in the election, with candidates competing for 34 legislative seats. United Ossetia, led by emergency minister and former presidential contender Anatolii Bibilov, captured 20 of the 34 seats.

Leonid Tibilov's presidential term continued amid a period of relative stability in 2014. Tibilov continued to voice support for strengthening the territory's ties with the Russian government, which already exerts almost complete control over South Ossetia.

At the end of 2014, only Russia, Venezuela, Nicaragua, and the Pacific Island state of Nauru recognized South Ossetia's independence from Georgia. Tuvalu retracted its recognition in March after signing an agreement to establish diplomatic relations with Georgia.

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**POLITICAL RIGHTS:** 1 / 40 (+4)**A. Electoral Process:** 2 / 12 (+2)

Under the South Ossetian constitution, the president and the 34-seat parliament are elected for five-year terms. Elections held by the separatist government are not monitored by independent observers or recognized by the international community, and most ethnic Georgians have either declined or been unable to participate in elections since separatist forces first seized territory in the early 1990s and expanded their control in the 2008 conflict.

Presidential elections held in November 2011 were declared invalid by the Supreme Court amid questionable claims of electoral violations. Second-round polls had shown Alla Dzhioyeva, a former education minister who opposed Russian annexation, to be the winner. A new election was called for March 2012 amid protests by Dzhioyeva's supporters, with Dzhioyeva herself barred from running. Four new candidates, all favorable to Russia, competed in the repeat election. Tibilov, who had led South Ossetia's Committee for State Security (KGB) in the 1990s, received 42 percent of the vote, followed by human rights ombudsman David Sanakoyev with approximately 25 percent. Tibilov won the April 8 runoff with 54 percent and was sworn in as president on April 19.

The parliamentary elections held in June 2014 were a substantial improvement from previous elections. Unlike in the 2009 parliamentary vote, in which only 3 parties were able to participate, candidates from 9 parties succeeded in registering for the 2014 election. The opposition United Ossetia won 20 seats, followed by the Unity of the People party with 6 seats. The People's Party and Nykhas each captured 4 seats. Tibilov did not openly support any party, and the election was noted for its lack of major violations.

The election campaign, which began in May, was also considered an improvement from previous years. No political party was arbitrarily barred from participating, and of the several individuals who had been denied registration because of alleged failure to meet the five-year residency requirement, the majority had their candidacy reinstated after appealing to the Supreme Court.

**B. Political Pluralism and Participation:** 2 / 16 (+2)

In keeping with his campaign pledge of national unity, Tibilov included members of the opposition into his government. Sanakoyev took the post of foreign minister, Dzhioyeva became deputy prime minister, and Bibilov kept his position of emergency situations minister. Tibilov's presidency has ushered in a period of apparent political liberalization. A significant number of new political parties have been able to register in recent years. These include Bibilov's United Ossetia, which won the most seats in the 2014 election; New Ossetia, headed by Sanakoyev; and Dzhioyeva's Freedom Square party. In contrast, during the 2011 election period, leading opposition candidates had been prevented from registering, and other opposition candidates were beaten or jailed.

Tibilov has significantly increased ties with Russia, and officials endorsed by Moscow have held or maintained key government positions in recent years, many appointed directly by Russia or from Russia's North Ossetia republic. In December 2014, Tibilov proposed a draft treaty with Russia that emulated a sweeping bilateral agreement signed by Moscow and Abkhazia in November. The proposal focused on increasing economic and military cooperation.

In 2013, Russian president Vladimir Putin appointed Vladislav Surkov, the reputed architect of Russia's nominally pluralistic but tightly managed party system, as his presidential aide responsible for social and economic issues in South Ossetia and Abkhazia.

**C. Functioning of Government:** 0 / 12

Russia continues to exert almost complete control over South Ossetia, and both Tibilov and opposition parties have spoken repeatedly of formally uniting the territory with Russia's North Ossetia republic or joining the Russian Federation directly. In January 2014, United Ossetia issued a formal appeal to Tibilov, asking the president to call for a referendum on South Ossetia's unification with Russia. Authorities declined to grant the request.

A number of recent agreements with Russia have expanded the country's influence in South Ossetia. A 2013 agreement on interparliamentary cooperation aimed to harmonize Ossetian laws with Russian legislation; a memorandum of cooperation on antiterrorism was signed in 2013 to enhance security and border protection; and a 2011 agreement has given Russia the freedom to build and operate military bases in the territory for 49 years. Roughly 4,000 Russian troops remain stationed in South Ossetia.

Russian aid comprises almost the entirety of South Ossetia's budget, and the territory's high unemployment rate, lacking industry, and poor administrative coordination have all contributed to the difficulties of advancing economic reform.

Having pledged to root out his predecessor's allegedly rampant corruption and increase stability, Tibilov initiated an investigation in 2012 into suspected embezzlement involving former president Eduard Kokoity and the disbursal of Russian funds earmarked for postwar reconstruction; a number of allegedly corrupt officials were replaced in the process. South Ossetia's prosecutor general, Merab Chigoyev, continued pursuing dozens of criminal investigations into corruption in 2014, including some aimed at former government officials.

**Discretionary Political Rights Question B:** -3 / 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.

**CIVIL LIBERTIES:** 9 / 60 (+1)**D. Freedom of Expression:** 4 / 16

South Ossetia's local electronic and print media are almost entirely controlled by the authorities, and private broadcasts are prohibited. Foreign media, including broadcasts from Russia and Georgia, are accessible. During the 2011-12 election period, independent or opposition-oriented journalists in the territory faced various forms of intimidation, including spurious criminal charges. In April 2014, three Georgian journalists investigating a story about the territory's administrative boundary lines were detained in South Ossetia, but released the following day.

Freedom of religion has sometimes been adversely affected by the political and military situation. While the majority of the population is Orthodox Christian, there is a sizeable Muslim community, many members of which migrated from the North Caucasus. The educational system reflects government views, and many South Ossetians receive higher education in Russia.

**E. Associational and Organizational Rights:** 1 / 12 (+1)

While antigovernment protests were extremely rare before the 2008 war, opposition groups mounted demonstrations following the flawed 2009 elections, and Tskhinvali residents protested repeatedly over the slow postwar reconstruction process and related government corruption. In the run-up to the presidential election in 2011, one human rights activist was beaten and another threatened after leading such demonstrations.

In the run-up to the June 2014 parliamentary election, groups and individuals publicly expressed support for different political candidates and views without being subject to intimidation or arrest, in contrast to previous years. A number of assemblies were held peacefully and without undue interference.

Though some nongovernmental organizations (NGOs) operate in the territory, in practice they are largely controlled by the state and funded by Russia. Activists operate under the close scrutiny of the authorities and have been subject to intimidation in the past. In March 2014, the parliament amended the territory's NGO legislation to include provisions for the operation of "foreign agents," a term used to refer to organizations that receive funding from outside the territory. Following several months of debate with local NGOs opposed to the terminology, a final version of the law was passed in May, replacing the term "foreign agent" with "foreign partner." The law makes organizations with foreign funding subject to broader and more frequent reporting requirements, increasing the oversight of local authorities over NGOs. The legislation bore similarity to a law passed in Russia in 2012.

**F. Rule of Law: 1 / 16**

South Ossetia's justice system has been manipulated to punish perceived opponents of the separatist leadership, while government allies allegedly 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.

Physical abuse and poor conditions are reportedly common in South Ossetian prisons and detention centers. Arbitrary arrests of ethnic Georgians have been reported.

**G. Personal Autonomy and Individual Rights: 3 / 16**

Freedom of movement in and out of the territory is restricted in various ways. Russian authorities have prevented ethnic Ossetians from entering Georgia, but travel to Russia is unimpeded. Russian troops also regularly arrest Georgians near the administrative border for illegal crossing. Detainees are usually released after paying a fine. A group of 17 Georgians from a district bordering South Ossetia were detained in May 2014 for crossing the administrative boundary, but released several days later.

In May 2013, Russian troops began installing wire fencing along the administrative border, dividing Georgian-controlled areas from South Ossetia and impeding previously unhindered movement between local villages on both sides. The United States, the North Atlantic Treaty Organization (NATO), and the European Union Monitoring Mission (EUMM) called on Russia to halt construction and adhere to its commitments under the August 2008 cease-fire agreement. Russian forces halted the installation in September 2013.

The strategic Roki Tunnel—the only route linking South Ossetia to Russia since the 2008 war—was reopened in November 2014 following four years of Russian-led reconstruction efforts.



# Tibet

**Political Rights Rating:** 7

**Population:** 3,000,000

**Civil Liberties Rating:** 7

**Freedom Rating:** 7.0

**Freedom Status:** Not Free

[*Note:* This figure from China's 2010 census covers only the Tibet Autonomous Region. Areas of eastern Tibet that were incorporated into neighboring Chinese provinces are also assessed in the report below.]

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Rating	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF

## INTRODUCTION

Over the course of 2014, 11 Tibetans set themselves on fire to protest Chinese Communist Party (CCP) rule. The authorities responded with communications blackouts, “patriotic education” campaigns, travel restrictions, and intrusive new controls on monasteries. The security clampdown that has been in place since a 2008 popular uprising increasingly extended to Tibetan areas outside the Tibet Autonomous Region (TAR).

No official dialogue between Beijing and the Dalai Lama took place by year's end, marking the longest period without negotiations since 2002. Meanwhile, Beijing continued to press foreign leaders to refrain from meeting with the Dalai Lama and to endorse the official Chinese position on Tibet.

**POLITICAL RIGHTS:** -2 / 40

**A. Electoral Process:** 0 / 12

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 power is concentrated in the hands of senior, ethnic (Han) Chinese CCP officials. In 2011, Chen Quanguo replaced Zhang Qingli as TAR party secretary. The few ethnic Tibetans who occupy senior positions serve mostly as figureheads and echo official doctrine. Losang Gyaltzen replaced Padma Thrinley (known as Pema Choling in the Chinese press) as chairman of the TAR government in 2013; both men are Tibetans.

**B. Political Pluralism and Participation:** 0 / 16

All 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 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. The unelected Dalai Lama, who served as head of state, renounced his political role in 2011. Lobsang Sangay was elected prime minister the following month, replacing a two-term incumbent and becoming the exile government's top political official. In September 2014, the Dalai Lama announced he might be the last to hold the title.

**C. Functioning of Government: 1 / 12**

Corruption is believed to be extensive in Tibet, as in the rest of China. Nevertheless, little information was available in 2014 on the scale of the problem or official measures to combat it. In July, the Chinese government reportedly sent investigators to the TAR as part of Chinese president Xi Jinping's anticorruption campaign. However, the campaign served the dual purpose of strengthening control and ensuring effective implementation of party policies by targeting local officials undermining CCP goals.

**Discretionary Political Rights Question B: -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. Intrusive and discriminatory government policies on education and religious institutions have added to Tibetan fears of cultural assimilation.

**CIVIL LIBERTIES: 3 / 60****D. Freedom of Expression and Belief: 0 / 16**

Chinese authorities tightly restrict all media in Tibet. Such measures intensified in 2014 as the authorities sought to suppress information about self-immolations and through related security crackdowns. International broadcasts are jammed and communications devices periodically confiscated.

The online restrictions and monitoring in place across China are enforced even more stringently in the TAR. In May 2014, the head of Tibet's propaganda department reportedly vowed to "seal and stifle" the internet in a meeting with the State Council's information office. Internet and mobile-telephone users have been arrested for accessing or transmitting banned information.

In May, two Tibetan monks were reportedly sentenced to five and seven years in prison, respectively, for sharing with 15 people via WeChat, a popular mobile messaging app, a photo that they had captioned. The caption implied that it was shameful that the two people in the photo were wearing fur, a practice denounced by the Dalai Lama. The Tibetan Centre for Human Rights and Democracy surmised that the Chinese authorities perceived the defendants to be colluding with the Dalai Lama. Another Tibetan monk was reportedly arrested in March after sending emails critical of the Chinese government to friends as well as officials at Tsenden Monastery in Nagchu Prefecture.

According to overseas Tibetan groups, scores of writers, intellectuals, and musicians have been arrested since 2008, with some sentenced to lengthy prison terms. For example, Chinese officials in Barkham County arrested a popular Tibetan singer in May 2014, following his performance in a concert organized to celebrate Tibetan language and culture. He was released without charge in June.

Foreign journalists were consistently prevented from entering Tibetan areas of Sichuan and other provinces, though no permission is technically required for travel there. Residents who assist foreign journalists are reportedly harassed. In 2013, a French television station aired a documentary that was filmed undercover by a reporter visiting the TAR on a tourist visa. Chinese officials subsequently harassed and threatened the journalist and his station.

The authorities regularly suppress religious activities, particularly those seen as forms of dissent or advocacy of Tibetan independence. Many monks were arrested in 2014 for publicly protesting CCP rule. Possession of Dalai Lama-related materials can lead to official harassment and punishment, though many Tibetans secretly possess such items. Religious

Affairs Bureaus (RABs) control who can study in monasteries and nunneries. Officials allow only people over age 18 to become monks and nuns, and they 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. Authorities in Yulshul Tibetan Autonomous Prefecture, Qinghai Province, reportedly ordered monasteries to replace all staff and management committee members with Chinese cadres or party appointees by June 2014. Police posts are increasingly common even in smaller monasteries.

In May 2014, a travel ban was issued for those attempting to visit Mount Kailash—a principal pilgrimage site for Tibetan Buddhists—for religious reasons. Separately, a local regulation was reportedly passed in Diru County in June to severely restrict Tibetan Buddhists' ability to hold and participate in the Great Prayer Festival, one of their most important religious ceremonies.

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. Some monks and nuns have reportedly left their institutions to avoid the sessions. The effort has also 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. In a program initiated in 2011, tens of thousands of CCP cadres have been sent to villages across the TAR to scrutinize residents' views and enforce the government's message.

University professors cannot lecture on certain topics, and many must attend political indoctrination sessions. The government restricts course materials to prevent the circulation of unofficial versions of Tibetan history.

#### **E. Associational and Organizational Rights: 0 / 12**

The Chinese authorities severely restrict freedoms of assembly and association. Independent trade unions and human rights groups are illegal, and even nonviolent protests are often harshly punished. Nongovernmental organizations (NGOs) including those focused only on development and public health operate under highly restrictive agreements. Nevertheless, Tibetans continue to seek avenues for expressing dissatisfaction with government policies. In 2014, Tibetans staged periodic demonstrations or vigils to protest CCP rule. Authorities often responded with arrests or violent crackdowns. In August, security forces opened fire on hundreds of Tibetan demonstrators in Sichuan province, severely wounding nearly a dozen people and detaining many others. The Tibetans were protesting the arrest of village leader Dema Wangdak, who had criticized Chinese officials for harassing Tibetan women at a local event. In November, two young men from Ngaba County were sentenced to two and three years in prison, respectively, for engaging in separate solitary protests; they had waved Tibetan flags while shouting slogans calling for freedom in Tibet and the return of the Dalai Lama.

A rare labor action occurred in May 2014, as 100 teachers in the Tibetan prefecture of Qinhai province protested low pay and benefits stemming from their status as “substitute” teachers.

#### **F. Rule of Law: 0 / 16**

The judicial system in Tibet does not justly enforce the rule of law, and torture is reportedly widespread. Critics of Chinese rule continue to face arrests and disappearances. Defendants lack access to meaningful legal representation. Trials are closed if state security is invoked, and sometimes even when no political crime is listed. Chinese lawyers who offer to

defend Tibetan suspects have been harassed or disbarred. Security forces routinely engage in arbitrary detention, and detainees' families are often left uninformed as to their whereabouts or well-being. In December 2014, for example, authorities took Tibetan political prisoner Tenzin Choedak to a hospital after he sustained a brutal assault; he later died as a result of his injuries. Critics have accused the government of perpetrating the beating, and Choedak showed signs of having been tortured while in custody.

The use of self-immolation to protest Chinese rule saw a sharp decline in 2014, following harsh punishments inflicted by the Chinese authorities. Authorities responded to immolations with information blackouts, a heightened security presence, and increased surveillance. Guidelines unveiled in 2012 state that engaging in self-immolations and organizing, assisting, or gathering crowds related to such acts should be considered criminal offenses, including intentional homicide in some cases. Officials have offered cash rewards of hundreds of thousands of yuan for information on planned self-immolations. Since 2013, the government has also employed collective punishment tactics in Dzoegge County, Sichuan Province, canceling public benefits for the households of self-immolators and ending state-funded projects in their villages.

LGBT (lesbian, gay, bisexual, and transgender) people suffer from discrimination. No LGBT-focused groups operate in the TAR, and discussion of LGBT issues is taboo.

#### **G. Personal Autonomy and Individual Rights: 3 / 16**

Heightened restrictions on freedom of movement—including the use of troop deployments, roadblocks, and passport restrictions—continued in 2014, particularly in areas where self-immolations took place. Increased security efforts reportedly kept the number of Tibetans who successfully crossed the border into Nepal at around 100 in 2014, continuing a trend of annual declines from more than 2,000 in 2007. Some Tibetan students who were accepted by foreign schools were denied passports, preventing them from studying abroad. Authorities continued to restrict access to the TAR for human rights researchers as well as some tourists in 2014. They were denied entry surrounding politically sensitive dates, such as the anniversary of the 2008 protests. During other periods, they were required to travel in groups and obtain official permission to visit the TAR, and even then, last-minute travel bans were sometimes imposed.

Tibetans receive preferential treatment in university admission examinations, but this is often not enough to secure entrance. The dominant role of the Chinese language in education and employment limits opportunities for many Tibetans. Private employers favor ethnic Chinese for many jobs, and Tibetans reportedly find it more difficult to obtain permits and loans to open businesses.

Since 2003, the authorities have intensified efforts to resettle rural Tibetans—either by force or with inducements—into permanent-housing areas with little economic infrastructure. According to Human Rights Watch, more than two million TAR residents have been resettled since 2006, and plans to continue the program persisted in 2014. Many have reportedly tried to return to their previous lands, risking conflict with officials.

China's restrictive family-planning policies are more leniently enforced for Tibetans and other ethnic minorities. As a result, the TAR is one of the few areas of China without a skewed sex ratio. Officials limit urban Tibetans to two children and encourage rural Tibetans to stop at three. Women are well represented in many public-sector jobs and CCP posts within the TAR, though most high-level officials are men. However, advocates noted in 2014 that women suffer specific religious and political persecution related to Chinese suppression of Tibetan identity. Furthermore, cases of trafficking in Tibetan women have surged in recent years, with many being taken to China for domestic service and forced marriages.

# Transnistria

**Political Rights Rating:** 6

**Population:** 505,153

**Civil Liberties Rating:** 6

**Freedom Rating:** 6.0

**Freedom Status:** Not Free

## Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF	6,6,NF

## INTRODUCTION

International and bilateral negotiations on the status of Transnistria—a breakaway region of Moldova that is also known as the Pridnestrovskaya Moldavskaya Respublika (PMR)—continued during 2014. Tensions increased due to Russia’s invasions of neighboring Ukraine as well as Moldova’s pursuit of European integration, which Russia and the separatist PMR authorities firmly opposed.

In March and April, PMR lawmakers called on Russian president Vladimir Putin and international bodies to recognize Transnistria’s independence as a prelude to Russian annexation. In May, a local pro-Russian organization handed a petition of some 185,000 signatures to Russia’s special representative to the region, Deputy Prime Minister Dmitry Rogozin. When Rogozin’s plane was temporarily diverted to Chişinău, Moldovan authorities confiscated some of the signatures, drawing threats of economic repercussions from Moscow.

International negotiations were held under the so-called 5+2 format, with the Organization for Security and Co-operation in Europe (OSCE), Russia, and Ukraine mediating between Moldova and the PMR, and the United States and European Union (EU) joining as observers. The talks focused on minor issues related to freedom of movement across the de facto border separating Transnistria from the rest of Moldova and generally failed to address the overarching political questions.

**POLITICAL RIGHTS:** 10 / 40

**A. Electoral Process:** 3 / 12

Residents of Transnistria cannot choose their leaders democratically, and they are unable to participate freely in Moldovan elections. While the PMR maintains its own legislative, executive, and judicial branches of government, no country recognizes its independence. Both the president and the 43-seat, unicameral Supreme Council are elected to five-year terms. In 2011, the legislature approved constitutional amendments that created a relatively weak post of prime minister and set a two-term limit on the presidency.

The *Obnovleniye* (Renewal) party maintained its majority in 2010 legislative elections, winning 25 of 43 seats. Party leader Anatoliy Kaminsky was reelected as speaker. While the 2011 presidential election, like all voting for PMR institutions, was not recognized internationally, it featured increased competition and a somewhat broader choice for voters compared with previous polls. Yevgeniy Shevchuk, a former parliament speaker, led the first round with 39 percent, followed by Kaminsky, who had Russia’s endorsement, with 26 percent. Founding PMR president Igor Smirnov, whom Moscow had urged not to seek a fifth term, was eliminated in the first round in a field of six. Shevchuk won the runoff against Kaminsky, securing 74 percent of the vote. Kaminsky resigned as parliament speaker and

head of Obnovleniye in 2012. He was replaced in both posts by his deputy, Mikhail Burla. In 2013, Tatyana Turanskaya was confirmed as the PMR's new prime minister.

In October 2014, the Supreme Council voted to hold the next local and legislative elections simultaneously in November 2015, instead of March and December, respectively. The move was reportedly designed to conserve resources, though some critics ascribed political or corrupt financial motives to the change.

**B. Political Pluralism and Participation: 5 / 16**

Shevchuk, who had fallen out with Smirnov in 2009 and was expelled from Obnovleniye in 2011, formed the Vozrozhdeniye (Revival) movement to back his 2011 presidential bid. Although committed to maintaining strong ties with Russia, he pledged to tackle corruption and laid out plans to reduce barriers to travel and trade with Moldova.

Obnovleniye, the majority party in the legislature, is associated with Transnistria's monopolistic business conglomerate, Sheriff Enterprises, and maintains a close relationship with the ruling party in Russia. The PMR's entire political establishment, including nominal opposition parties, supports the separatist system and Russia's role as patron.

Moscow's political influence in Transnistria is undergirded by more than 1,000 Russian troops, who are ostensibly stationed to guard Soviet-era ammunition depots and uphold a 1992 cease-fire between the PMR and the Moldovan government. During 2014, the Moldovan government reiterated calls for Russia to withdraw its personnel.

Native Romanian speakers are poorly represented in government. While the authorities do not allow voting in Moldovan elections to take place in PMR-controlled territory, residents with Russian citizenship had access to two dozen polling stations for Russia's tightly controlled 2012 presidential election. PMR authorities reportedly blocked voting by resident Ukrainian citizens during the May 2014 Ukrainian presidential election.

**C. Functioning of Government: 2 / 12**

Corruption and organized crime are serious problems. The authorities are entrenched in the territory's economic activities, which rely heavily on smuggling schemes. In 2014, Ukrainian authorities accused Transnistrian smugglers of supplying weapons to pro-Russian separatists in nearby Odessa. Since 2005, the EU has assisted Ukraine and Moldova to maintain customs controls and seize smuggled goods along what is internationally recognized as their shared border.

Russia has a major stake in the Transnistrian economy and backs the PMR through loans, direct subsidies, and natural gas supplies. The PMR government routinely faces enormous budget deficits. Transnistria has not paid the state-owned Russian energy giant Gazprom for gas imports since 2007, building up a debt of about \$4 billion. Individuals associated with the Smirnov administration have been accused of embezzling Russian aid and Transnistrian public assets.

**CIVIL LIBERTIES: 14 / 60**

**D. Freedom of Expression and Belief: 5 / 16**

The media environment is restrictive. Nearly all media are state owned or controlled and refrain from criticizing the authorities. The few independent print outlets have small circulations. Critical reporting draws harassment by the government, which also uses bureaucratic obstruction and the withholding of information to inhibit independent media. Sheriff Enterprises dominates the private broadcasting, cable television, and internet service markets. Shevchuk issued a decree in August 2014 that required government agencies, private organizations, and citizens to report instances of "extremist" material online.

Religious freedom is limited. Orthodox Christianity is the dominant faith, and authorities have denied registration to several smaller religious groups. Unregistered groups face harassment by police and Orthodox opponents. There are no legal exemptions from military service for conscientious objectors, leading to criminal punishment of Jehovah's Witnesses and others.

Several schools that provide instruction in Romanian using the Latin alphabet, which is associated with support for unity with Moldova, face harassment by PMR officials and are forced to use substandard facilities. Among other forms of pressure in 2014, PMR police in February temporarily detained the director of one of the Latin-script schools and seized money meant for teachers' salaries.

#### **E. Associational and Organizational Rights: 2 / 12**

Authorities severely restrict freedom of assembly and rarely issue required permits for public protests. In 2013, opposition politicians and free speech advocates were allowed to hold a small protest against the blocking of websites by the government, but its impact was limited by other events, such as a military band concert, that were scheduled for the same time and location.

Freedom of association is similarly circumscribed. All nongovernmental activities must be coordinated with local authorities, and noncompliant groups face harassment, including surveillance and visits by security officials. The region's trade unions are holdovers from the Soviet era, and the United Council of Labor Collectives works closely with the government.

#### **F. Rule of Law: 2 / 16**

The judiciary is subservient to the executive and generally implements the will of the authorities. Defendants do not receive fair trials, and the legal framework falls short of international standards. Politically motivated arrests and detentions are common. In 2014, PMR authorities continued to hold a council member and a second man from a disputed border village who had been arrested in 2013 for alleged bribery; the men argued that they were actually detained for resisting the installation of PMR checkpoints near their village.

Human rights groups have received credible accounts of torture in custody, and prison conditions are harsh and unsanitary. A February 2013 UN report found excessive use of pretrial detention, lengthy sentences for minor crimes, and an "alarming" health situation in prisons, including cases of drug-resistant tuberculosis. There is no separate juvenile justice system, and addicts face forced medical treatment. Suspicious deaths of military conscripts occur periodically amid reports of routine mistreatment.

Despite constitutional guarantees of equality, authorities discriminate against the Romanian-speaking plurality. Ethnic Russians and ethnic Ukrainians together account for some 60 percent of the population. LGBT (lesbian, gay, bisexual, and transgender) people have also reported discrimination.

#### **G. Personal Autonomy and Individual Rights: 5 / 16**

Travelers are frequently detained and questioned by the PMR authorities, who in some cases seize or demand money and goods. The majority of residents hold Russian, Ukrainian, or other countries' passports besides Moldovan, though many are believed to have multiple citizenship. Thousands reportedly applied for Moldovan passports during 2014 to qualify for Moldova's newly granted visa-free EU travel privileges, and roughly half the population had confirmed their Moldovan citizenship by year's end.

The PMR and Russia complained of increased border restrictions by Ukrainian and Moldovan authorities in 2014, claiming a "blockade" was being imposed, but some official statistics

reportedly showed an increase in trade. In April, Moldova reversed excise taxes on raw materials and industrial components imported by Transnistrian enterprises that were introduced in January; the PMR, complaining of double taxation, had demanded that the taxes be lifted before it would proceed with the 5+2 talks. Separately, Ukrainian authorities doubled troop deployments along the Transnistrian section of the border and dug a trench to block both smuggling and potential incursions by Russian military vehicles, though border crossings remained open.

The 2013 UN report found that many residents have lost their rights to housing or agricultural land following flawed privatizations of factories and collective farms. Others living along the cease-fire line between Moldova and Transnistria are hampered by jurisdictional disputes involving their farmland.

Women are typically underrepresented in positions of authority, making up less than 10 percent of the legislature, though Shevchuk’s government includes several high-ranking women. Domestic violence against women is a widespread problem, and police sometimes refuse to take complaints from victims. Transnistria is a significant source and transit point for trafficking in women for the purpose of prostitution.

## West Bank

**Political Rights Rating:** 6

**Population:** 2,731,000

**Civil Liberties Rating:** 5

**Freedom Rating:** 5.5

**Freedom Status:** Not Free

*Note:* Whereas past editions of *Freedom in the World* featured one report for Israeli-occupied portions of the West Bank and Gaza Strip and another for Palestinian-administered portions, the five latest editions divide the territories based on geography, with one report for the West Bank and another for the Gaza Strip. As in previous years, Israel is examined in a separate report.

### Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)

Year Under Review Rating	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
	—	—	—	—	—	6,5,NF	6,5,NF	6,5,NF	6,5,NF	6,5,NF

### INTRODUCTION

In 2014, the Fatah-led Palestinian Authority (PA) in the West Bank continued to operate without an electoral mandate or a functioning legislature. Negotiations aimed at repairing its seven-year-old rift with the Hamas regime in Gaza led to an agreement in April, followed by the announcement of a unity cabinet in June. However, a September pact on the terms by which the unified PA government would take control in Gaza had yet to be implemented at year’s end.

Meanwhile, nine months of U.S.-mediated peace talks between the PA and Israel broke off in April, with the Israeli side citing the planned inclusion of Hamas in the PA unity government.

Settlement activity and sporadic violence continued, including the tit-for-tat abduction and murder of Israeli and Palestinian youths before the July–August military conflict between Israel and Hamas in Gaza, known as Operation Protective Edge. The abductions triggered an Israeli military crackdown in the West Bank beginning in June.



**POLITICAL RIGHTS:** 6 / 40 (-1)**A. Electoral Process:** 2 / 12

Most Palestinian residents of the West Bank are citizens of the PA, a quasi-sovereign entity created by the 1993 Oslo Accords. Jewish settlers in the West Bank are Israeli citizens.

The PA president is elected to four-year terms. The prime minister is nominated by the president and requires the support of the unicameral, 132-seat Palestinian Legislative Council (PLC), which also serves four-year terms. Voting in the West Bank during the 2005 presidential and 2006 PLC elections was deemed largely free and fair by international observers. Fatah's Mahmoud Abbas won the presidency with 62 percent of the vote, but Hamas led the PLC balloting with 74 seats, leaving Fatah with 45. The two factions formed a unity government headed by Prime Minister Ismail Haniya of Hamas.

After the violent split of the PA in 2007, Abbas appointed a new cabinet in the West Bank—with Salam Fayyad as prime minister—that lacked the PLC's approval. In 2008, PA security forces arrested hundreds of Hamas members and supporters. The rift, combined with Israel's detention of many Palestinian lawmakers, prevented the PLC from functioning, and its term expired in 2010.

The Fatah-led Palestine Liberation Organization (PLO) indefinitely extended Abbas's presidential term after his electoral mandate expired in 2009. Abbas issued a law permitting the Fatah-affiliated minister of local government to dissolve municipal councils, leading to the replacement of nearly all Hamas-affiliated municipal officials in the West Bank with Fatah loyalists. Elections were held for more than 90 municipalities in October 2012 amid some accusations of unfairness, with Hamas and Islamic Jihad boycotting. Only half of eligible Palestinians registered to participate, and only 54 percent of those registered actually voted. Fatah won 40 percent of the seats at stake; others were taken by independents, including many former Fatah members.

In June 2013, Abbas appointed Rami Hamdallah to replace Fayyad as prime minister. Hamdallah retained his post in the unity cabinet announced in June 2014.

**B. Political Pluralism and Participation:** 5 / 16

The PA and Israeli forces in the West Bank have largely suppressed Hamas since 2007. However, a number of smaller Palestinian parties continue to operate, including through membership in the PLO. Despite the unity government deal concluded in 2014, relations between Fatah and Hamas and their respective supporters remained poor.

After Israel annexed East Jerusalem in 1967, Arab residents were issued Israeli identity cards and given the option of obtaining Israeli citizenship, though most have rejected this option. Non-Israeli citizens can vote in municipal and PA elections, but are subject to restrictions imposed by the Israeli municipality. In the 2006 PLC elections, Israel barred Hamas from campaigning in the city. By law, Israel strips Arabs of their Jerusalem residency if they are away for more than three months.

**C. Functioning of Government:** 2 / 12

The 2007 schism left the West Bank PA with a cabinet that lacked the support of the legislature, and the expiration of the presidential and parliamentary terms in 2009 and 2010 further undermined the government's legitimacy. The PA's ability to implement policy decisions is limited in practice by direct Israeli control over much of the West Bank.

Abbas has overseen some improvements on corruption, and Fayyad was credited with significantly reducing corruption at the higher levels of the PA. Nevertheless, a 2013 report by the Coalition for Accountability and Integrity (AMAN) detailed endemic corruption, especially graft. An April 2014 nonbinding European Parliament resolution also raised corruption concerns.

**Discretionary Political Rights Question B:** -3 / 0 (-1)

Construction of Jewish settlements and related land seizures in the West Bank continued in 2014, with an especially large Israeli government land appropriation near the Gush Etzion settlement bloc occurring in August.

According to the human rights group B'Tselem, Israeli authorities demolished 141 Palestinian housing units in the West Bank (not including East Jerusalem) during 2014 due to lack of building permits, leaving 715 people homeless, including 386 minors. In East Jerusalem, the number of housing units demolished was 47, and 167 people were left homeless, including 77 minors. In addition, four houses were demolished for punitive reasons in 2014, leaving 27 people homeless, 13 of them minors.

**CIVIL LIBERTIES:** 25 / 60 (+1)**D. Freedom of Expression and Belief:** 9 / 16 (+1)

The media are not free in the West Bank. Under a 1995 PA press law, journalists may be fined and jailed, and newspapers closed, for publishing "secret information" on PA security forces or news that might harm national unity or incite violence. Several small media outlets are routinely pressured to provide favorable coverage of the PA and Fatah. Journalists who criticize the PA or Fatah face arbitrary arrests, threats, and physical abuse. Since 2007, both the PA and Israeli forces have shut down most Hamas-affiliated broadcast outlets in the West Bank.

International press freedom groups criticize Israel for blocking journalists' access to conflict zones, harming and sometimes killing reporters during armed clashes, and harassing Palestinian journalists. Israel insists that reporters are not targeted deliberately. The Palestinian Center for Development and Media Freedoms (MADA) reported 38 press freedom violations by Palestinian forces in the West Bank in the first half of 2014, half of which involved physical assaults. According to the same report, Israeli forces were responsible for 132 violations in the first half of 2014, an evident increase from 2013, when there were 151 such violations for the whole year.

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 against Islam is a criminal offense. Synagogues are occasionally attacked by Palestinian militants. Some Palestinian Christians have experienced intimidation and harassment by radical Islamist groups and PA officials.

Israel generally recognizes freedom of religion in the West Bank. Mosque vandalism and other attacks by Jewish settlers have increased in recent years. Citing security concerns, Israel occasionally restricts Muslim men under age 50 from praying at the Temple Mount/Haram al-Sharif compound in Jerusalem. For example, authorities imposed such limits for a period in late 2014 amid clashes over increased visits to the site by Jews. However, individuals are generally able to access religious sites.

The PA has authority over Palestinian education. Israeli military closures, curfews, and the security barrier separating most of the West Bank from Israel restrict access to academic institutions, particularly those located between Israel and the barrier. Schools have sometimes been damaged during military actions, and student travel between the West Bank and the Gaza Strip has been limited. Israel accuses the PA of teaching incitement, though a February 2013 report by the Council of Religious Institutions of the Holy Land found that "dehumanizing and demonizing characterizations of the other" are not a major concern in Israeli or Palestinian textbooks.

Israeli academic institutions in the West Bank increasingly face international and domestic boycotts. Primary and secondary education in West Bank settlements is administered

by Israel, though religious schools have significant discretion over curriculums. According to the Association for Civil Rights in Israel, East Jerusalem's schools are badly underfunded compared with schools in West Jerusalem.

#### **E. Associational and Organizational Rights: 6 / 12**

The PA requires permits for demonstrations, and those against PA policies are generally dispersed. However, in 2012 the authorities allowed the first Hamas rally in several years. Israel's Military Order 101 requires a permit for all "political" demonstrations of more than 10 people; demonstrations are routinely broken up with force, occasionally resulting in fatalities. In 2014, Israeli forces continued to restrict and disperse frequent and sometimes violent demonstrations in opposition to the security barrier, declaring some protest areas to be closed military zones. They regularly used rubber-coated bullets, stun grenades, and tear gas to break up demonstrations. Among other fatalities during the year, PA cabinet minister Ziad Abu Ein died after being struck by Israeli security personnel during protests in December, though the exact cause of his death remained in dispute.

Mass demonstrations, stone throwing, and related clashes with Israeli forces to protest Operation Protective Edge in the summer of 2014 resulted in more than a dozen Palestinian deaths, with Israeli soldiers repeatedly using live gunfire.

A broad range of Palestinian nongovernmental organizations operate freely in the West Bank. Since 2007, however, many Hamas-affiliated civic associations have been shut down for political reasons. Researchers, lawyers, and activists are sometimes beaten by the PA security services, according to Human Rights Watch.

Workers may establish unions without government authorization. Palestinian workers seeking to strike must submit to arbitration by the PA Labor Ministry. No laws in the PA-ruled areas protect the rights of striking workers. Palestinian workers in Jerusalem are subject to Israeli labor law.

#### **F. Rule of Law: 5 / 16**

The PA judicial system is partly independent. West Bank laws derive from Ottoman, British Mandate, Jordanian, Israeli, and PA legislation, as well as Israeli military orders. The High Judicial Council oversees most legal proceedings. Israel's Supreme Court hears petitions from non-Israeli residents of the West Bank regarding home demolitions, land confiscations, road closures, and military tactics. Decisions in favor of Palestinian petitioners, while rare, have increased in recent years. Most applications regarding the security barrier have been rejected, but the Israeli Supreme Court has repeatedly ordered changes to its route after hearing petitions.

The PA also has a military court system that lacks almost all due process, including the right to appeal sentences, and can impose the death penalty. No executions have been carried out since Abbas took power in 2005, however. The PA military courts handle cases on a range of security offenses, on collaborating with Israel, and on drug trafficking. There are reportedly hundreds of administrative detainees in Palestinian jails. Human rights groups regularly document torture complaints, and security officers are rarely punished for such abuses. The Independent Commission for Human Rights, the Palestinian human rights ombudsman, received roughly a dozen torture complaints per month in the West Bank in 2014.

Palestinians accused of security offenses by Israel are tried in Israeli military courts, which grant some due process protections but limit rights to counsel, bail, and appeal. According to B'Tselem, as of the end of December 2014, 5,166 Palestinian security detainees and prisoners from the West Bank were held in Israeli prisons, up from 4,387 a year

earlier. Under terms set during Israeli-Palestinian peace negotiations, dozens of Palestinian prisoners were released in the second half of 2013. However, following the abduction and murder of three Israeli teenagers in the West Bank in June 2014, the Israeli military rounded up hundreds of suspected Hamas militants, leading to a sharp increase in the number of administrative detainees.

A temporary order dating from 2006 permits the detention of suspects accused of security offenses for 96 hours without judicial oversight, compared with 24 hours for other detainees. Most convictions in Israeli military courts are based on confessions, sometimes obtained through coercion. Israel outlawed torture in 2000, but milder forms of coercion are permissible when the prisoner is believed to have vital information about impending attacks. Human rights groups criticize Israeli interrogation methods, which include binding detainees to a chair in painful positions, slapping, kicking, and threatening violence against detainees and their relatives.

According to Defence for Children International (DCI) Palestine, as of December 2014, 152 Palestinian youths were held in Israeli jails, including 10 youths aged 12 to 15, though for the last few years there have been no Palestinian youths held in Israeli administrative detention. Most imprisoned youths were serving sentences of less than a year for throwing stones at Israeli forces in the West Bank, handed down by a special court for minors; acquittals on such charges are very rare. A 2014 DCI report found that in 96 percent of cases the group documented in 2013, detained children were questioned alone and “rarely informed of their rights.” The same report noted that most detained children are taken from their homes in the middle of the night, and that the process of detention tends to involve threats as well as physical and verbal abuse. East Jerusalem Palestinian minors are tried in Israeli civil juvenile courts.

Militant Jewish settlers escalated attacks on Palestinian individuals and property in 2014 as part of their “price tag” campaign, launched as a response to Israeli policies aimed at limiting settlement. In April 2014, a spike in attacks followed Israel’s demolition of “illegal outposts” in Yitzhar. Most perpetrators of such activity enjoy impunity. A 2014 report by the human rights watchdog Yesh Din revealed that of 246 reported incidents of vandalism to Palestinian fruit trees from 2005 to September 2014, only four led to indictments, while 223 cases were closed due to what the group termed “investigative failures.” Settlers also occasionally face violence from Palestinians. In the year’s most high-profile acts of violence between the two sides, the June abduction and murder of three Israeli teenagers was followed in early July by the abduction and murder of a Palestinian youth from East Jerusalem in an apparent revenge attack; several Israelis were arrested for the latter crime.

Israeli soldiers accused of harassing or assaulting Palestinian civilians are subject to Israeli military law, though convictions typically result in light sentences. Citing B’Tselem figures, an August 2013 report by Yesh Din showed that some 5,000 Palestinians had been killed by Israeli forces in the occupied territories since September 2000. Of 179 criminal investigations opened against soldiers for the deaths of Palestinians from 2003 to 2013, only 16 led to indictments. According to B’Tselem, Israeli security forces killed a total of 46 Palestinians in the West Bank in 2014, compared with 27 in 2013 and 8 in 2012. Human Rights Watch criticized Israel’s June 2014 crackdown on suspected militants in the West Bank as collective punishment, noting property destruction and the unlawful use of deadly force against local residents and protesters during raids.

Although LGBT (lesbian, gay, bisexual, and transgender) people in the West Bank do not face prosecution for same-sex activity, they are reportedly subject to harassment and abuse by PA authorities and members of society.

**G. Personal Autonomy and Individual Rights: 5 / 16**

The easing of checkpoints and roadblocks along with PA security force deployment has improved freedom of movement in recent years. B'Tselem cites a UN count of 256 “flying checkpoints” (which are set up unexpectedly) as of December 2013, down from the previous year, and notes that as of February 2014 there were 99 “fixed” checkpoints, including 59 well within the West Bank, and 40 representing the last point before entry into Israel. These obstacles continue to stunt trade and restrict Palestinian access to jobs, hospitals, and schools.

Israel’s West Bank security barrier, which the International Court of Justice declared illegal in 2004, has meant that 150 Palestinian communities need special permits to access their land. The barrier was about 62 percent complete by late 2014. Some 11,000 Palestinians currently live in the zone between the barrier and the pre-1967 border, or Green Line.

All West Bank residents must have identification cards to obtain entry permits to Israel and East Jerusalem. While most roads are open to both Israelis and Palestinians, 65 kilometers are open only to Israelis.

Palestinian women are underrepresented in most professions and encounter discrimination in employment, though they have full access to universities. Palestinian laws and societal norms, derived in part from Sharia (Islamic law), disadvantage women in marriage, divorce, and inheritance. For Christians, personal status issues are governed by ecclesiastical courts. Rape, domestic abuse, and so-called honor killings are not uncommon. These murders often go unpunished.

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## Western Sahara

**Political Rights Rating:** 7**Civil Liberties Rating:** 7**Freedom Rating:** 7.0**Freedom Status:** Not Free**Electoral Democracy:** No**Population:** 585,509**Capital:** Laayoune**Ten-Year Ratings Timeline For Year Under Review (Political Rights, Civil Liberties, Status)**

Year Under Review	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
<b>Rating</b>	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,6,NF	7,7,NF	7,7,NF	7,7,NF	7,7,NF

**INTRODUCTION**

The year 2014 saw a continued stalemate between Morocco and the pro-independence Polisario Front—a nationalist liberation movement comprised of members of the Sahrawi ethnic group. Long-standing support for Morocco from France and the United States—based on geopolitical calculations—continues to give Rabat the upper hand in the territory dispute.

In April 2014, U.S. Secretary of State John Kerry visited Rabat (and Algiers) to discuss strategic cooperation between the United States, Morocco, and Algeria. Morocco has called for support from its Western allies to fight extremism, pointing to evidence that Al-Qaeda in the Islamic Maghreb (AQIM) is reaching into Western Sahara.

In October, a leak of classified Moroccan diplomatic cables revealed officials from the Moroccan government attempted to bribe foreign journalists and diplomats to support Morocco’s position on Western Sahara. It also gave evidence of Moroccan dissatisfaction with Christopher Ross, who has been the UN Special Envoy for Western Sahara since 2009. Morocco called for his removal in 2012.

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**POLITICAL RIGHTS:** -2 / 40

**A. Electoral Process:** 0 / 12

A promised referendum on independence for Western Sahara has yet to be held, despite a cease-fire between Morocco and the Polisario Front brokered by the United Nations 23 years ago. The United Nations considers Western Sahara to be a “Non-Self-Governing Territory.” Morocco controls two-thirds of the territory of Western Sahara, including the entire Atlantic seaboard. The region under its influence, which Morocco considers to be its Southern Provinces, is home to the majority of the territory’s population. In the territory that Morocco does not fully control—principally the eastern portion and refugee camps in Algeria—the Polisario is ostensibly the governing power. The Polisario’s General Popular Congress is responsible for administration of the refugee camps.

Morocco works to retain the territory as a vital component of the kingdom. There are no free elections within Western Sahara. Morocco holds authority over municipal elections and excludes candidates who support independence. Some members of the Moroccan Parliament represent districts in Western Sahara.

The Polisario Front, a rebel government recognized by the United Nations but outlawed within Western Sahara in Moroccan-controlled territories, operates a General Popular Congress made up of delegates from refugee camps in Polisario-controlled areas of Western Sahara and Algeria. The Polisario Front is based in Tindouf, Algeria.

**B. Political Pluralism and Participation:** 0 / 16

Morocco continues to repress Sahrawi activism to liberate the disputed Western Sahara territory. The Polisario Front is fragmented between hardline elements demanding full independence and more moderate factions willing to compromise with Morocco.

**C. Functioning of Government:** 0 / 12

Corruption among both Moroccan authorities and the Polisario is rampant and goes uninvestigated.

**Discretionary Political Rights Question B:** -2 / 0

Morocco has tried to bolster its claim to Western Sahara over the years by working to alter its demographics. Moroccan authorities offer financial incentives for Moroccans to move to Western Sahara and for Sahrawis to move to Morocco.

**CIVIL LIBERTIES:** 7 / 60

**D. Freedom of Expression and Belief:** 3 / 16

Freedom of expression within Moroccan-controlled areas of Western Sahara is strictly curtailed. Moroccan authorities detain or expel Sahrawi, Moroccan, Spanish, and other foreign reporters who seek to cover sensitive issues relating to Western Sahara. Moroccan law bars the media and individuals from challenging Morocco’s sovereignty over Western Sahara, leading to self-censorship.

The October leak on Twitter of classified Moroccan diplomatic cables portrayed ostensible efforts by the Moroccan government to bribe foreign journalists and diplomats to support Morocco’s position on Western Sahara. The origin and veracity of the documents was still in question at year’s end, and the Moroccan government largely remained silent.

Freedom of expression within Polisario-controlled areas is also constrained, and there have been reports of restrictions by Polisario (and Algerian) authorities in refugee camps in Tindouf.

Access to the internet and independent satellite broadcasts are largely unavailable in the territory due to economic constraints.

Nearly all Sahrawis are Sunni Muslims, as are Moroccans, and Moroccan authorities generally do not interfere with their freedom of worship.

**E. Associational and Organizational Rights: 0 / 12**

Freedom of assembly is severely restricted, and Sahrawis are not permitted to form independent nongovernmental organizations. As in previous years, activists supporting independence and their suspected foreign sympathizers were subject to harassment in 2014.

In September, Hassana al-Wali, a member of the Sahrawi Association Against Torture as well as the pro-independence movement, died in custody. Moroccan authorities violently dispersed protests that erupted in Dakhla in response to his death, resulting in injuries and arrests.

Sahrawis are technically subject to Moroccan labor laws in Moroccan-controlled areas, and unions are present but not active.

**F. Rule of Law: 0 / 16**

The government of Morocco asserts judicial and penal administration within Western Sahara. Security forces in the territory have a history of human rights violations, including arbitrary arrest and detention as well as disappearances. Amnesty International has cited many cases in recent years of activists being tortured while in custody. In July 2014, an appeals court in El-Ayoun upheld the conviction of Sahrawi activist Abdeslam Loumadi, even after he protested that he had been tortured in custody.

**G. Personal Autonomy and Individual Rights: 4 / 16**

Morocco and the Polisario Front both restrict free movement in Western Sahara. In the 1980s, Morocco constructed a 1,700-mile wall to divide the northwest Moroccan-controlled region of Western Sahara from the southeast pro-independence Polisario Front-controlled Sahrawi Arab Democratic Republic (SADR).

Western Sahara possesses extensive natural resources, including phosphate, iron ore deposits, hydrocarbon reserves, and fisheries. There is a history of exploitation of natural resources by foreign companies in Western Sahara, and the local population remains largely impoverished. In recent years, oil companies have made efforts to secure rights to oil exploration and drilling, with no discernible benefit for the Western Sahara population. In December 2013, the European Union signed a controversial Fisheries Agreement with Morocco that gives EU boats the right to fish in Western Sahara's extensive territorial waters in exchange for EU financial assistance in developing Morocco's fishery sector. The SADR government routinely signs contracts with firms for the exploration of oil and gas, but these contracts cannot be formally implemented given the territory's status. No credible free market exists.

The National Union of Sahrawi Women was created in 1974 and is especially present in the refugee camps in Tindouf. It also has representation and influence in Morocco-controlled territory, though its scope is difficult to gauge. According to journalistic accounts, women in Sahrawi society enjoy relatively strong civil liberties, and they are prominent in activist circles and in the pro-independence movement. Some observers attribute this to the liberal interpretation of Islam in Sahrawi society, as well as the nomadic roots of the culture. Others ascribe it to the ordeal of living in refugee camps or under occupation.

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# *Freedom in the World 2015*

## 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 related and disputed territories. The 2015 edition covers developments in 195 countries and 15 territories from January 1, 2014, through December 31, 2014.

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 peoples 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 equate legal guarantees of rights with the on-the-ground fulfillment of those rights. While both laws and actual practices are factored into the ratings decisions, greater emphasis is placed on implementation.

Countries and territories with small populations are not penalized for lacking pluralism in the political system or civil society if these limitations are determined to be a function of size and not overt restrictions by the government or other powerful actors.

Territories are selected for inclusion in *Freedom in the World* based on their political significance and size. Freedom House divides territories into two categories: related territories and disputed territories. Related territories are in some relation of dependency to a sovereign state, and the relationship is not currently in serious legal or political dispute. Disputed territories are areas within internationally recognized sovereign states whose status is in serious political or violent dispute, and whose conditions differ substantially from those of the relevant sovereign states. They are often outside of central government control and characterized by intense, longtime, and widespread insurgency or independence movements that enjoy popular support. 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 *Freedom at Issue* bimonthly journal (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 demanded 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.

The methodology is reviewed periodically, and a number of modest changes have been made over the years to adapt to evolving ideas about political rights and civil liberties. However, the time-series data are not revised retroactively, and any changes to the methodology are introduced incrementally in order to ensure the comparability of the ratings from year to year.

### 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 2015 edition involved more than 60 analysts and nearly 30 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, and individual professional contacts. The analysts score countries based on the conditions and events within their borders during the coverage period. The analysts' proposed scores are discussed and defended at annual review meetings, organized by region and attended by Freedom House staff and a panel of the expert advisers. The final scores represent the consensus of the analysts, advisers, and staff, and are intended to be comparable from year to year and across countries and regions. The advisers also provide a detailed review of and commentary on a number of key country and territory reports. Although an element of subjectivity is unavoidable in such an enterprise, the ratings process emphasizes methodological consistency, intellectual rigor, and balanced and unbiased judgments.

### RATINGS PROCESS

*Freedom in the World* uses a three-tiered rating system, consisting of scores, ratings, and status. The complete list of the questions used in the scoring process, and the tables for converting scores to ratings and ratings 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 two additional discretionary questions. For additional discretionary question A, a score of 1 to 4 may be added, as applicable, while for discretionary question B, a score of 1 to 4 may be subtracted, as applicable (the worse the situation, the more points may be subtracted). The highest score that can be awarded to the political rights checklist is 40 (or a total score of 4 for each of the 10 questions). The highest score that can be awarded to the civil liberties checklist is

60 (or a total 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.

**Political Rights and Civil Liberties Ratings** – A country or territory is assigned two ratings (7 to 1)—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 through 7, with 1 representing the greatest degree of freedom and 7 the smallest degree of freedom, corresponds to a specific range of total scores (see tables 1 and 2).

**Free, Partly Free, Not Free Status** – The average of a country's or territory's political rights and civil liberties ratings is called the Freedom Rating, and it is this figure that determines the status of Free (1.0 to 2.5), Partly Free (3.0 to 5.0), or Not Free (5.5 to 7.0) (see table 3).

**Trend Arrows** – A country or territory may be assigned an upward or downward trend arrow to highlight developments of particular significance or concern. A trend arrow must be linked to a specific score change and can be assigned only when the score change is not large enough to trigger a broader ratings change. Most score changes do not warrant trend arrows; whether a country or territory should receive a trend arrow is left to the discretion of the analyst, in consultation with the expert advisers and Freedom House staff.

**Electoral Democracy** – *Freedom in the World* assigns the designation “electoral democracy” to countries that have met certain minimum standards for political rights; 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 and an overall political rights score of 20 or better. Freedom House's term “electoral democracy” differs from “liberal democracy” in that the latter also implies the presence of a substantial array of civil liberties. In *Freedom in the World*, all Free countries can be considered both electoral and liberal democracies, while some Partly Free countries qualify as electoral, but not liberal, democracies.

## RATINGS AND STATUS CHARACTERISTICS

### Political Rights

**1** – Countries and territories with a rating of 1 enjoy a wide range of political rights, including free and fair elections. Candidates who are elected actually rule, political parties are competitive, the opposition plays an important role and enjoys real power, and the interests of minority groups are well represented in politics and government.

**2** – Countries and territories with a rating of 2 have slightly weaker political rights than those with a rating of 1 because of such factors as political corruption, limits on the functioning of political parties and opposition groups, and foreign or military influence on politics.

**3, 4, 5** – Countries and territories with a rating of 3, 4, or 5 either moderately protect almost all political rights or strongly protect some political rights while neglecting others. The same factors that undermine freedom in countries with a rating of 2 may also

weaken political rights in those with a rating of 3, 4, or 5, but to a greater extent at each successive rating.

**6** – Countries and territories with a rating of 6 have very restricted political rights. They are ruled by one-party or military dictatorships, religious hierarchies, or autocrats. They may allow a few political rights, such as some representation or autonomy for minority groups, and a few are traditional monarchies that tolerate political discussion and accept public petitions.

**7** – Countries and territories with a rating of 7 have few or no political rights because of severe government oppression, sometimes in combination with civil war. They may also lack an authoritative and functioning central government and suffer from extreme violence or rule by regional warlords.

### **Civil Liberties**

**1** – Countries and territories with a rating of 1 enjoy a wide range of civil liberties, including freedoms of expression, assembly, association, education, and religion. They have an established and generally fair legal system that ensures the rule of law (including an independent judiciary), allow free economic activity, and tend to strive for equality of opportunity for everyone, including women and minority groups.

**2** – Countries and territories with a rating of 2 have slightly weaker civil liberties than those with a rating of 1 because of such factors as limits on media independence, restrictions on trade union activities, and discrimination against minority groups and women.

**3, 4, 5** – Countries and territories with a rating of 3, 4, or 5 either moderately protect almost all civil liberties or strongly protect some civil liberties while neglecting others. The same factors that undermine freedom in countries with a rating of 2 may also weaken civil liberties in those with a rating of 3, 4, or 5, but to a greater extent at each successive rating.

**6** – Countries and territories with a rating of 6 have very restricted civil liberties. They strongly limit the rights of expression and association and frequently hold political prisoners. They may allow a few civil liberties, such as some religious and social freedoms, some highly restricted private business activity, and some open and free private discussion.

**7** – Countries and territories with a rating of 7 have few or no civil liberties. They allow virtually no freedom of expression or association, do not protect the rights of detainees and prisoners, and often control or dominate most economic activity.

The gap between a country's or territory's political rights and civil liberties ratings is rarely more than two points. Politically oppressive states typically do not allow a well-developed civil society, for example, and it is difficult, if not impossible, to maintain political freedoms in the absence of civil liberties like press freedom and the rule of law.

Because the designations of Free, Partly Free, and Not Free each cover a broad third 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 (2 in political rights and 3 in civil liberties, or 3 in political rights and 2 in civil liberties) differ from those at the upper end of the Free group (1 for both political rights and civil liberties). 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 2015**

### **Checklist 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.

## **POLITICAL RIGHTS (0–40 POINTS)**

### **A. ELECTORAL PROCESS (0–12 points)**

#### **1. Is the head of government or other chief national authority elected through free and fair elections?**

- Did established and reputable national and/or international election monitoring organizations judge the most recent elections for head of government to be free and fair? (*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 and the following sub-questions. In cases of indirect elections for the head of government, the elections for the legislature that chose the head of government, as well as the selection process of the head of government himself, should be taken into consideration.)
- Have there been undue, politically motivated delays in holding the most recent election for head of government?
- Is the registration of voters and candidates conducted in an accurate, timely, transparent, and nondiscriminatory manner?
- Can candidates make speeches, hold public meetings, and enjoy media access throughout the campaign free of intimidation?
- Does voting take place by secret ballot or by equivalent free voting procedure?
- Are voters able to vote for the candidate or party of their choice without undue pressure or intimidation?
- Is the vote count transparent, and is it reported honestly with the official results made public? Can election monitors from independent groups and representing parties/candidates watch the counting of votes to ensure their honesty?
- Is each person's vote given equivalent weight to those of other voters in order to ensure equal representation?
- Has a democratically elected head of government who was chosen in the most recent election subsequently been overthrown in a violent coup? (*Note:* Although a peaceful, "velvet coup" may ultimately lead to a positive outcome—particularly if it replaces 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.)
- In cases where elections for regional, provincial, or state governors and/or other subnational 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?

**2. Are the national legislative representatives elected through free and fair elections?**

- Did established and reputable domestic and/or international election monitoring organizations judge the most recent national legislative elections to be free and fair?
- Have there been undue, politically motivated delays in holding the most recent national legislative election?
- Is the registration of voters and candidates conducted in an accurate, timely, transparent, and nondiscriminatory manner?
- Can candidates make speeches, hold public meetings, and enjoy media access throughout the campaign free of intimidation?
- Does voting take place by secret ballot or by equivalent free voting procedure?
- Are voters able to vote for the candidate or party of their choice without undue pressure or intimidation?
- Is the vote count transparent, and is it reported honestly with the official results made public? Can election monitors from independent groups and representing parties/candidates watch the counting of votes to ensure their honesty?
- Is each person's vote given equivalent weight to those of other voters in order to ensure equal representation?
- Have the representatives of a democratically elected national legislature who were chosen in the most recent election subsequently been overthrown in a violent coup? (*Note:* Although a peaceful, "velvet coup" may ultimately lead to a positive outcome—particularly if it replaces a national legislature whose representatives were not freely and fairly elected—members of the new legislature have not been freely and fairly elected and cannot be treated as such.)
- 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?

**3. Are the electoral laws and framework fair?**

- 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 the ability of voters, candidates, or parties to fulfill their roles in the election is infringed.)
  - Are election commissions or other election authorities independent and free from government or other pressure and interference?
  - Is the composition of election commissions fair and balanced?
  - Do election commissions or other election authorities conduct their work in an effective and competent manner?
  - Do adult citizens enjoy universal and equal suffrage? (*Note:* Suffrage can be suspended or withdrawn for reasons of legal incapacity, such as mental incapacity or conviction of a serious criminal offense.)
  - Is the drawing of election districts conducted in a fair and nonpartisan manner, as opposed to gerrymandering for personal or partisan advantage?
  - Has the selection of a system for choosing legislative representatives (such as proportional versus majoritarian) been manipulated to advance certain political interests or to influence the electoral results?
-

**B. POLITICAL PLURALISM AND PARTICIPATION (0–12 points)**

1. **Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system open to the rise and fall of these competing parties or groupings?**
  - Do political parties encounter undue legal or practical obstacles in their efforts to be formed and to operate, including onerous registration requirements, excessively large membership requirements, etc.?
  - Do parties face discriminatory or onerous restrictions in holding meetings, rallies, or other peaceful activities?
  - Are party members or leaders intimidated, harassed, arrested, imprisoned, or subjected to violent attacks as a result of their peaceful political activities?
2. **Is there a significant opposition vote and 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 legitimate opposition forces in positions of authority, such as in the national legislature or in subnational governments?
  - Are opposition party members or leaders intimidated, harassed, arrested, imprisoned, or subjected to violent attacks as a result of their peaceful political activities?
3. **Are the people's political choices free from domination by the military, foreign powers, totalitarian parties, religious hierarchies, economic oligarchies, or any other powerful group?**
  - Do such groups offer bribes to voters and/or political figures in order to influence their political choices?
  - Do such groups intimidate, harass, or attack voters and/or political figures in order to influence their political choices?
  - Does the military control or enjoy a preponderant influence over government policy and activities, including in countries that nominally are 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, the use of significant economic threats or sanctions, etc.?
4. **Do cultural, ethnic, religious, or other minority groups have full political rights and electoral opportunities?**
  - Do political parties of various ideological persuasions address issues of specific concern to minority groups?
  - Does the government inhibit the participation of minority groups in national or subnational political life through laws and/or practical obstacles?
  - Are political parties based on ethnicity, culture, or religion that espouse peaceful, democratic values legally permitted and de facto allowed to operate?

**C. FUNCTIONING OF GOVERNMENT (0–12 points)**

1. **Do the freely elected head of government and national legislative representatives determine the policies of the government?**
  - Are the candidates who were elected freely and fairly duly installed in office?
  - 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, the military, and foreign governments, interfere with or prevent elected representatives from adopting and implementing legislation and making meaningful policy decisions?
- 2. Is the government free from pervasive corruption?**
- Has the government implemented effective anticorruption laws or programs to prevent, detect, and punish corruption among public officials, including conflict 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 by government officials thoroughly investigated and prosecuted without prejudice, particularly against political opponents?
  - Are allegations of corruption given wide and extensive airing in the media?
  - Do whistleblowers, anticorruption activists, investigators, and journalists enjoy legal protections that make them feel secure about reporting cases of bribery and corruption?
  - What was the latest Transparency International Corruption Perceptions Index score for this country?
- 3. Is the government accountable to the electorate between elections, and does it operate with openness and transparency?**
- Are civil society groups, interest groups, journalists, and other citizens able to comment on and influence pending policies or legislation?
  - Do citizens have the legal right and practical ability to obtain information about government operations and the means to petition government agencies for it?
  - Is the budget-making process subject to meaningful legislative review and public scrutiny?
  - Does the government publish detailed accounting expenditures in a timely fashion?
  - 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?

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#### ADDITIONAL DISCRETIONARY POLITICAL RIGHTS QUESTIONS

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- A. For traditional monarchies that have no parties or electoral process, does the system provide for genuine, meaningful consultation with the people, encourage public discussion of policy choices, and allow the right to petition the ruler? (0–4 points)**
- Is there a non-elected legislature that advises the monarch on policy issues?
  - Are there formal mechanisms for individuals or civic groups to speak with or petition the monarch?
  - Does the monarch take petitions from the public under serious consideration?
- B. 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 to 0 points)**
- 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 change the ethnic composition of a region or regions?

### CIVIL LIBERTIES (0-60 POINTS)

#### A. FREEDOM OF EXPRESSION AND BELIEF (0-16 points)

##### 1. Are there free and independent media and other forms of cultural expression? (Note: In cases where the media are state controlled but offer pluralistic points of view, the survey gives the system credit.)

- Are print, broadcast, and/or internet-based media directly or indirectly censored?
- Is self-censorship among journalists common, especially when reporting on politically sensitive issues, including corruption or the activities of senior officials?
- Are libel, blasphemy, or security 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 withhold funding in order to propagandize, primarily provide official points of view, and/or limit access by opposition parties and civic critics? Do powerful private actors engage in similar practices?
- Does the government attempt to influence media content and access through means including politically motivated awarding of broadcast frequencies and newspaper registrations, unfair control and influence over printing facilities and distribution networks, selective distribution of advertising, onerous registration requirements, prohibitive tariffs, and bribery?
- Are journalists threatened, arrested, imprisoned, beaten, or killed by government or nongovernmental actors for their legitimate journalistic activities, and if such cases occur, are they investigated and prosecuted fairly and expeditiously?
- Are works of literature, art, music, or other forms of cultural expression censored or banned for political purposes?

##### 2. Are religious institutions and communities free to practice their faith and express themselves 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?
- Are religious practice and expression impeded by violence or harassment from nonstate actors?
- Does the government appoint or otherwise influence the appointment of religious leaders?
- Does the government control the production and distribution of religious books and other materials and the content of sermons?
- 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?
- 3. Is there academic freedom, and is the educational system free of extensive political indoctrination?**
- Are teachers and professors 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?
  - 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 pressuring 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?
- 4. Is there open and free private discussion?**
- Are people able to engage in private discussions, particularly of a political nature (in places including restaurants, public transportation, and their homes) without fear of harassment or detention by the authorities or powerful nonstate actors?
  - Do users of personal online communications—including private e-mail, text messages, or personal blogs with a limited following—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 (0–12 points)**
- 1. Is there freedom of assembly, demonstration, and open public discussion?**
- 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 and time consuming?
  - Are participants of peaceful demonstrations intimidated, arrested, or assaulted?
  - Are peaceful protesters detained by police in order to prevent them from engaging in such actions?
- 2. Is there freedom for nongovernmental organizations? (Note: This includes civic organizations, interest groups, foundations, etc.)**
- Are registration and other legal requirements for nongovernmental organizations particularly onerous and intended to prevent them from functioning freely?
  - Are laws related to the financing of nongovernmental organizations unduly complicated and cumbersome?
  - Are donors and funders of nongovernmental organizations free of government pressure?
  - Are members of nongovernmental organizations intimidated, arrested, imprisoned, or assaulted because of their work?

**3. Are there free trade unions and peasant organizations or equivalents, and is there effective collective bargaining? Are there free professional and other private organizations?**

- Are trade unions allowed to be established and to operate free from 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 do?
- Are workers permitted to engage in strikes, and do members of unions face reprisals for engaging in peaceful strikes? (*Note:* This question may not apply to workers in essential government services or public safety jobs.)
- Are unions able to bargain collectively with employers and able to negotiate collective bargaining agreements that are honored in practice?
- For states with very small populations or primarily agriculturally-based economies that do not necessarily support the formation of trade unions, does the government allow for the establishment of peasant 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 (0–16 points)**

**1. 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 other reasons?
- Do executive, legislative, and other governmental authorities comply with judicial decisions, and are these decisions effectively enforced?
- Do powerful private concerns comply with judicial decisions, and are decisions that run counter to the interests of powerful actors effectively enforced?

**2. Does the rule of law prevail in civil and criminal matters? Are police under direct civilian control?**

- Are defendants' rights, including the presumption of innocence until proven guilty, protected?
- Are detainees provided access to independent, competent legal counsel?
- Are defendants given a fair, public, and timely hearing by a competent, independent, and impartial tribunal?
- Are prosecutors independent of political control and influence?
- Are prosecutors independent of powerful private interests, whether legal or illegal?
- Is there effective and democratic civilian state control of law enforcement officials through the judicial, legislative, and executive branches?
- Are law enforcement officials free from the influence of nonstate actors, including organized crime, powerful commercial interests, or other groups?

**3. Is there protection from political terror, unjustified imprisonment, exile, or torture, whether by groups that support or oppose the system? Is there freedom from war and insurgencies?**

- Do law enforcement officials make arbitrary arrests and detentions without warrants or fabricate or plant evidence on suspects?

- Do law enforcement officials beat detainees during arrest and interrogation or use excessive force or torture to extract confessions?
  - Are conditions in pretrial facilities and prisons humane and respectful of the human dignity of inmates?
  - Do citizens have the means of effective petition and redress when their rights are violated by state authorities?
  - Is violent crime either against specific groups or within the general population widespread?
  - Is the population subjected to physical harm, forced removal, or other acts of violence or terror due to civil conflict or war?
- 4. Do laws, policies, and practices guarantee equal treatment of various segments of the population?**
- Are members of various distinct groups—including ethnic and religious minorities, LGBT and intersex people, and the disabled—able to exercise effectively their human rights with full equality before the law?
  - Is violence against such groups widespread, and if so, 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 women enjoy full equality in law and in practice as compared to men?
  - 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 rights of freedom 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 fear persecution)?

**G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS (0–16 points)**

- 1. Do citizens enjoy freedom of travel or choice of residence, employment, or institution of higher education?**
- Are there restrictions on foreign travel, including the use of an exit visa system, which may be issued selectively?
  - Is permission required from the authorities or nonstate actors to move within the country?
  - Do state or nonstate actors determine or otherwise influence a person’s 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?
- 2. Do citizens have the right to own property and establish private businesses? Is private business activity unduly influenced by government officials, the security forces, political parties/organizations, or organized crime?**

- 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?
  - Does the government provide adequate and timely compensation to people whose property is expropriated under eminent domain laws?
  - 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?
- 3. Are there personal social freedoms, including gender equality, choice of marriage partners, and size of family?**
- Is violence against women—including domestic violence, female genital mutilation, and rape—widespread, and are perpetrators brought to justice?
  - Is the trafficking of women and/or children abroad for prostitution widespread, and is the government taking adequate efforts to address the problem?
  - Do women face de jure and de facto discrimination in economic and social matters, including property and inheritance rights, divorce proceedings, and child custody matters?
  - Does the government directly or indirectly control choice of marriage partners and other personal relationships through means such as requiring large payments to marry certain individuals (e.g., foreign citizens), not enforcing laws against child marriage or dowry payments, restricting same-sex relationships, or criminalizing extramarital sex?
  - Does the government determine the number of children that a couple may have?
  - Does the government engage in state-sponsored religious/cultural/ethnic indoctrination and related restrictions on personal freedoms?
  - Do private institutions, including religious groups, unduly infringe on the rights of individuals, including choice of marriage partner, dress, gender expression, etc.?
- 4. Is there equality of opportunity and the absence of economic exploitation?**
- Does the government exert tight control over the economy, including through state ownership and the setting of prices and production quotas?
  - Do the economic benefits 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, cartels, or illegal blacklists, boycotts, or discrimination?
  - Is entrance to institutions of higher education or the ability to obtain employment limited by widespread nepotism and the payment of bribes?
  - Are certain groups, including ethnic or religious minorities, less able to enjoy certain economic benefits than others? For example, are certain groups restricted from holding particular jobs, whether in the public or the private sector, because of de jure or de facto discrimination?
  - Do state or private employers exploit their workers through activities including unfairly withholding wages and permitting or forcing employees to work under unacceptably dangerous conditions, as well as through adult slave labor and child labor?

<b>KEY TO SCORES, PR AND CL RATINGS, STATUS</b>			
<b>Table 1</b>		<b>Table 2</b>	
<b>Political Rights (PR)</b>		<b>Civil Liberties (CL)</b>	
<b>Total Scores</b>	<b>PR Rating</b>	<b>Total Scores</b>	<b>CL Rating</b>
36–40	1	53–60	1
30–35	2	44–52	2
24–29	3	35–43	3
18–23	4	26–34	4
12–17	5	17–25	5
6–11	6	8–16	6
0–5*	7	0–7	7

<b>TABLE 3</b>	
<b>Combined Average of the PR and CL Ratings (Freedom Rating)</b>	<b>Freedom Status</b>
1.0 to 2.5	Free
3.0 to 5.0	Partly Free
5.5 to 7.0	Not Free

\* It is possible for a country’s 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 negative score for political rights discretionary question B. In such a case, it would still receive a final political rights rating of 7.

# Tables and Ratings

## Independent Countries

Country	Freedom Status	PR	CL	Trend Arrow
Afghanistan	Not Free	6	6	↓
Albania*	Partly Free	3	3	
Algeria	Not Free	6	5	
Andorra*	Free	1	1	
Angola	Not Free	6	5	
Antigua and Barbuda*	Free	2	2	
Argentina*	Free	2	2	
Armenia	Partly Free	5	4	
Australia*	Free	1	1	
Austria*	Free	1	1	
Azerbaijan	Not Free	6	6	↓
Bahamas*	Free	1	1	
Bahrain	Not Free	7 ▼	6	
Bangladesh*	Partly Free	4 ▼	4	
Barbados*	Free	1	1	
Belarus	Not Free	7	6	
Belgium*	Free	1	1	
Belize*	Free	1	2	
Benin*	Free	2	2	
Bhutan*	Partly Free	3	4	
Bolivia*	Partly Free	3	3	
Bosnia and Herzegovina*	Partly Free	4 ▼	3	
Botswana*	Free	3	2	
Brazil*	Free	2	2	
Brunei	Not Free	6	5	
Bulgaria*	Free	2	2	
Burkina Faso	Partly Free	6 ▼	3	
Burundi	Not Free ▼	6 ▼	5	
Cambodia	Not Free	6	5	
Cameroon	Not Free	6	6	

Country	Freedom Status	PR	CL	Trend Arrow
Canada*	Free	1	1	
Cape Verde*	Free	1	1	
Central African Republic	Not Free	7	7	
Chad	Not Free	7	6	
Chile*	Free	1	1	
China	Not Free	7	6	
Colombia*	Partly Free	3	4	
Comoros*	Partly Free	3	4	
Congo (Brazzaville)	Not Free	6	5	
Congo (Kinshasa)	Not Free	6	6	
Costa Rica*	Free	1	1	
Côte d'Ivoire	Partly Free	5	4	
Croatia*	Free	1	2	
Cuba	Not Free	7	6	
Cyprus*	Free	1	1	
Czech Republic*	Free	1	1	
Denmark*	Free	1	1	
Djibouti	Not Free	6	5	
Dominica*	Free	1	1	
Dominican Republic*	Free	2	3	
East Timor*	Partly Free	3	3 ▲	
Ecuador*	Partly Free	3	3	↓
Egypt	Not Free	6	5	↓
El Salvador*	Free	2	3	
Equatorial Guinea	Not Free	7	7	
Eritrea	Not Free	7	7	
Estonia*	Free	1	1	
Ethiopia	Not Free	6	6	
Fiji*	Partly Free	3 ▲	4	
Finland*	Free	1	1	
France*	Free	1	1	
Gabon	Not Free	6	5	
The Gambia	Not Free	6	6	↓
Georgia*	Partly Free	3	3	
Germany*	Free	1	1	
Ghana*	Free	1	2	
Greece*	Free	2	2	

Country	Freedom Status	PR	CL	Trend Arrow
Grenada*	Free	1	2	
Guatemala*	Partly Free	3	4	
Guinea	Partly Free	5	5	
Guinea-Bissau	Partly Free ▲	5 ▲	5	
Guyana*	Free	2	3	
Haiti	Partly Free	5 ▼	5	
Honduras*	Partly Free	4	4	
Hungary*	Free	2 ▼	2	
Iceland*	Free	1	1	
India*	Free	2	3	
Indonesia*	Partly Free	2	4	
Iran	Not Free	6	6	
Iraq	Not Free	6 ▼	6	
Ireland*	Free	1	1	
Israel*	Free	1	2	
Italy*	Free	1	1	
Jamaica*	Free	2	3	
Japan*	Free	1	1	
Jordan	Not Free	6	5	
Kazakhstan	Not Free	6	5	
Kenya*	Partly Free	4	4	
Kiribati*	Free	1	1	
Kosovo*	Partly Free	4 ▲	4	
Kuwait	Partly Free	5	5	
Kyrgyzstan	Partly Free	5	5	↓
Laos	Not Free	7	6	
Latvia*	Free	2	2	
Lebanon	Partly Free	5	4	↓
Lesotho*	Free	2	3	↓
Liberia*	Partly Free	3	4	↓
Libya	Not Free ▼	6 ▼	6 ▼	
Liechtenstein*	Free	1	1	
Lithuania*	Free	1	1	
Luxembourg*	Free	1	1	
Macedonia*	Partly Free	4 ▼	3	
Madagascar*	Partly Free	4 ▲	4	
Malawi*	Partly Free	3	4	



Country	Freedom Status	PR	CL	Trend Arrow
Malaysia	Partly Free	4	4	↓
Maldives*	Partly Free	4	4	
Mali	Partly Free	5	4	
Malta*	Free	1	1	
Marshall Islands*	Free	1	1	
Mauritania	Not Free	6	5	
Mauritius*	Free	1	2	
Mexico*	Partly Free	3	3	↓
Micronesia*	Free	1	1	
Moldova*	Partly Free	3	3	
Monaco*	Free	2	1	
Mongolia*	Free	1	2	
Montenegro*	Free	3	2	
Morocco	Partly Free	5	4	
Mozambique	Partly Free	4	3	
Myanmar	Not Free	6	6 ▼	
Namibia*	Free	2	2	
Nauru*	Free	1	2 ▼	
Nepal*	Partly Free	4	4	
Netherlands*	Free	1	1	
New Zealand*	Free	1	1	
Nicaragua	Partly Free	4	3	
Niger*	Partly Free	3	4	
Nigeria	Partly Free	4	5 ▼	
North Korea	Not Free	7	7	
Norway*	Free	1	1	
Oman	Not Free	6	5	
Pakistan*	Partly Free	4	5	
Palau*	Free	1	1	
Panama*	Free	2	2	
Papua New Guinea*	Partly Free	4 ▼	3	
Paraguay*	Partly Free	3	3	
Peru*	Free	2	3	
Philippines*	Partly Free	3	3	
Poland*	Free	1	1	
Portugal*	Free	1	1	
Qatar	Not Free	6	5	

Country	Freedom Status	PR	CL	Trend Arrow
Romania*	Free	2	2	
Russia	Not Free	6	6 ▼	
Rwanda	Not Free	6	6 ▼	
Saint Kitts and Nevis*	Free	1	1	
Saint Lucia*	Free	1	1	
Saint Vincent and Grenadines*	Free	1	1	
Samoa*	Free	2	2	
San Marino*	Free	1	1	
São Tomé and Príncipe*	Free	2	2	
Saudi Arabia	Not Free	7	7	
Senegal*	Free	2	2	
Serbia*	Free	2	2	
Seychelles*	Partly Free	3	3	
Sierra Leone*	Partly Free	3	3	
Singapore	Partly Free	4	4	
Slovakia*	Free	1	1	
Slovenia*	Free	1	1	
Solomon Islands*	Partly Free	3 ▲	3	
Somalia	Not Free	7	7	
South Africa*	Free	2	2	
South Korea*	Free	2	2	↓
South Sudan	Not Free	7 ▼	6	
Spain*	Free	1	1	
Sri Lanka	Partly Free	5	5 ▼	
Sudan	Not Free	7	7	
Suriname*	Free	2	2	
Swaziland	Not Free	7	5	↓
Sweden*	Free	1	1	
Switzerland*	Free	1	1	
Syria	Not Free	7	7	↓
Taiwan*	Free	1	2	
Tajikistan	Not Free	6	6	↓
Tanzania*	Partly Free	3	3	
Thailand	Not Free ▼	6 ▼	5 ▼	
Togo	Partly Free	4	4	
Tonga*	Free	2	2	

Country	Freedom Status	PR	CL	Trend Arrow
Trinidad and Tobago*	Free	2	2	
Tunisia*	Free ▲	1 ▲	3	
Turkey*	Partly Free	3	4	↓
Turkmenistan	Not Free	7	7	
Tuvalu*	Free	1	1	
Uganda	Not Free ▼	6	5 ▼	
Ukraine*	Partly Free	3 ▲	3	
United Arab Emirates	Not Free	6	6	
United Kingdom*	Free	1	1	
United States*	Free	1	1	
Uruguay*	Free	1	1	
Uzbekistan	Not Free	7	7	
Vanuatu*	Free	2	2	
Venezuela	Partly Free	5	5	↓
Vietnam	Not Free	7	5	
Yemen	Not Free	6	6	↓
Zambia*	Partly Free	3	4	
Zimbabwe	Not Free	5	6	

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.

↑ ↓ up or down indicates a trend of positive or negative changes that took place but were not sufficient to result in a change in political rights or civil liberties ratings.

\* indicates a country's status as an electoral democracy.

**NOTE:** The ratings reflect global events from January 1, 2014, through December 31, 2014.

### Related Territories

Territory	Freedom Status	PR	CL	Trend Arrow
Hong Kong	Partly Free	5	2	↓
Puerto Rico	Free	1	2	

### Disputed Territories

Territory	Freedom Status	PR	CL	Trend Arrow
Abkhazia	Partly Free	4	5	
Crimea	Not Free	7	6	
Gaza Strip	Not Free	7	6	
Indian Kashmir	Partly Free	4	4	
Nagorno-Karabakh	Partly Free	5	5	
Northern Cyprus	Free	2	2	
Pakistani Kashmir	Not Free	6	5	
Somaliland	Partly Free	4	5	
South Ossetia	Not Free	7	6	
Tibet	Not Free	7	7	
Transnistria	Not Free	6	6	
West Bank	Not Free	6	5	
Western Sahara	Not Free	7	7	

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.

↑ ↓ up or down indicates a trend of positive or negative changes that took place but were not sufficient to result in a change in political rights or civil liberties ratings.

**NOTE:** The ratings reflect global events from January 1, 2014, through December 31, 2014.

**Combined Average Ratings—Independent Countries**

<b>FREE</b>	Israel	Sierra Leone	Brunei
<b>1.0</b>	Mauritius	Solomon Islands	Burundi
Andorra	Monaco	Tanzania	Cambodia
Australia	Mongolia	Ukraine	Congo (Brazzaville)
Austria	Nauru		Djibouti
Bahamas	Taiwan	<b>3.5</b>	Egypt
Barbados		Bhutan	Gabon
Belgium	<b>2.0</b>	Bosnia and	Kazakhstan
Canada	Antigua and Barbuda	Herzegovina	Mauritania
Cape Verde	Argentina	Colombia	Oman
Chile	Benin	Comoros	Qatar
Costa Rica	Brazil	Fiji	Thailand
Cyprus	Bulgaria	Guatemala	Uganda
Czech Republic	Greece	Liberia	Zimbabwe
Denmark	Hungary	Macedonia	
Dominica	Latvia	Malawi	<b>6.0</b>
Estonia	Namibia	Mozambique	Afghanistan
Finland	Panama	Nicaragua	Azerbaijan
France	Romania	Niger	Burma
Germany	Samoa	Papua New Guinea	Cameroon
Iceland	Sao Tome and	Turkey	Congo (Kinshasa)
Ireland	Principe	Zambia	Ethiopia
Italy	Senegal		The Gambia
Japan	Serbia	<b>4.0</b>	Iran
Kiribati	South Africa	Bangladesh	Iraq
Liechtenstein	South Korea	Honduras	Libya
Lithuania	Suriname	Kenya	Russia
Luxembourg	Tonga	Kosovo	Rwanda
Malta	Trinidad and Tobago	Madagascar	Swaziland
Marshall Islands	Tunisia	Malaysia	Tajikistan
Micronesia	Vanuatu	Maldives	United Arab Emirates
Netherlands		Singapore	Vietnam
New Zealand	<b>2.5</b>	Togo	Yemen
Norway	Botswana		
Palau	Dominican Republic	<b>4.5</b>	<b>6.5</b>
Poland	El Salvador	Armenia	Bahrain
Portugal	Guyana	Burkina Faso	Belarus
Saint Kitts and Nevis	India	Côte d'Ivoire	Chad
Saint Lucia	Jamaica	Lebanon	China
Saint Vincent and the Grenadines	Lesotho	Mali	Cuba
San Marino	Montenegro	Morocco	Laos
Slovakia	Peru	Nigeria	South Sudan
Slovenia		Pakistan	
Spain	<b>PARTLY FREE</b>		<b>7.0</b>
Sweden	<b>3.0</b>	<b>5.0</b>	Central African
Switzerland	Albania	Guinea	Republic
Tuvalu	Bolivia	Guinea-Bissau	Equatorial Guinea
United Kingdom	East Timor	Haiti	Eritrea
United States	Ecuador	Kuwait	North Korea
Uruguay	Georgia	Kyrgyzstan	Saudi Arabia
	Indonesia	Sri Lanka	Somalia
	Mexico	Venezuela	Sudan
	Moldova		Syria
<b>1.5</b>	Nepal	<b>NOT FREE</b>	Turkmenistan
Belize	Paraguay	<b>5.5</b>	Uzbekistan
Croatia	Philippines	Algeria	
Ghana	Seychelles	Angola	
Grenada			

**Combined Average Ratings—Related Territories**

<b>FREE</b> <b>1.5</b> Puerto Rico	<b>PARTLY FREE</b> <b>3.5</b> Hong Kong
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**Combined Average Ratings—Disputed Territories**

<b>FREE</b> <b>2.0</b> Northern Cyprus
<b>PARTLY FREE</b> <b>4.0</b> Indian Kashmir
<b>4.5</b> Abkhazia Somaliland
<b>5.0</b> Nagorno-Karabakh
<b>NOT FREE</b> <b>5.5</b> Pakistani Kashmir West Bank
<b>6.0</b> Transnistria
<b>6.5</b> Crimea Gaza Strip South Ossetia
<b>7.0</b> Tibet Western Sahara

**Electoral Democracies (125)**

Albania	India
Andorra	Indonesia
Antigua and Barbuda	Ireland
Argentina	Israel
Australia	Italy
Austria	Jamaica
Bahamas	Japan
Bangladesh	Kenya
Barbados	Kiribati
Belgium	Kosovo
Belize	Latvia
Benin	Lesotho
Bhutan	Liberia
Bolivia	Liechtenstein
Bosnia-Herzegovina	Lithuania
Botswana	Luxembourg
Brazil	Macedonia
Bulgaria	Madagascar
Canada	Malawi
Cape Verde	Maldives
Chile	Malta
Colombia	Marshall Islands
Comoros	Mauritius
Costa Rica	Mexico
Croatia	Micronesia
Cyprus	Moldova
Czech Republic	Monaco
Denmark	Mongolia
Dominica	Montenegro
Dominican Republic	Namibia
East Timor	Nauru
Ecuador	Nepal
El Salvador	Netherlands
Estonia	New Zealand
Fiji	Niger
Finland	Norway
France	Pakistan
Georgia	Palau
Germany	Panama
Ghana	Papua New Guinea
Greece	Paraguay
Grenada	Peru
Guatemala	Philippines
Guyana	Poland
Honduras	Portugal
Hungary	Romania
Iceland	St. Kitts and Nevis

St. Lucia  
St. Vincent and the Grenadines  
Samoa  
San Marino  
Sao Tome and Principe  
Senegal  
Serbia  
Seychelles  
Sierra Leone  
Slovakia  
Slovenia  
Solomon Islands  
South Africa  
South Korea  
Spain  
Suriname

Sweden  
Switzerland  
Taiwan  
Tanzania  
Tonga  
Trinidad and Tobago  
Tunisia  
Turkey  
Tuvalu  
Ukraine  
United Kingdom  
United States  
Uruguay  
Vanuatu  
Zambia



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# *Freedom in the World*

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